

RESULTS OF REFORM



Translating Children's Rights' advocacy into better lives for abused and neglected children nationwide





The ultimate goal of **CHILDREN'S RIGHTS**—to transform our nation's failing child welfare systems and improve the lives of the hundreds of thousands of abused and neglected children who depend on them—will be attained not in a single, decisive victory, but through the achievement of a critical mass of reforms over time.

Stated in the broadest terms, the elements of Children's Rights' campaigns to reform failing child welfare systems seem fairly simple.

We go to court to establish and defend the rights of children to be protected from maltreatment and raised in safe, healthy, permanent homes—and to secure court orders mandating top-to-bottom reform of the child welfare systems that violate these rights.

We seek to institute court-enforceable reform plans that transform the way children are treated by public systems from the time they are first reported as victims of abuse or neglect to the time they exit the systems' care.

But there are many different responsibilities that these systems must fulfill in ensuring that the children dependent on them receive the care and protection they need. They must be effective not only in investigating reports of abuse and neglect, but in responding with the right services for each case. When they must remove children from their homes, they must make sure the children are safe and well-cared-for in their temporary placements, act quickly to safely reunify them with their families or find them alternative permanent homes, and do everything possible to help them heal from the harms they have suffered.

Every one of these responsibilities is important to children's health and well-being. And that's why it's so important to make sure that public child welfare systems live up to them all.



Children’s Rights reform campaigns attack the problems of failing child welfare systems on all fronts. In negotiating reform plans, our policy staff joins our legal team in helping to shape the details of the strategies that will be implemented to bring about change. In addition to deep and detailed knowledge of current thinking in the child welfare field, we also involve a range of experts and have amassed years of experience in addressing the persistent problems of many different systems. In many instances, lessons learned through the process of reforming one troubled system can be applied or adapted to others. And our multidisciplinary approach enables us to bring a wide range of expertise to bear in advocating for reform.

Although there is no single set of measures that defines success in every reform campaign we undertake, each one seeks to advance three vital objectives:

Every legal victory expands and strengthens the body of law securing the rights of abused and neglected children in America—and further solidifies the legal basis for our reform campaigns.

Every successfully implemented reform plan provides an example that can inform the development of strategies to fix similar problems in other child welfare systems.

Every failing child welfare system transformed through the enforcement of our court-ordered reform plans becomes another high-profile demonstration that failing systems don’t have to be the norm—and ratchets up the pressure on public officials to stop making excuses and start fixing the problems in the systems for which they are responsible.

Our ultimate goal is to win enough victories that we create a critical mass—of legal decisions in favor of the children we represent and the means by which we defend their rights, of reform strategies proven successful, of examples of child welfare systems that function well—that **transcends the individual jurisdictions in which we have taken action and produces a decisive shift in child welfare practice and policy nationwide**. We have developed a five-year strategic plan that charts the course we will take as we strive to realize this ideal.

This document surveys the results of our reform campaigns over the years leading up to this critical moment in the history of Children’s Rights, highlighting the details of our work on issues fundamental to the successful operation of child welfare systems—and to the well-being of our nation’s most vulnerable kids—and the reasons why we are certain that **the battle for better child welfare in America can be won**.



SAFETY
OF CHILDREN
DEPENDENT ON
CHILD WELFARE
SYSTEMS

**Child abuse hotlines across the United States receive
MORE THAN THREE MILLION CALLS EACH YEAR
alleging abuse or neglect—and the decisions that child welfare
workers make in responding are literally matters
of life and death.**

But too many child welfare systems fail to meet their own standards and follow their own procedures. They move too slowly in initiating and completing investigations. They make bad calls about whether to remove children from their homes. They fail to monitor troubled homes adequately and provide services to reduce risk and strengthen shaky but nurturing families.

If children must be removed from their homes and taken into the care of a public child welfare system, their safety must be guarded vigilantly in their foster care placements as well. Some children do experience further abuse and neglect in custody, and in order to minimize the risk and move them out of danger if and when it arises, the principles and practices of good investigations must apply throughout their time in the state's care. If a system is failing on the front end, there's a good chance that the rest of their operations are compromised as well—and that children will continue to face serious danger even after they've been taken into these systems that are supposed to protect them from further harm.

**In 2006, more than 900,000 children were
confirmed victims of abuse or neglect.
More than 1,500 children died from maltreatment.**

The stakes are simply too high to allow these systems not to fulfill their responsibilities to the children whose lives depend on them.

RESULTS

BEFORE Children's Rights-negotiated reforms:

In Connecticut:

- There was no statewide hotline for reporting suspected abuse and neglect.
 - In the 1990s, approximately 60 percent of abuse and neglect reports were simply not investigated due to staff shortages.
 - Of those reports which were investigated, the state routinely failed to start or complete investigations within the time frames required by law and Connecticut's own policies.
 - In 2000 (the first year the state reported data on this measure), 3.1 percent of abused and neglected children already in state custody suffered abuse at the hands of foster parents or staff at state facilities—far exceeding the national standard threshold at the time of 0.57 percent.
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In New Jersey:

- The state maintained only county-level abuse and neglect hotlines, which were staffed only from 9 a.m. to 5 p.m. Monday through Friday, with no weekend or night coverage and inadequate voice-mail capacity.
- The state failed to conduct adequate safety checks of foster homes and facilities where children in state custody were placed.
- In 2003, an expert report revealed that the rate of abuse or neglect of children in state custody was 11.4 percent, approximately 20 times the national standard threshold at the time of 0.57 percent.

