

NEW JERSEY

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

CITIZEN REVIEW PANEL

FOR PERIOD JULY 1, 2004-JUNE 30, 2005

ANNUAL REPORT

**DYFS STAFFING AND OUTCOME REVIEW PANEL
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James M. Davy, Commissioner
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OVERVIEW

The current reporting year was the third year of operation for the DYFS Staffing and Outcome Review Panel (SORP), Pursuant to P.L. 2001, c.252 the SORP is charged with reviewing: 1) staffing levels of the N.J. Division of Youth and Family Services (DYFS) in order to develop recommendations regarding those levels and the most effective methods of recruiting, hiring and retaining staff, and 2) DYFS performance in the achievement of management and client outcomes.

This year the SORP convened quarterly, reviewed requested data and heard reports from selected individuals. (Appendices.)

On July 9, 2004, the Department of Human Services finalized its plan to reform child welfare services in New Jersey and that plan was approved by the Child Welfare Panel (CWP) and incorporated into the settlement of a class action lawsuit brought against the State and the Department. The plan is called "A New Beginning of Child Welfare Reform in New Jersey. The legally enforceable elements of the Child Welfare Reform Plan (CWRP) and the mandate of the Staffing and Outcome Review Panel, Citizen's Review Panel, intersect in the areas of staffing and outcomes for clients and management. Implementation of the CWRP is enforced by the CWP and the courts. In 2004-2005 the SORP has monitored the Division's implementation of the CWRP and addressed many of the same elements outlined in the CWRP.

Findings and Conclusions

In its meetings this year, the SORP continued to monitor the progress of implementation of the child welfare reform plan by the Office of Children's Services. To inform its monitoring of the review plan, the SORP requested and received data and heard presentations from the Office of Children's Services and DYFS. A list of the documents received and presentations provided are detailed further in this report.

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

Strengthen staffing. Adequately trained, experienced staff with manageable caseloads, is the underpinning of reform. Caseload size must be reduced, staff training developed and implemented, staff retention and turnover addressed, and expectations for case practice clear and accountable. Higher expectations for experience and education must be implemented in hiring of new staff.

Expand services for families. Services must be relevant to family needs, be of high quality and fully accessible. Drug treatment services are a priority, as well as in-home services, housing, mental health treatment and parent-child visitation. Better coordination of services across divisions and departments is critical, especially now that there are two new divisions, in addition to DYFS, providing child welfare services.

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Stronger accountability. New, stronger accountability mechanisms are needed to implement and maintain the reform effort. This includes regular examination of caseload and case practice issues, as well as reporting of data to the SORP and to the public.

After reviewing and discussing the information provided to the panel, the SORP concludes that the fundamental components of reform identified by the SORP have not been adequately addressed and, in some instances, have not been addressed at all. With the requirement of the lawsuit settlement to meet 46 pages of enforceables, it may have been difficult for the State to prioritize those areas which directly impact case practice, child safety and permanency. In addition, the SORP remains gravely concerned that the reform effort was designed from the top down rather than from the bottom up, placing emphasis on restructuring. This misplaced emphasis, combined with the broad-scoped litany of enforceables and their unrealistic time-frames, has totally destabilized an already troubled child welfare system. An unintended consequence of the massive reorganization has been the loss of child welfare and community resource expertise as key district office and adoption office personnel either accepted newly created non-direct service positions or were relocated from one county to another. As a result, the reform has not had a significant positive impact on field operations as hoped for, and, in some instances, has made it even more difficult for DYFS staff to protect children and serve families.

In short, the SORP fears that this failure is not due to the details of the reform plan or the challenges of implementation but that the *direction* of the reform effort is misguided, too broad in scope, and fails to prioritize core issues. One year into the reform effort, the SORP believes that the systemic problems have deepened and, if the direction and focus of the plan continues, will grow even worse.

Furthermore, the SORP remains concerned that some of the requirements of the New Jersey Child Welfare Panel, which call for the dismantling of certain service systems before establishing new services or structures, are problematic. Specific areas of concern include adoption, shelter care, and residential placement services. Another area is the Panel's emphasis on community responsibility to support families and protect children. While the SORP agrees with this direction, it is concerned that a fully developed system of services be in place before efforts to shift case supervision to the community occur.

The SORP is concerned that the local area offices lack the infrastructure to handle day-to-day operations. Without clearer direction and stability on the local level, the Division's ability to protect children is undermined. An example of this is the collapse of the adoption system, which has left more than 2,000 children waiting for adoptive homes.

To summarize, reform thus far has focused far too much on structural change in DHS and DYFS and too little on case practice in the field – where the agency directly serves children and families. This has caused chaos on the local level. There is confusion about fundamental issues, such as who is responsible for specific cases. The SORP continues to be concerned about the handling of the so-called “child welfare” cases. Responsibility for these cases has not been fully

described, despite repeated questioning by the SORP. Responsibility for the recruitment, training and utilization of resource families is also unclear.

