



New Jersey Office of the Child Advocate Newsletter

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Department of Human Services Child Welfare Plan Submitted to Federal Court

The New Jersey Child Welfare Panel, a council of five national child welfare experts appointed to oversee the reform of New Jersey's child welfare system, submitted a comprehensive blueprint of the State's reform plan to federal district court Judge Stanley R. Chesler in early June.

The plan was developed pursuant to the State's settlement agreement with Children's Rights, Inc., a child advocacy organization that sued the State in 1999, in *Charlie and Nadine H. v. Whitman*, claiming children in out-of-home placements were being harmed.

The plan consists of several solid advances, including a centralized abuse and neglect hotline, practice standards for Division of Youth and Family Services (DYFS) workers and a training academy for workers.

The plan includes strategies to expedite court processes for children and major new investments in child abuse prevention, drug treatment, mental health services and child care.

The plan also addresses populations of youth who have been historically neglected by system reform, such as those children in congregate care (including residential treatment centers and group homes),

detention facilities and shelters, as well as youth aging-out of the system.

The State promises to end the practice of warehousing abused, neglected and mentally ill children in institutions because of the lack of foster and adoptive families, less restrictive DYFS placements and appropriate mental health services.

In addition, the plan commits to give adolescents the supports they need to transition successfully into adulthood and independent living. DHS has agreed to keep children's cases open until the child turns 21-years-old.

DHS pledges to help establish pathways to productive adulthood for all youth

in the system at age 13, by linking them to supportive adults and communities to assist with job training, life skills and higher education.

The development of the plan was monitored by the New Jersey Child Welfare Panel, which is charged with overseeing New Jersey's compliance with the reform plan and issuing three public reports over the next 18 months. The settlement agreement provides the panel will disband in December 2005 and a permanent monitor will be named at that time to audit state compliance efforts.



From the Child Advocate

Several years ago, New Jersey's Nobel Laureate, the writer Toni Morrison, wrote a wonderful children's book called *The Big Box*. It is the story of three children, Patty and Mickey and Liza Sue, all beautiful and wily, whose acting up and acting out alienates the adult world and lands them exiled to a big brown box.

It is plain soon enough the box is a warehouse, a prison at the end of the earth for children with problems.

I begin with that children's story because it conveys, in a simple and beautiful way, the need to rethink the institutionalization and warehousing of our children in detention, shelters and the Arthur Brisbane Child Treatment Center.

We need to embrace the unique, the profound, the unavoidable moral and political consequences that flow from the recognition that children are special, wonderful, vulnerable human beings, poorly served by the scarcity of foster homes, treatment services and residential placements.

Almost everything we do as advocates for children and families can ultimately be expressed in these terms: demanding that children be treated as the human beings

they are, and that our political community honor the claims childhood humanity makes on us.

And those claims are not well honored when we see, for example, a detention center with licensed capacity for 37 youth, that regularly sleeps more than 80 children a night.

On some nights, 6 youth have slept together in an 8 by 11 room. One week in May, 27 of these young people were there waiting for a mental health or child welfare placement.



This is not just a New Jersey phenomenon: the General Accounting Office of the federal government released a report last August concluding that in 2001, parents in 19 states placed over 12,700 children into the child welfare or juvenile justice systems so that their children could receive needed mental health services.

We should not, however, expect the plight of those states to be our plight, because more than three years ago, New

Jersey set upon a different course, creating the Children's System of Care Initiative.

Simply put: the Children's Initiative, now the Partnership for Children, does not have an adequate continuum of therapeutic foster homes, residential centers and in-home treatment providers. So children languish.

Making a shift away from out of state placements and large institutions, from both a child and public safety perspective, requires the availability of intensive community-based services and residential options in smaller, local settings.

We need many more programs and services in New Jersey and we need them right away.

The good news is that reform is finally promised. The Legislature awarded the Department of Human Services \$15 million this spring, some of which will be used to finally build new services and placements for children in the mental health system.

But this system will not be reformed until the day arrives when a child presents with a need that we can address quickly by referral to an ample provider network.

As long as that child is relegated to wait months in detention, or a group home, or the CCIS, or Brisbane, because there is no better alternative, this system will not be what we need it to be. Reform arrives the day we empty our big, brown box.

Kevin M. Ryan, Esq.