RESULTS of reform:

In Connecticut:

- A statewide, toll-free abuse and neglect hotline has been established.
- Responses to reports of abuse and neglect are now based on the merits of the allegations, not staffing concerns. By 2005, 100 percent of calls to the state's hotline were investigated.
- Since 2005, the agency has routinely investigated over 90 percent of abuse and neglect reports within the required time frames.
- By early 2008, Connecticut had cut its rates of abuse of children in state custody to just 0.2 percent—well below the current national standard of 0.32 percent.

In New Jersey:

- A statewide abuse and neglect hotline was created in 2003. In 2008, a report by the independent monitor tracking the state's progress in implementing the reforms required by Children's Rights' lawsuit gave the hotline high marks for the speed and thoroughness of its responses and the soundness of its staff's decision-making.
- After the reform plan negotiated by Children's Rights was approved by the federal court, the state conducted an immediate safety review of all its foster homes and certain facilities known to Children's Rights as being inferior. The state took corrective action with 10 facilities, including closing the state's only children's psychiatric institution, which was infamous for its harmful treatment of children.
- By 2006, the state had reduced its rate of abuse of children in state custody to 0.20 percent—one of the lowest in the country.

BEFORE Children's Rights-negotiated reforms:

In New York City:

- In 1995, New York City failed to investigate nearly 20 percent of reports of abuse and neglect within 24 hours of receiving them. The median response time to reports not investigated within 24 hours was five days.
- The quality of the city's investigations was poor, and 52 percent of caseworkers required to consult with their supervisors on abuse and neglect investigations failed to do so.
- In 1998, child safety conferences with children's families were nonexistent.

In Kansas City, Missouri:

- The child welfare system failed to adequately screen and supervise foster families, placed children with families whom it had reason to believe had neglected or committed acts of physical and sexual abuse against children in their care, and did not adequately investigate reports of abuse. Many children in foster care were also subjected to egregiously harsh punishments for disciplinary problems.

RESULTS of reform:

In New York City:

- By 2008, 97.3 percent of abuse and neglect reports were investigated within 24 hours. As of 2004, the median response time for those not investigated within 24 hours had decreased to three days.
- The quality of abuse and neglect investigations has improved, and 93 percent of the city's caseworkers consult with their supervisors as required.
- Family conferences were established and are now required at important points in each child's case.

In Kansas City, Missouri:

- Structural changes were made to improve investigations of abuse and neglect in foster care placements. By 2007, 90 percent of incidents involving suspected abuse or neglect were investigated as required, and the child welfare agency had instituted prohibitions against the use of inappropriate discipline in foster care placements.



**QUALITY
OF CHILDREN'S
EXPERIENCE
IN THE CARE OF
CHILD WELFARE
SYSTEMS**

ABOUT 800,000 ABUSED AND NEGLECTED CHILDREN spend time in the custody of public child welfare systems in the United States each year.

And because of the persistent problems that prevent many of those systems from providing adequate care, the trauma of having been abused or neglected—and removed from their homes—will be compounded for too many children for as long as they remain in state custody.

Some children will be separated from their siblings. Many will be bounced from one unstable foster care placement to another, never knowing when their lives will be uprooted next. Many will be denied adequate health care, education, and appropriate treatment for the harm they have suffered.

Some will be warehoused in institutions and group homes—the modern-day equivalent of the orphanages of old—and many will languish in foster care for years, without any prospect of growing up in stable, permanent homes.

When child welfare officials make the critical decision that they must remove abused and neglected children from their homes, it becomes their responsibility to make absolutely certain those children are safe and well-cared for—and that they receive the treatment, services, and support they need to begin recovering from the trauma of their past.

Through the court-enforceable requirements of the reform plans we negotiate, Children's Rights forces public child welfare systems to fulfill this responsibility—and stop being as neglectful to children as the homes from which it removes them.

RESULTS

BEFORE Children's Rights-negotiated reforms:

In Tennessee:

- One in five of the children in the custody of the state child welfare system—more than 2,000 in all—were living in large, orphanage-like institutions. About 30 percent of children in foster care were placed in non-family group homes.
- In 1998, children in foster care were bounced around to an average of 3.4 different homes, and almost one in four went through 10 or more different placements.
- More than one-third of children in foster care were placed outside their home counties, often hundreds of miles away.
- Siblings who entered state custody together were routinely torn apart and placed in separate homes. In 2002, in two-thirds of the applicable cases reviewed by the federal government, sibling groups in foster care were split up.
- Schooling was wholly inadequate, with children in state custody perpetually changing schools and not receiving required educational and therapeutic services. The large institutions where many children were housed offered only grossly substandard “in-house schools” that were little more than single-room holding pens for children ages six to 16.

