
Bulletin

July 2014



NJ Shows Mixed Progress in Protecting Children *Relaxing standards would be ill-advised*

While New Jersey has made progress in improving its child protection system, it would be ill-advised to relax court-ordered standards aimed at safeguarding children from abuse and neglect and safely reunifying families whose children were placed in foster care.

The latest court-appointed monitor's report, released July 17, showed that the state continues to make progress in key areas. The Division of Child Protection and Permanency (DCPP) is to be commended for providing children living in foster care with consistent access to health care, including dental, and placing children in appropriate settings. However, the state still falls short in critical areas of case handling, which are necessary to protect children from harm.

After the monitor presented the report to the federal judge overseeing the case, Children and Families Commissioner Alison Blake asserted that it is time to review and relax certain standards set by a 2006 settlement agreement. While reviewing the standards may be appropriate, relaxing any requirements regarding case handling, such as holding "family team meetings" with parents whose children have been placed in foster care, could result in setbacks – and put more children in harm's way.



In addition, some standards could be strengthened. For example, the settlement agreement only requires 60 percent of children in foster care to visit weekly with their parents and has no special requirements for younger children who, research shows, need more frequent visitation. Consistent, quality visitation is a key piece to safely reunifying families.

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The monitor's report also documents a troubling increase in the number of children being re-abused after coming to the attention of DCP. This includes a troubling 8.5 percent of children who are reunited with their parents and abused again within a year of going home. The settlement requires this rate to be no more than 4.8 percent.

In the latest report, which covers the period from April 2013 through December 2013, the Department of Children and Families (DCF), which oversees DCP, fully met less than half of the court-ordered goals, missed another 23 and partly met seven. The monitor issues these comprehensive and voluminous reports roughly every six months, which are available through the DCF website.

To paint a more concise picture of the state's progress in its handling of cases of child abuse and neglect, Advocates for Children of New Jersey provides this summary of 32 key measures that directly impact child safety and children's chances of growing up in safe, permanent homes. ACNJ chose these measures because they are at the core of ensuring that children are protected from abuse and neglect and that families are strengthened so that children can remain safely at home.

In these 32 areas, the state fully met the settlement standards in just eight areas:

- Conducting safety and risk assessments during the initial investigation
- Creating timely case plans initially
- Modifying those plans at appropriate points in a child's case
- Placing children in appropriate foster care settings
- Placing children with foster and relative families
- Keeping children in foster care safe from abuse and neglect

- Ensuring that children who are legally free for adoption are actually adopted
- Adoptions finalized within nine months.

New Jersey got close to achieving (partially met) three of these 32 standards, including completing safety and risk assessments prior to closing a case, caseworkers visiting monthly with children in foster care after the first two months in placement and discharging children in foster care to a permanent home within 13 to 24 months of the initial placement.

In 21 other critical areas, the state failed to reach its goals, especially in the area of engaging families in solving problems and keeping children safe while under in-home supervision or after being returned to their families from foster care. These are critical areas because they are the foundation for keeping children safely together with their families.

The charts below include data from four monitoring reports to track longer-term trends and measure change from a base year to the most recent data. Assessment of change – better, worse or the same – is measured from the base year, not the year prior.

Investigating Abuse and Neglect, Assessing Risk

The monitor reports that the state's child abuse hotline is functioning well, appropriately referring cases for investigations in a timely and professional manner. Once a report of possible abuse/neglect has been referred, the investigation must be completed within 60 days. In December 2013, just 63 percent of investigations were completed in that timeframe, a slight improvement from 60 percent in December 2011, but worse than in March 2013 and still far short of the 98 percent standard. On a positive note, risk assessments were completed for all initial investigations, according to the monitor's report.

Prior to closing a case, the state requires caseworkers to conduct another safety and risk assessment. In the

most recent report, the monitor found this was completed in 92 percent of cases in December 2013, a significant improvement from 59 percent in March 2013. This is likely due to the fact that the state's

computer system now requires caseworkers to enter a risk assessment before it will allow a case to be closed, according to the monitor's report.