Office launches Bureau of Citizen Complaints

The Office of the Child Advocate will investigate individual complaints regarding public agencies' responses to children at risk of abuse and neglect in the child welfare (protective, placement and permanency services), mental health, juvenile justice, children's health or education systems. In order for us to investigate a complaint, the following criteria must be met:

- The complaint presents facts alleging that a child's well being is at stake.
- There is no child advocate or legal representative in the case. (If the action or inaction of the child advocate or legal representative is a part of the complaint, this criterion does not apply.)
- The complaining party has exhausted other formal avenues of relief.
- The complaint sets forth facts which, if true, demonstrate that an issue or case was "mishandled," i.e. relevant laws and agency policies and procedures were not followed or are inadequate, placing a child at risk of abuse or neglect.



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INTERNAL USE ONLY	
Helpline	_____
Website	_____
Correspondence	_____

REQUEST FOR ASSISTANCE OR INVESTIGATION

Date of Complaint: _____

To request that an investigation be conducted by the Office of the Child Advocate, please complete the form below.

Name: _____

Address: _____

Email: _____

Telephone #: Day: _____ Evening: _____

Child's Name	Date of Birth	M/F	Address/Telephone #	Caretaker's Name/ Relationship

What is your current relationship to the child(ren) or family?

- Child's Biological Parent
- Child's Grandparent
- Licensed Foster Parent
- Other (please explain) _____
- Child's Legal Guardian
- Other Relative
- Community Professional or Service Provider

Is the child (or children) currently represented by an attorney or child advocate?

- No
- Unknown
- Yes (Please provide name, address and telephone number, if known) _____

If DYFS is involved, please provide the DYFS File Number and the name and office location of caseworker (if known):

OCA REQUEST FOR INVESTIGATION (CONTINUED ON PAGE 4)

OCA REQUEST FOR INVESTIGATION (CONTINUED)

Brief description of the problem or request (attach additional pages if necessary) _____

How did you learn of the problem? _____

What steps have you taken to attempt to resolve the problem? Where available, please include the names of people you have spoken with and the name of their organization, etc. (attach additional pages if necessary) _____

What action are you seeking to resolve your complaint or request? _____

Any other information you would like to provide that is relevant to the problem: _____

Signature

Office of the Child Advocate investigates youth detention facilities and mental health services



On May 10, 2003, 17-year-old Edward Sinclair, a young man from Elizabeth, New Jersey, died in his room at the George W. Herlich Juvenile Quarters, also known as the Union County

Detention Center.

The cause of death was suicide. Fueled by a desire to prevent tragedies like Edward's from occurring again and to assess conditions of care for youth in detention, the Office of the Child Advocate began an in-depth review of New Jersey juvenile detention centers.

Our juvenile justice team toured all 17 facilities, at least once, this spring.

The review will include announced and unannounced site visits to juvenile detention centers in the state; the review of each center's policies, procedures and records; and interviews with facility administrators, juvenile detention officers, medical, behavioral health, social service, and educational staff.

Most importantly, our juvenile justice team will also spend time speaking with detained youth privately.

In addition to our review of all juvenile detention centers, the Office of the Child Advocate staff members are also participating in the Juvenile Detention Alternatives Initiative (JDAI) led by the Juvenile Justice Commission and the Annie E. Casey Foundation

The Initiative is a collaborative effort to reduce conditions of overcrowding by focusing on the creation and use of alternative programming and objective screening tools, to ensure youth are not unnecessarily detained.

Ultimately, we seek to ensure the option of detention is used in an appropriate fashion and that the safety and well-being of youth who are detained is preserved at all times.

The juvenile justice project will include a number of public reports from the Office of the Child Advocate, each focusing on specific service gaps or conditions.

The portion of the investigation focusing on mental health services is anticipated to be complete late summer 2004.

Children's Health Initiative examines children's access barriers to NJ FamilyCare

Approximately 210,000 New Jersey children live without health insurance, denied the safety net many of us take for granted, including regular checkups, immunizations, eyeglasses, prescription drug coverage and hospital care.

The fact is – uninsured children are far less likely to have access to the medical and dental care services they need.

Their vulnerability comes at a moment of unprecedented peril for children's health. Testifying before the Senate on March 2, United States Surgeon General Richard H. Carmona cited the growing risk of children developing Type 2 diabetes, also known as adult-onset diabetes, due to increasing rates of obesity, unhealthy eating habits and physical inactivity.