In Connecticut:

- Approximately 37 percent of children in state custody for more than six months had been shuffled through more than three different foster care placements.
- In early 2004, 43 percent of children in state custody with siblings were split apart from their brothers and sisters in their foster care placements.
- In the early 1990s, caseworkers routinely failed to make required visits with children in state custody.
- The state's foster care reimbursement rates—determining the amount of money foster parents receive to cover the costs of the basic needs of children in foster care (including food, housing, and clothing)—were approximately 30 percent short of the cost of caring for a child as calculated by the United States Department of Agriculture.

RESULTS of reform:

In Tennessee:

- In 2008, nearly 90 percent of all children in Tennessee foster care were placed in individual family foster homes.
- In 2008, 88 percent of children in Tennessee foster care have been through two or fewer different homes within the past year, and 80 percent have been through two or fewer in the past two years.
- In 2008, over 90 percent of children in foster care were placed within 75 miles of their home counties.
- In 2008, 83 percent of sibling groups were placed together in the same homes.
- In 2006, the state child welfare system was either providing special educational services or taking steps to procure them for 100 percent of the children identified as needing them in a case file review. In 2007, over 95 percent of all “in-house schools” had been closed.

In Connecticut:

- Since 2004, less than 10 percent of children in state custody for more than six months have had more than three placements in any 12-month period.
- In early 2008, 86.7 percent of children in state custody were placed together with their siblings in their foster homes.
- Since 2007, 95 percent of children in Connecticut’s custody have been visited at least once per month by their caseworkers.
- Connecticut now has one of the highest foster care reimbursement rates in the United States.

BEFORE Children's Rights-negotiated reforms:

In New York City:

- Siblings who entered the custody of the child welfare system together were routinely split apart in their foster care placements.
- In 1996, 22 percent of children who needed mental health and developmental services did not receive them.

In Georgia:

- The Atlanta child welfare system routinely housed children in dangerous emergency shelters, where they were held for extended periods of time, denied essential services, and often subjected to further abuse.
- As of August 2004, 24 foster homes in DeKalb and Fulton Counties (metro Atlanta) housed more than six children—and some housed as many as 12. A total of 201 children lived in foster homes with more than five other children.
- As of February 2003, 76 percent of the children in the custody of Fulton County were placed outside the county. Twenty-seven percent of the children in the custody of DeKalb County were placed outside the county.
- In 2002, 11.6 percent of children in the custody of Atlanta's child welfare system suffered corporal punishment by foster caretakers.
- A 2003 case file review showed that 40 percent of children in foster care had three or more caseworkers within the previous 10 months, which contributed to poor decision-making and ineffective case planning.
- Children in Juvenile Court in DeKalb County received egregiously poor representation. In 2002, the county had only two child advocate attorneys (CAAs) representing approximately 1,000 children. Children rarely met the attorneys assigned to them, and CAAs routinely failed to obtain necessary information about their child clients and to explain Juvenile Court proceedings to them.

RESULTS of reform:

In New York City:

- By 2006, 63 percent of siblings in foster care were placed together.
 - By 1999, 90 percent of children who needed mental health services received them, and 94 percent of those who needed developmental services received them.
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In Georgia:

- The Atlanta shelters were closed in 2002 and 2003.
- At the end of 2007, 93 percent of children in state custody in Atlanta lived in foster homes with no more than two other foster children or five children total.
- In 2007, 97 percent of children in the custody of Fulton or DeKalb Counties lived within their home county or within 50 miles of their homes.
- In 2007, a case file review of foster homes found none with any incidents of corporal punishment within the previous 12 months.
- In 2007, 92 percent of children in foster care had two or fewer caseworkers in the previous year. Caseworker continuity contributes to the well-being of children and helps to ensure that permanent homes can be found for them more quickly.
- Children's Rights litigation resulted in an unprecedented 2005 federal court decision affirming that children have a constitutional right to zealous and effective legal advocacy throughout their experience in state custody. In 2008, DeKalb County has 11 full-time child advocate attorneys (CAAs) with caseloads consistently under 100 child clients per attorney (with most in a 65-to-90-client range). CAAs meet regularly with child clients prior to court appearances, more thoroughly document their interviews, and provide age-appropriate explanations of the court process and the role of counsel. CAAs also routinely obtain more information about the specific needs of their child clients, particularly in the areas of education and immigration issues.

BEFORE Children's Rights-negotiated reforms:

In Milwaukee, Wisconsin:

- Only seven percent of foster families received a complete package of information about the children they were taking in at the time those children were placed in their homes.
- Just 10 percent of children in foster care were receiving documented monthly face-to-face visits from their caseworkers.

In Kansas City, Missouri:

- Children in the custody of the child welfare system were routinely placed with foster families that were either unwilling or unable—due to lack of transportation and other factors—to provide necessary and timely medical and mental health treatment for the children in their care.

In New Jersey:

- As of February 2006, 634 children in state custody were placed outside the state due to a lack of appropriate in-state placements.
- From 1999 to 2004, the state's rates of payment to foster families to cover the costs of supporting children in foster care remained constant, without any adjustments for the rising cost of living, amounting to de facto cuts in these rates.