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Thus, it is our conclusion that a mid-course redirection is essential to the success of the reform plan. We urge the State to put on hold any further restructuring or development at the State level, direct its attention to the field operations and get back to the fundamentals of reform – staffing, services and accountability. A strong child welfare system must be built on a solid foundation of highly qualified, stable and well-trained staff, appropriate caseload size, a service array which meets the needs of children and families, and strong accountability. It is evident from the first year of reform that designing a system at the State level does not ensure that it will be carried out in the field.

The following are the SORP's specific concerns:

1) The dismantling of the adoption system has left children at risk. Despite many concerns from the community, the lawsuit settlement required the Adoption Resource Centers to be dismantled by December 2004. The dismantling of this program occurred before a new adoption program was established and fully operational in the local offices, further exacerbating a high backlog of adoption cases. Currently, more than 2,000 children for whom parental rights have been terminated are waiting for adoptions to be finalized. Almost 500 of these children have no adoptive home. The SORP is concerned that the erosion of the adoption system infrastructure and the loss of adoption expertise may negatively impact the State's ability to meet mandates of state and federal law; therefore, the Panel will closely monitor adoption statistics over the next year.

2) Caseload size has not been sufficiently reduced. The State has made substantial progress in this area since the Panel's initial report in June 2003. With the hiring of new workers, caseloads have declined somewhat. This change is most notable in the reduction of the numbers of workers with 100 or more children on their caseloads. In spite of this progress, there is general agreement that the average caseload is still too high and the range of caseload size, especially the number of caseworkers with significantly high caseloads, has not been adequately addressed. The SORP will continue to make the monitoring of caseload size a priority to ensure that this trend continues with the anticipated hiring of additional case carrying personnel. According to a presentation at the SORP meeting in June 2004, caseload size will now be based on the number of families, not the number of children, with caps on the number of children in out-of-home placement. This change is consistent with the way other states maintain statistics, making it possible to compare New Jersey data with that of other states. However, the SORP may be unable to compare future data with that of prior years, thus unable to identify trends and track improvements with pre-2005 data.

3) Improved training for caseworkers and supervisors has not been developed. Hundreds of new workers were hired in 2004-2005, but improved training for new workers has still not been developed, with new workers still being trained with the old curriculum. The SORP was dismayed to discover that the curriculum for new worker training was anticipated to be completed in August 2005, more than one year after a new training was required. Better training for new supervisors, a strong recommendation of the SORP, has not been developed.

4) Staff retention and turnover have not been adequately addressed. The SORP has been unable to get adequate information on staff turnover, such as the categories of staff leaving the agency, the reasons for departure or the resulting impact on staffing levels and vacancies. The promise that DYFS will do an exit interview of staff who resign appears not to be operational in

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any meaningful way. Despite repeated questioning, lack of meaningful data has blocked the SORP from any assessment of how changes in hiring practices affect turnover. The tuition assistance program for graduate-level work is another area of concern, with no assessment by DYFS of its effectiveness or results.

5) The treatment needs of children, particularly for residential care, have not been addressed adequately. In 2003-2004, the SORP convened a subcommittee to examine the issue of juveniles in detention awaiting placement by DYFS or inappropriately placed because there was no alternative. Although some children are still housed inappropriately in detention, the State has made progress in reducing the number from 100 to 25 youth as of June 2005; but it is not clear if these reductions are systemic and can be maintained as new juveniles enter the system. The SORP was also concerned about the closing of the Arthur Brisbane Child Treatment Center and the pressure by the Child Welfare Panel to meet arbitrary time-frames. With a renegotiation of the time-frame, the State remains on track, has moved most of the youth to other services, and anticipates meeting the mandate to close Brisbane by December 2005.

6) Accountability has not improved. Any data that the SORP has received for review has been provided at the specific request of the SORP. Data has not been provided to the SORP on a regular and routine basis, and often it is provided with the caveat that it is incomplete due to an antiquated database system creating a major barrier to generating the kinds of reports that are critical for identifying trends and measuring progress. The work of the Panel would be greatly facilitated if specific reports that are produced on a regular basis could be made available to and routinely distributed to the SORP members. The State has been unable to provide some data, especially around staff retention. Reliable data is a fundamental aspect of strong accountability and the SORP is hopeful that the new management information system will enable the State to readily provide reliable and accurate information that the SORP requires to meet its mandate. The data is not only important for the SORP, but for accountability throughout the system.

7) Services to families have not been greatly expanded. The SORP was not able to assess whether or not the quality and quantity of services to parents had improved. This is an area the SORP wishes to explore further in order to determine if the State has improved direct services to families, especially in areas prioritized by the SORP: drug treatment, in-home counseling, housing, mental health services and parent-child visitation. Areas where the SORP has identified that services have been expanded include services geared toward resource family retention and services for youth aging out of foster care.