Indeed, one-third of all children born in 2000 will develop Type 2 diabetes during their lifetime, creating a degree of peril that threatens to reverse

the historic gains in life expectancy that each generation of young Americans makes.

"We may see the first generation," Carmona said, "that will be less healthy and have a shorter life expectancy than their parents."

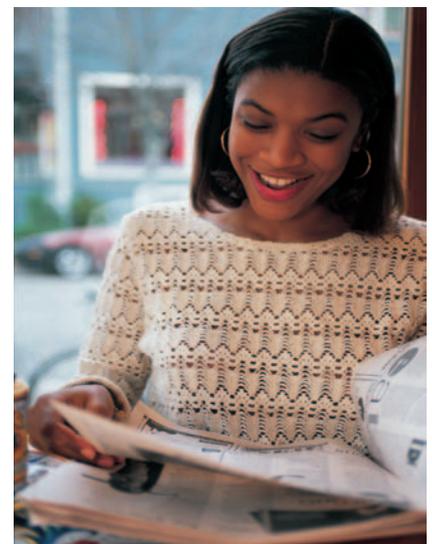
Ensuring affordable, accessible health care for New Jersey's children is a moral and political imperative.

New Jersey administers one of the country's most comprehensive health insurance programs for children in the nation, New Jersey FamilyCare, providing coverage to children in families earning up to 350 percent of the poverty level (roughly \$65,000 per year for a family of four).

The fact that tens of thousands of eligible children are not enrolled is at the heart of an ongoing inquiry by the Office of the Child Advocate.

We intend to uncover the barriers

to enrollment that hinder a child's access to quality health coverage. If you have experienced difficulty enrolling a child in NJ FamilyCare, please call us at 1-877-KIDSVOICE.



Snapshot of Kids in Care

Chapin Hall Data - 1996 through 2002



Data on the New Jersey Outcome Indicators from Settlement Agreement

The following data from 2002 provides baseline information on current and historical performance for outcomes indicated within the State's settlement agreement with Children's Rights, Inc. The data analysis comes from Chapin Hall, a nationally respected child welfare resource in Chicago, and reflects all of the children who entered care in a given year.

On December 13, 2002, there were **10,886** New Jersey children in out-of-home placement with the following distribution of placement types:

Congregate Care	Shelter	Independent Living	Foster Care	Kin Care	Relative Support	Therapeutic Home
13%	3%	1%	50%	12%	16%	5%

Children Entering Care

- The total number of children entering into care has been increasing since 1990. The 1990 cohort had 5,300 kids enter into care with the number rising to 6,948 kids entering into care in 2002.
- Of the almost 74,000 children who have entered care between 1990 and 2002, close to 2/3 of the kids were entering the system for the first time and 1/3 were re-entering the system.

Children Exiting Care

- For the cohort of children who entered care in 1998, Chapin Hall observed the following exit types five years later in 2002:

	Discharged to Family	Discharged to Relative	Adoption	Guardian Support	Aged Out	Runaway	Other	Case Still Open
First Spell	54.7%	1.4%	15.9%	0.0%	1.6%	2.1%	13.8%	10.5%
All Spells	52.7%	1.2%	12.2%	0.0%	2.9%	4.2%	17.1%	9.7%



The settlement agreement requires New Jersey to decrease the incidence of abuse and neglect of children in out-of-home care.

Data on investigations includes every incident reported while a child is in custody, both those where the alleged perpetrator is a substitute caregiver and those that involved, for example, alleged abuse or neglect that occurred on a home visit.

The data from 2000-2002 show that there have been roughly 1400 investigations for each of those years. The 2002 cohort shows that 16% of the investigations were substantiated cases, 36% were unsubstantiated and 48% of

the cases were unfounded. About 4% of the investigations that started in a given year involved children who were in substitute care at the investigation's start. As a proportion of the year-end population, the number of investigations that started while a child was in state custody has declined.

Waiting list for child care in New Jersey grows

The waiting list in New Jersey for state-subsidized child care for the working poor, also known as New Jersey Cares for Kids (NJCK), is growing larger than ever before.



NJCK is a federal block grant child care service program made available through the Omnibus Budget Reconciliation Act (OBRA) of 1990.