RESULTS of reform:

In Milwaukee, Wisconsin:

- By 2005, 97 percent of foster homes receiving children were given a complete placement information packet at the time that children were placed in their homes.
- As of June 2008, 94 percent of children in foster care were being visited monthly by their caseworkers.

In Kansas City, Missouri:

- By 2005, routine and timely medical and mental health services were provided with more than 90 percent compliance consistently. Health plans for 98.5 percent of “medically fragile” children were reviewed and revised as required.

In New Jersey:

- As of August 2008, only 126 children in state custody were placed outside the state.
- From 2004 to 2008, the state has steadily increased its foster care reimbursement rates to close the gap between them and child-care costs calculated by the U.S. Department of Agriculture. The state is on track to eliminate this gap by 2009, with continuing adjustments thereafter.

BEFORE Children's Rights-negotiated reforms:

In Mississippi:

- Payments to foster families to cover the costs of supporting children in foster care fell far short of the costs of child care calculated by the U.S. Department of Agriculture.

In the District of Columbia:

- The District's child welfare system was so severely lacking in appropriate placements for the children who came into its custody that it frequently kept them overnight in its offices due to the lack of available beds. In 1998, 118 children in the District's custody were in "temporary" emergency placements for more than 90 days, and of those, 37 were in emergency placements for more than a year.
- The District housed too many children in institutions and group homes rather than with families. In 2001, there were 99 children under the age of six living in group institutional facilities.
- In 2002, only 11 percent of children in the District's custody received monthly visits from their caseworkers.
- Foster care reimbursement rates stood at \$310 per month in 1991 and fell short of the costs of child care calculated by the U.S. Department of Agriculture.

RESULTS of reform:

In Mississippi:

- In 2008, immediately after the federal court entered Children's Rights' settlement agreement, the state increased foster care reimbursement rates by an average of 30 percent. By July 2009, the state must raise its rates again by an average of 78 percent. These increases reflect the standards proposed in Children's Rights' report *Hitting the MARC: Establishing Foster Care Minimum Adequate Rates for Children*, the first-ever state-by-state calculation of the real costs of supporting children in foster care. (See pages 22-23 for details.)

In the District of Columbia:

- In 2008, fewer than 25 children have been kept in emergency placements for more than 30 days.
- By 2008, there were just 13 children under the age of six living in group institutional facilities, and since 2005, 70 percent of all children in the District's custody have been placed with foster families.
- In 2008, 85 percent of the children in the District's custody were visited by their caseworkers twice per month.
- Foster care reimbursement rates are among the highest in the nation at \$885 per month, and they are routinely reviewed and revised to reflect changes in the cost of living.

POLICY ADVOCACY

to improve support for foster families

In October 2007, Children’s Rights, the National Foster Parent Association (NFPA), and the University of Maryland School of Social Work released the first-ever nationwide, state-by-state calculation of the real cost of supporting children in foster care.

The report revealed widespread deficiencies in reimbursement rates across the nation—and major disparities among the states—and proposed a new standard rate for each state to use in fulfilling the federal requirement to provide foster parents with payments to cover the basic needs of children in foster care, including food, shelter, clothing and school supplies.

Hitting the MARC was disseminated widely, to every state and county public child welfare agency across the country, thousands of private child welfare service providers, tens of thousands of foster parents, members of Congress and state legislators, and media outlets throughout the United States. It has been presented at several conferences, and it was featured in extensive coverage by more than 100 print and broadcast media outlets nationwide.

Since its release, Children’s Rights has worked with the NFPA, the Child Welfare League of America, and other organizations in advocating for necessary policy at the federal level with members of Congress and the Administration. Children’s Rights and the NFPA have also supported local advocacy efforts in individual states that have produced important results.

In Maryland:

- In July 2008, the state implemented a \$100 monthly rate increase—its third increase in 2007-2008.

In Massachusetts:

- In 2008, the state legislature passed a bill requiring rate increases, linking foster care rates to child-care costs calculated by the U.S. Department of Agriculture, and mandating an annual adjustment to ensure that support payments keep pace with increases in the cost of caring for foster children.

In Mississippi:

- The state agreed to implement the MARC rates as part of the 2007 settlement of the class action lawsuit brought by Children’s Rights seeking the comprehensive reform of Mississippi’s child welfare system.
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In Missouri:

- In June 2008, the governor signed a bill into law increasing funding for foster care reimbursement by \$1 million.
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In North Carolina:

- In July 2008, the state legislature passed an \$8.2 million increase for foster care rates in the state budget for 2009. This will raise monthly rates by 22 percent for children under age six, by 32 percent for children ages 6-12, and by 29 percent for children age 13 and over. It is the largest foster care rate increase since their inception.
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In Virginia:

- The House of Delegates and Senate agreed to raise rates by 15 percent in 2008 and eight percent in 2009.
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In Wisconsin:

- Foster families in Milwaukee County received a five-percent raise in their reimbursement rates in 2008 and can expect another increase in 2009.

Children’s Rights, the NFPA, and others continue to support advocacy in states across the nation for increased rates and at the national level for appropriate minimum standards.