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Goals for Next Year

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

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

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Appendix 1

AREAS OF REVIEW

- Staffing levels and hiring of casework staff
- Staff training
- Staff credentials and qualifications
- Staff retention
- FSS Trainee staffing levels
- Client services, funding and community development
- Adoption services
- Caseloads
- Localization of the foster care function
- DYFS access to DV Registry
- Relative Care
- Centralized Screening and State Central Registry
- Facilities and equipment needs
- SACWIS – NJ Spirit (State Automated Child Welfare Information System)
- Stronger system of management and accountability for frontline staff.
- Child Welfare Reform Plan
- Closing of the Arthur Brisbane Child Treatment Center

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Appendix 2

DOCUMENTS REVIEWED

All DYFS New Hires by Title since January 1, 2004
Caseload Ratios for May 6, 2005
Child Welfare Reform Plan: Quarterly Report to the New Jersey State Legislature
Contract Agencies Listing
Core Services
Count of Caseloads by Number of ARS Children
DCBH Flex Funds Administered as Part of the CMO Contracts
DCBHS Contracts Since July 1, 2004 - Child Welfare Reform Funds
DCBHS RFP/RLI (Service Related) Since March of 2004
DPCP Proposed Funding FY '05
Draft DHS Regulations for Citizen Review Panels
DYFS Case Closing Project Status Report
DYFS Caseworker and Supervisor Separation History
DYFS Caseworker Hiring and Retention History
DYFS District Office Caseload Size by Percentage of Workers
DYFS Employee Exit Interviews/Surveys
DYFS Separations by Title since January 1, 2004
DYFS Training and Staff Development Unit
Enforceable Elements of the New Jersey Child Welfare Reform Plan
Growth in the DYFS Child Caseload
Legal Orphans as a Result of Terminating Parental Rights
Legal Status of Non-Legally Free Children with Adoption Goals April 2005
Monthly State Central Registry Call Statistics
OCS DPCP Community Collaboratives Clients Served
Office of Children's Services: Child Welfare Training Academy
Office of the Child Advocate Report: Arthur Brisbane Child Treatment Center Investigation
Percent of FSS Trainees in DYFS Local Offices and ARCs May 3, 2005
PRS Emergency and Resource Family Crisis Funds
Report on Children Legally Free for Adoption April 2005
Resource Families

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Appendix 3

REPORTS FROM INDIVIDUALS

Kathi Way, Special Deputy Commissioner, Office of Children's Services (Panel Member)

Edward E. Cotton, DYFS Assistant Commissioner

Beverly Jones, Assistant Commissioner, OCS, New Jersey Child Welfare Training Academy

Jean Marimón, DYFS Chief of Staff

Julie Caliwan, Director of Policy, Planning and Quality Assurance, Office of Children's Services, Division of Child Behavioral Health

Harry Cassidy, Assistant Director, Administrative Office of the Courts, Family Practice Division (Panel Member)

Eileen Crummy, DYFS Deputy Director, Operations South

Doris Sims, Deputy Director, DYFS Office of Program Support

Donna Younkin, DYFS Child Welfare Reform Plan Implementation Manager

James Louis, Esq. Public Defender's Office, Panel Member

Valerie Ayres, DYFS Administrator of Operations

Linda Dobron, DYFS Office of Human Resources, Manager

Janet Farrand, Foster and Adoptive Family Services (Panel Member)

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Appendix 4

PANEL ACTIVITIES

1. Letter to Commissioner James M. Davy.

In June of 2004, the Panel identified major areas of concern in regards to the CWRP. The Panel's stated position was that services for children must be maintained regardless of structural and systemic changes under the CWRP. Chairwoman Estes and Vice Chairwoman Zalkind sent a letter to Commissioner James J. Davy outlining these concerns. The major areas of concern identified in the letter were:

- Caseworker staffing levels and the increased caseloads.
- Stronger system of management and accountability for frontline staff.
- Hiring more staff with social work backgrounds.
- Process for disciplining or terminating incompetent staff.
- Concern that the reform plan is focused on long-term change, not on the day-functioning of the agency.
- Dismantling of the Adoption Resource Centers.
- Closing of the Arthur Brisbane Child Treatment Center.
- The number and nature of referrals to DYFS that are screened out.
- Unsatisfactory response to SORP recommendations of 2003

2. 2004 Annual Report distributed and posted on DHS website.
3. Review of DHS proposed NJ regulations for Citizen Review Panels.

The SORP recommended changes consistent with changes to federal regulations effective June 2003: 1) Panels are required to examine the practices of public agencies in addition to policy and procedures; 2) Panels are required to provide for public outreach; 3) each Panel makes recommendations regarding child protection services to the state, public and local offices and will receive responses from those agencies within six months of the recommendations.