This service is meant to provide child care payments for low income families who are in training or employment programs and who may be at risk of becoming eligible for Temporary Assistance for Needy Families (TANF).

However, with the waiting lists for these programs growing larger, the federal investments are proving insufficient to satisfy the

need for services in the community.

The program currently provides subsidized child care for 39,500 New Jersey children. These are children whose parents earn up to twice the federal poverty level.

For example, a family of four at 200 percent of the poverty level could earn up to \$37,700 a year for the children to qualify for the program.

Recognizing the need for expanded child care, the Child Welfare Reform Plan proposes to spend \$2.1 million to offer post-adoptive child care services for up to 550 foster children who are adopted through DYFS.

In addition, the plan includes \$3.65 million to purchase an additional 625 child care slots to support birth parents with agency-identified safety issues.

This investment will also support resource (foster) families that are caring for children who have been placed by DYFS.

SPOTLIGHT: Foster Parenting in New Jersey

Barbara C.

Barbara C. has been a foster parent in New Jersey for 24 years, fostering over 100 children in that time. She started fostering with her husband after realizing they wanted a bigger family, and decided to contact the Division of Youth and Family Services (DYFS foster parent information hotline, 1-877-NJFOSTER) after seeing something about foster parenting on the news.

Barbara and her husband started fostering infants with drug-addiction and health problems who were available for adoption, and then gradually began taking children of all ages.

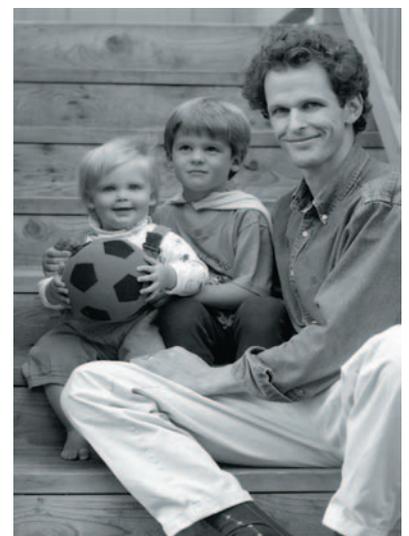
"We have been extremely lucky, almost all of our children have had amazing transitions to great adoptive homes," Barbara said.

Barbara currently has five foster children living with her, and four grown and married biological children (as well as seven grandchildren). She still keeps in touch with a few former foster children, but leaves the correspondence up to the children. "I don't want to interfere with their transition. That's the most important thing."

"Being a foster parent, it's like watching a flower bloom."

Steps to become a foster parent in New Jersey:

- (1) Contact Foster and Adoptive Family Services (FAFS) by calling 1-877-NJ FOSTER.
- (2) Read the information provided to you about DYFS, foster children and why foster parenting is so important.
- (3) Go to an orientation. This is where you learn more about the specific issues related to foster parenting.
- (4) Complete a homestudy with a caseworker and attend pre-service training. This is required so that you may become certified as a foster parent.



For more information, go to NJFostercare.org

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**1-877-
543-7864**

Callers can expect to speak with a staff member when calling during the hours of operation:

**Monday - Friday
9am-8pm**

Callers can also leave a message and expect a return call from a staff member within two business days.

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OCA HelpLine

The Office of the Child Advocate launched the Bureau of Citizen Complaints this spring, which included expanding the capacities for the OCA HelpLine.

Callers to the OCA HelpLine will receive appropriate supportive services including an initial assessment of the situation, advocacy, and recommendations of resources available from the Office of the Child Advocate.

Anyone who calls the OCA can reach a staff member from 9am to 8pm, weekdays.

Callers are also welcome to call outside of the operational hours and leave a message for the OCA staff, who will get back to them within two business days.

Anyone can call the OCA to be a voice for New Jersey's children. If you are a parent or foster parent, concerned citizen or friend, someone who works in child welfare with a

A help line for New Jersey child advocates

public or private organization or a youth, we welcome your concerns about New Jersey's child welfare systems.

The Office of the Child Advocate urges callers to first try to resolve problems by contacting the relevant agency.

Many times, an agency official can explain a confusing policy or correct a problem.

However, if an individual is having trouble or cannot resolve the problem, the Office of the Child Advocate wants to help.

For more information on 1-877-543-7864, please log on to the New Jersey Office of the Child Advocate Web site: childadvocate.nj.gov.