**PERMANENT
HOMES
FOR CHILDREN
WHOSE LIVES
HAVE BEEN
DISRUPTED BY
ABUSE AND NEGLECT**

When children must be removed from their families because of abuse or neglect, public child welfare systems must find permanent homes for them as soon as possible.

The most desirable outcome usually is for their families to be safely reunified if their problems can be resolved. It is the child welfare systems' responsibility to ensure that appropriate services are provided to parents to help them address problems in their homes—or to recruit and support relatives who can provide a permanent family. When reunification fails, the systems must be prepared to move quickly to find children permanent alternatives—usually through adoption.

But far too many child welfare systems are ill-prepared to handle this responsibility. They don't plan sufficiently for the needs of children in their custody. They fail to recruit and retain an adequate pool of foster and adoptive families—and to provide support to ensure that placements are not disrupted. They neglect to take the steps necessary to make children who cannot return to their families eligible for adoption. And far too many children who become legally eligible to be adopted languish for years in foster care instead.

The average child in the custody of American public child welfare systems lives in two to five different homes over a period of just two and a half years. Children in foster care who become eligible for adoption remain in state custody for an average of three and a half additional years.

As time goes by, their prospects for ending up in safe, loving, permanent homes grow dimmer and their psychological damage often grows more severe. Many will simply “age out” of the system when they turn 18, without a family or even foster caregivers to help them make their way, and without the skills to make it on their own.

Children's Rights' reform campaigns target the problems that keep child welfare systems from moving children toward permanency quickly—and establish outcome requirements designed to ensure that as few children as possible have to grow up without a permanent home.

RESULTS

BEFORE Children's Rights-negotiated reforms:

In New Jersey:

- In 2002, 30 percent of children who were reunified with their families re-entered foster care within 12 months.
- The state failed to provide adequate services to strengthen families so children could remain safely at home or be returned from foster care quickly.
- In 2005, the state posted a net loss of 128 foster homes available to take children in.
- In 2005, there were 2,123 children waiting to be adopted in New Jersey, and the total number of children adopted from foster care was 1,315.
- The state failed to support relatives caring for children in state custody, leaving many children to languish in unsupported kinship foster homes with no hope of permanency. In 2002, there were just three children living with subsidized legal kinship guardians—a viable and permanent alternative to adoption when children cannot return home.
- In 2000, 6,594 adoptive families in New Jersey received subsidies to help offset the cost of supporting the children they had adopted from foster care.

In Tennessee:

- In 2002, 61.3 percent of children reunified with their parents or caretakers were reunified within 12 months of entering foster care. In almost one-third of the cases reviewed by the federal government, the state failed to make sufficiently diligent efforts to find permanent homes for children in foster care.
- In 2000, Tennessee had a consistently worsening backlog of children awaiting adoption. The state failed to change children's permanency plans when appropriate and had egregious delays in filing for the termination of parental rights (necessary to free children legally for adoption) when appropriate.
- In 1998, over 36 percent of children remained in foster care more than two years, and a study found that the number of children who were in custody longer than necessary had steadily increased over the previous five years.

RESULTS of reform:

In New Jersey:

- By 2005, only 21 percent of children reunified with their parents re-entered foster care within 12 months.
- In June 2007, flexible funds were made available to birth families to provide services aimed at strengthening families and returning children quickly and safely to their homes. As of June 2008, 250 new daycare slots were made available for families involved with the state child welfare agency. The state also increased substance abuse services for families involved in the child welfare system, including 30 new residential treatment slots and 50 intensive outpatient care slots.
- In 2007, the state recruited 1,884 new foster families, resulting in a net gain of 815 available homes.
- By the end of 2007, New Jersey had reduced the number of children waiting for adoption by 39 percent from two years prior, to 1,295, and finalized 1,540 adoptions—a 17-percent increase from 2005 and a new state record.
- By 2007, the number of children living with subsidized legal kinship guardians had jumped to 2,515.
- In 2007, 10,729 adoptive families received adoption subsidies.

In Tennessee:

- In 2008, 78.5 percent of children reunified with their parents or caretakers were reunified within 12 months of entering foster care.
- In 2008, approximately three-quarters of all children legally available for adoption had their adoptions finalized within 12 months.
- In 2008, only 20 percent of children have remained in foster care more than two years.

BEFORE Children's Rights-negotiated reforms:

In Kansas City, Missouri:

- The child welfare agency failed to develop adequate plans for children whose permanency goal was designated as adoption, leaving many to languish in foster care.
- In 1995, the median length of time between the date children were assigned the goal of adoption and the date they were placed in adoptive custody was more than 22 months.
- In 1995, the median length of time between entry into foster care and placement in the temporary or permanent custody of adoptive parents was 32 months.
- In 2005, a new Missouri law threatened to retroactively cut off continuing adoption assistance to thousands of children who had been adopted out of foster care in the state, even though they had contracts with the state guaranteeing those subsidies until they turned 18, and subsidies to thousands more children still in custody.

In New Mexico:

- In July 1980, state child welfare agency's services to plan for children's exit from foster care were severely lacking, and it routinely failed to seek adoptive homes for children until after they were freed for adoption, leaving many to linger in care. Just 10 percent of children in the custody of New Mexico had a permanency goal established for them.
- In 1980, the average length of time children spent in foster care was nearly five years.
- In 1994, 141 children were adopted from state custody.