4. Attendance at National Citizens Review Panel Conference in North Carolina, May 25-27, 2005.

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COMMUNITY OUTREACH

Community outreach hearings were held at the New Jersey Conference on Child Abuse and Neglect on September 10, 2004. Fifteen people testified at the hearings many representing schools. School staff identified the need for better communication with DYFS, feedback on cases and case plans for children referred to DYFS. A Court Appointed Special Advocate (CASA) testified that the DYFS District Offices seemed to be “putting out fires” and that there are space problems in the offices. A foster parent reported that phone calls were not being returned; a lack of information provided by DYFS about foster children placed; and not being part of the case planning process. A foster parent reported the need for training on how to work with traumatized children, and that foster parents are left on their own to seek therapeutic services for children.

The DHS website now includes a link to the Staffing and Outcome Review Panel for comments from the community.

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**Report submitted to Acting Governor Richard J. Codey
and the N.J. State Legislature
June 2004**

To obtain copies of the report or send comments to the Panel:

**Visit the website of the New Jersey Department of Human Services
www.state.nj.us/humanservices
(Click on Reports)**

Or

**Contact the Coordinator
Staffing and Outcome Review Panel
New Jersey Division of Youth and Family Services
P.O. Box 717
Trenton, NJ 08625
Phone: 609-633-4158**

For Immediate Release

Contact: Angela Estes, chairwoman of Staffing Outcome and Review Panel and executive director of Robins Nest, Inc., 856-881-8689, x160

Sept. 13, 2005

Legislative Panel: State Efforts to Protect Abuse Children Fail to Focus on Fundamentals

New Jersey needs to change course in its efforts to fix the system that protects abused children, including more focus on hiring and training staff, providing real help to troubled families and improving public accountability, according to a report from a legislative committee charged with overseeing child protection reforms.

The Staffing and Outcomes Review Panel (SORP) released its third annual report today. The legislatively-created panel concluded that reform efforts have focused far too much on restructuring the Trenton bureaucracy and too little on strengthening the local offices that are directly responsible for protecting children and strengthening families.

"There has been too much bureaucracy and too little real changes in the field," said Angela Estes, panel chairwoman. "This has put some children at risk, while leaving many parents without the supports they need to safely care for their own children. It is time to focus on the fundamentals -- staffing, services and accountability. This needs to happen right away, or our most vulnerable children will continue to be in harm's way."

The panel concluded that a top-heavy reform effort, coupled with unrealistic deadlines for a litany of court-ordered changes, has resulted in "chaos" in the field and little progress toward reaching the plan's ultimate goal of creating a strong child welfare system.

"In short, the SORP fears that this failure is not due to the details of the reform plan or the challenges of implementation but that the *direction* of the reform effort is misguided, too broad in scope, and fails to prioritize core issues," the report concluded. "One year into the reform effort, the SORP believes that the systemic problems have deepened and, if the direction and focus of the plan continues, will grow even worse."

"Thus, it is our conclusion that a mid-course redirection is essential to the success of the reform plan," the report said. "We urge the state to put on hold any further restructuring or development at the state level, direct its attention to the field operations and get back to the fundamentals of reform -- staffing, services and accountability."

The panel reiterated recommendations made in its 2003 report:

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

experience and education must be implemented in hiring of new staff.

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

"We are hopeful that state officials, the Legislature, the governor's office and the Child Welfare Panel will see the wisdom in prioritizing and refocusing efforts on the cornerstones of an effective child welfare system," said Cecilia Zalkind, panel co-chair and executive director of the Association for Children of New Jersey, a statewide child research and action organization. "We need a clear direction that is achievable. And we need more accountability on how we are progressing in that direction."

The panel also cautioned against any further dismantling of existing systems until new mechanisms are firmly in place, including a plan to begin farming out certain cases to private, community-based providers. Known as child welfare cases, these are families in which abuse and neglect have not yet occurred but could happen, without intervention. Currently, the state Division of Youth and Family Services is responsible for these cases. That responsibility would ultimately shift to private organizations in December, under current plans.

"Furthermore, the SORP remains concerned that some of the requirements of the New Jersey Child Welfare Panel, which call for the dismantling of certain service systems before establishing new services or structures, are problematic," the report said.

"Specific areas of concern include adoption, shelter care, and residential placement services. Another area is the Panel's emphasis on community responsibility to support families and protect children. While the SORP agrees with this direction, it is concerned that a fully developed system of services be in place before efforts to shift case supervision to the community occur.

"It is evident from the first year of reform that designing a system at the State level does not ensure that it will be carried out in the field," the report said.

A full copy of the report is available at www.acnj.org.

The Staffing Outcome and Review Panel was legislatively created in 2001 as an oversight body for the state Division of Youth and Family Services.

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A full list of panel members is included in the annual report.