RESULTS of reform:

In Kansas City, Missouri:

- As of December 2005, the Kansas City child welfare system had developed comprehensive adoption plans for 95 percent of the children whose permanency goal was designated as adoption. The plans include steps to be taken to prepare children for adoption and to find children adoptive homes, and timelines to ensure their speedy movement through the system.
- By 2005, the median length of time between the date children were assigned the goal of adoption and the date they were placed in adoptive custody had been cut to 13.46 months.
- By 2005, the median length of time between entry into foster care and placement in the temporary or permanent custody of adoptive parents had been reduced to 17 months.
- In August 2005, Children's Rights joined advocates across the state in filing a lawsuit to block the implementation of the Missouri law cutting off adoption subsidies, securing initial temporary orders preventing the law from taking effect until trial and then winning a trial in federal court that permanently banned the adoption subsidy provisions of the law from ever taking effect.

In New Mexico:

- By 2005, 100 percent of children in New Mexico's custody had permanency goals established.
- By 2007, the average length of stay in foster care had decreased to 1.7 years.
- Between 1995 and 2004, adoptions increased by 67.3 percent, to 236 total adoptions of children from state custody.

BEFORE Children's Rights-negotiated reforms:

In Connecticut:

- In 1999, only 11.1 percent of children adopted had their adoptions finalized within 24 months of their most recent removal from their homes.

In New York City:

- In 1996, only 38 percent of parents in need of parental skills training received it.
- Sixty-one percent of parents in need of drug treatment received the appropriate services.
- Just 25 percent of families in need of housing assistance received it.
- Among children in foster care with a permanency goal of reunification with their families, only 39 percent visited with their families biweekly.

In the District of Columbia

- The average stay in foster care for children waiting to be adopted was 4.2 years in 2005.
- In 2005, only 7.5 percent of children waiting to be adopted exited foster care to adoption within two years.
- In 2004, the number of foster homes licensed appropriately in the District stood at 83 percent.

In Milwaukee, Wisconsin:

- In 2003, compliance with the federal Adoption and Safe Families Act requirements for timely petitions to free children for adoption stood at 77 percent.
- The Milwaukee child welfare system finalized 265 adoptions in 2001.

RESULTS of reform:

In Connecticut:

- By early 2008, 41.5 percent of children adopted had their adoptions finalized within 24 months of their most recent removal from their homes.

In New York City:

- By 1999, 70 percent of parents in need of parental skills training received the appropriate services.
- Seventy percent of parents received needed drug treatment services.
- Sixty-seven percent of families in need of housing assistance received it.
- By 2006, among children in foster care with a permanency goal of reunification with their families, 69 percent visited with their families at least once every two weeks.

In the District of Columbia:

- By 2007, the average stay in foster care prior to adoption had been reduced by 28.6 percent, to three years. In 2007, 55 percent of children in foster care in the District exited to some form of permanency within one year of entering foster care, most often through reunification with their families. The District also improved the timeliness of permanency hearings in Family Court.
- By 2007, 13.4 percent of children waiting to be adopted who exited foster care to adoption within two years—a 76-percent increase.
- In 2008, due to the implementation of improved foster placement licensing standards, 91 percent of foster homes in the District were licensed appropriately.

In Milwaukee, Wisconsin:

- By June 2008, compliance with federal requirements for timely petitions to free children for adoption had risen to 90 percent.
- A record 585 adoptions were finalized in 2003, 560 in 2004, and 373 in 2005.



**MANAGEMENT
AND
INFRASTRUCTURE
AND SUPPORT FOR
CHILD WELFARE
WORKERS**

Producing better results for children means making sure that public child welfare systems have the leadership and resources they need to run well—and accountability for their results built in.

They must be headed by qualified professionals with the appropriate credentials and experience in the field. Their caseworkers must be prepared well for the challenges they will face and the difficult decisions they will be called upon to make every day, and they must be given the tools and support they need to respond to the situations they encounter.

Their caseloads must be manageable. The policies that guide them must be intelligent and explicit, and the lines of communication and authority must be clear. Supervisors and caseworkers alike must have reliable ways of tracking the cases for which they are responsible—and identifying potential problems and troubling trends before they get out of control.

The failures that keep too many child welfare systems from functioning properly—and make them a danger to the children they are supposed to protect—often start at the top and persist throughout their structure.

So that's what Children's Rights' reform plans target first. We seek to shore up and streamline the child welfare agencies themselves. We seek to get them the resources they need to do their jobs and establish controls to ensure they use them efficiently and effectively. We seek to build in reporting and tracking mechanisms that will enable the systems to continually evaluate and ensure the quality of their work.

And in doing all of this, we seek to create the conditions under which child welfare systems can bring about lasting improvements in the lives of the children who rely on them.

RESULTS

BEFORE Children's Rights-negotiated reforms:

In New York City:

- Child welfare services were administered within a large super-agency that controlled key functions such as personnel and budgeting, compromising the child welfare system's ability to make critical decisions for itself—and therefore also its effectiveness, efficiency, and accountability for its results.
- The child welfare workforce in New York City was insufficient in both size and training.
- In 1995, Protective Services caseworkers carried an average caseload of 27 families.
- The city lacked an adequate system for tracking data on the children in its custody.

In Tennessee:

- Caseworker training was grossly inadequate.
- In 2000, caseworkers carried caseloads of 45 to 60 children each—more than three to four times the national standard of 12 to 15 children.
- In 2000, the state child welfare agency lacked an adequate management information system and was unable to provide accurate data on children in its custody or compile aggregate data.

RESULTS of reform:

In New York City:

- The Administration for Children's Services (ACS) was created as a standalone agency tasked exclusively with overseeing New York City child welfare.
- ACS hired 600 child protective specialists, with higher qualifications and salaries, and removed 400 employees without adequate qualifications for the child welfare positions they held. The city has implemented improved staff training programs, including programs for staff at agencies contracted by the city to provide services.
- By 2004, caseloads for Protective Services caseworkers had been reduced to 12.5 families. Caseloads stood at 17.1 cases per foster care caseworker and 16.9 per adoption caseworker.
- Data management has been greatly improved, and, for the first time, data on the placement experiences of children entering foster care is publicly available, increasing accountability. New quality assurance programs have also been implemented.

In Tennessee:

- A full-time training unit trains all caseworkers, who must have a minimum of 160 hours of pre-service training and 40 hours of ongoing training every year. All workers undergo competency testing before they are assigned to any children.
- In 2008, the state is 95 percent compliant with caseload limits of no more than 20 children per worker.
- In 2008, the state child welfare agency provides extensive and detailed data reports on a monthly and quarterly basis, including reports on entries into and exits out of foster care, visitation with siblings and parents, caseworker contacts, and compliance with standards for timely investigations of abuse in care, caseloads, and petitions to free children legally for adoption. The agency also tracks data for all individual children in its custody.

BEFORE Children's Rights-negotiated reforms:

In the District of Columbia:

- In 1989, the District administered its child welfare system as part of a larger umbrella agency—the Department of Human Services—whose responsibilities also included many other adult and child social services programs. Consequently, the child welfare system had to compete with other DHS programs for resources and management attention, and overall child welfare expertise and performance accountability became diluted.
- The District had no formal training program in place for caseworkers and supervisors.
- Caseloads were astronomically high, with some caseworkers assigned over 250 children at a time. The high caseloads were accompanied by a vacancy rate of over 40 percent in funded caseworker positions.
- No system of data collection and data management existed in the DC child welfare system. Information about children's placements was maintained on index cards and was very difficult to access, update, and review.
- The District lacked a quality assurance division to monitor the performance of its child welfare system.

In New Jersey:

- The state child welfare agency was housed within an umbrella Department of Human Services whose responsibilities encompassed many more functions than child welfare, compromising effectiveness, efficiency, and accountability.
- The agency failed to adequately train new caseworkers, leaving them to rely on whatever informal training they could get from more experienced caseworkers, and assigned many to complex and difficult cases that should have been reserved for more experienced staff. In-service training was also deficient. Training manuals were not readily available. Computer training was minimal.
- In 1999, caseworkers in Essex County carried caseloads of 70 to 90 children each—far above the national standard of 12 to 15. By 2003, caseloads exceeded the national standard in every New Jersey regional district office. In 2005, due to high caseloads, 60 percent of the children in New Jersey's custody were not receiving even the minimum one visit per month from their caseworkers.
- In 2003, the state had no reliable management information system to collect or report child welfare data.

RESULTS of reform:

In the District of Columbia:

- The District established a standalone child welfare agency that maintains its own annual budget and staff, reports directly to the Mayor, and focuses exclusively on child welfare issues.
- The District's child welfare agency has established mandatory pre-service and annual in-service training programs for all frontline caseworkers and supervisors, and seeks to assure that all workers complete their training on a timely basis. All caseworkers are now required to hold a bachelor's or master's degree in social work.
- The number of cases per worker has been reduced to 17, facilitating improved visitation between frontline caseworkers and the children they serve. The District has more than doubled its casework positions in recent years, and improved its salary scale and opportunities for career advancement.
- The District has developed and built one of the first web-based management information systems implemented by a public child welfare agency in the U.S., greatly enhancing its ability to make informed decisions regarding resources, staffing, and program initiatives required to meet the needs of the children for whom it is responsible.
- A Quality Assurance Unit has been created, and, since 2006, the District's child welfare agency has published a monthly scorecard reporting on its performance in key areas of child welfare practice.

In New Jersey:

- The state created a cabinet-level agency that reports directly to the governor and is dedicated exclusively to child and family welfare.
- By December 2007, nearly 100 percent of all case-carrying workers and supervisors received state-of-the-art training and passed required competency exams prior to handling cases.
- In 2007, 82 percent of New Jersey child welfare offices carried average caseloads equal to or less than the national standard of 12 to 15 children per caseworker.
- The state now has a statewide data system to track caseworker visits, caseloads, safety measures for children in state custody, and other important data.

BEFORE Children's Rights-negotiated reforms:

In Connecticut:

- Training for caseworkers was so inadequate that they were assigned cases and allowed to attend court hearings without completing or, in some cases, even beginning formal, basic training. The state also failed to provide an adequate ongoing training program for caseworkers and supervisors.
- In the early 1990s, caseloads for frontline caseworkers assigned to protect children were routinely high, sometimes exceeding 60 children per worker.
- In the early 1990s, the state child welfare agency had no reliable system even for identifying the individual children in its custody. It lacked also any means of tracking basic information about those children and actions taken on their behalf, so that workers could make informed decisions and ensure that they received the appropriate care and services.
- The state lacked a quality assurance department or division.

In Milwaukee, Wisconsin:

- Caseloads among child welfare workers topped 100 children each in some cases in 1993.

RESULTS of reform:

In Connecticut:

- A training academy has been created to provide initial and ongoing training for all caseworkers, supervisors, and foster and adoptive parents.
- Since 2006, 100 percent of the state's frontline caseworkers carried caseloads at or below the standards mandated by the court-ordered reform plan negotiated by Children's Rights, which range from 15 to 20 cases per worker.
- The state maintains a highly sophisticated statewide computer system that routinely generates data on child safety and permanency measures for use by caseworkers, supervisors, and management.
- The state has created a Quality Assurance Division to review and evaluate programs, contracts, and case files.

In Milwaukee, Wisconsin:

- Caseworker training and retention efforts have greatly improved, and workers' caseloads have dropped to an average of 19.9 children per worker as of June 2008.

↙ INCREASED FUNDING

Children's Rights reform campaigns have secured well over \$2 billion in additional child welfare funding in the systems in which we have been involved—and initiated reforms to ensure that child welfare systems obtain all of the funding for which they are eligible and that the money devoted to them is well-spent.

BEFORE Children's Rights-negotiated reforms:

In Tennessee:

- In FY1999-2000, the state spent \$499 million on child welfare and had more than 10,000 children in its foster care custody.

In the District of Columbia:

- In 1991, yearly federal reimbursement for child welfare programs stood at \$8 million.
- In FY1999, the budget for the District's child welfare system was \$149 million.

In New Jersey:

- In FY2006, the budget for the state child and family services agency was \$739 million.

In Connecticut:

- In the early 1990s, the budget for the state child welfare agency each year was less than \$250 million.

In Mississippi:

- In FY2005, the state budget for child welfare was \$74.6 million.

In Wisconsin:

- In 1995, the state spent \$69.3 million on the Milwaukee child welfare system.

RESULTS of reform:

In Tennessee:

- In FY2006-2007, Tennessee spent \$660 million on child welfare and had a smaller foster care population of approximately 6,500.
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In the District of Columbia:

- By 2008, due to improvements in the District's claims process, yearly federal reimbursement had increased to \$50 million.
 - By FY2009, the District had increased its child welfare budget to \$292 million.
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In New Jersey

- In FY2009, the budget for the state child and family services agency was \$1.076 billion. That budget line was one of just a few that held steady amid a recent series of budget cuts—including such other high priorities as education and homeland security, and a politically popular property tax cut.
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In Connecticut

- By FY2008-2009, the budget for the state child welfare agency had been increased to more than \$900 million.
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In Mississippi:

- By FY2009, the state had increased its child welfare budget to \$117 million.
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In Wisconsin:

- By 2008, the state had increased its budget for the Milwaukee child welfare system to \$107.3 million. An additional \$1.65 million was made available for caseworker retention and training initiatives beginning in September 2005 as a result of legal enforcement action by Children's Rights, and the child welfare agency's budget has held steady in spite of multibillion-dollar state deficits.



“I don’t know that we would have had the will to make the necessary commitment of resources and priority without the potential of lawsuits or the obligations that come with them.

Sometimes we need a blunt instrument to make us aware that we must live up to our responsibilities. Children’s Rights has done that.”

- New Jersey Governor Jon S. Corzine

AMERICA'S CHILD WELFARE SYSTEMS CAN BE FIXED.

They can be made to run well. They can produce dramatically better results for the abused and neglected children who depend on them.

But very often it takes a great deal of pressure and persistence to get them to do so.

That is what Children's Rights brings to systems that are not living up to their responsibilities. Our reform campaigns focus public attention on the problems that keep them from doing their jobs—and the tragic outcomes for children that too often result. The court orders we secure hold the public officials in charge to a level of accountability that they often need but do not have. And we do not let them off the hook until we are certain that the required improvements have been made.

THE RESULTS OF OUR WORK SPEAK FOR THEMSELVES.

Across the country, we have demonstrated how substantial, measurable, lasting reform can be set in motion. Although no child welfare system is perfect and many still need more work, there is no question that the systems in which we have gotten involved are better than they were before. We have changed life for the better for hundreds of thousands of abused and neglected kids. We have proven that the people who say that child welfare in America can never be fixed are simply wrong.

AND IN THE YEARS TO COME, WE WILL PROVE IT AGAIN AND AGAIN.

CONTACT US

for more information:

Children's Rights
330 Seventh Avenue
New York, NY 10009
212.683.2210

www.childrensrights.org

WWW.CHILDRENSRIGHTS.ORG