Investigating Abuse/Neglect, Assessing Risk

Indicator	Percent Meeting Standards				Change	Final Target	Meets Standards?
	Dec 2011	Jun 2012	Mar 2013	Dec 2013			
Timeliness of abuse/neglect investigations	60	65	72	63	Better	98	No
Quality of abuse/neglect investigations	n/a	n/a	78	n/a	n/a	90	No
Safety/risk assessments conducted during initial investigations	100	100	100	100	Same	98	Yes
Safety/risk assessments prior to case closings	54	49	59	92	Better	100	Partially

Note: See Appendix A for a more complete description of all the indicators and standards cited in this report.

Engaging Families

It is critical for caseworkers to engage families in solving the problems that led to their children being placed in foster care or under in-home supervision. DCPD is making progress toward this goal, but continues to lag in key areas. The state met requirements in just two of six critical areas.

Caseworkers are required to hold a "family team meeting" within 30 days of a child being placed in foster care. The goal of these meetings is to identify a family's strengths and bring together important people in a child's life to come up with a plan to help the family address the issues that led to a child being placed in foster care. These initial meetings were held in 69 percent of cases in December 2013 – a significant improvement from 35 percent in 2012 – but still short of the required standard of 98 percent.

Ongoing quarterly family team meetings occurred in just over half of cases in December 2013. Even more concerning, the quality of those meetings met standards in just 32 percent of cases – far short of the 90 percent requirement.

The same holds true for case plans. Caseworkers have gotten much better at creating plans within the required time frames, completing initial plans in 97 percent of cases and making ongoing modifications in nearly all cases. But the quality of those plans met standards in only 41 percent of cases.

Without a strong plan and extended supports in place, the chances that a child will be able to return safely home become much slimmer.

Engaging Families

Indicator	Percent Meeting Standards				Change	Final Target	Meets Standards?
	Dec 2011	Jun 2012	Mar 2013	Dec 2013			
Initial family team meeting held w/in 30 days of placement	n/a	35	56	69	Better	90	No
Ongoing quarterly family team meetings	n/a	33	46	54	Better	90	No
Quality of family team meetings	29	30	24	32	Better	90	No
Timeliness of initial case plans	56	45	96	97	Better	95	Yes
Ongoing case plan modifications completed	70	63	99	98	Better	95	Yes
Quality of case plans	44	48	39	41	Worse	90	No

Supervising Families/Children

State child welfare workers have significantly improved the frequency of their visits with children in foster care and with parents and family members. In December 2013, workers, as required, held bi-weekly visits with 89 percent of children in foster care during the first two months of placement, up from 55 percent in December 2011. Ongoing visits with children in foster care also rose to 94 percent – nearly meeting the 98 percent standard.

Gains were also realized in caseworkers meeting with parents and other family members when the child's goal is reunification with the family. This rose from 40 percent in December 2011 to 74 percent in December 2013, but still fell short of the 95 percent required standard. Caseworker visits with parents/family of children who have a goal other than reunification was even lower at just 66 percent --- significantly below the 85 percent target.



Supervising Children and Families

	Percent Meeting Standards				Change	Final Target	Meets Standard?
	Dec 2011	Jun 2012	Mar 2013	Dec 2013			
Caseworker visits with children in care, first two months	55	53	84	89	Better	95	No
Caseworker visits with children in care ongoing	91	91	94	94	Better	98	Partially
Caseworker visits with parents/family, goal of reunification	40	48	77	74	Better	95	No
Caseworker visits with parents/family, goal other than reunification	49	54	67	66	Better	85	No

Family Visitation

One of the most critical factors in a child returning safely home is consistent, healthy visitation with parents and siblings while in foster care. New Jersey has historically performed poorly in this important area. The latest monitor's report shows improvement, with a little more than half – 56 percent of children in foster care -- visiting weekly with their parent(s), compared to 35 percent in December 2011. This is close to meeting the 60 percent final target.

Bi-weekly visits are more likely to occur, with 78 percent of children in care having these visits in December 2013, up from 61 percent in December 2011. Monthly visits among siblings has also improved to 71 percent of cases, compared to 49 percent in December 2011.

While this is positive, the settlement sets what is, arguably, a low bar for visitation, requiring just 60 percent of children with a goal of family reunification to have weekly visits and 80 percent having at least bi-weekly visits. The settlement imposes no visitation requirements for children whose goal is not reunification. Until termination of parental rights occurs, it is important for children to retain ties with their parents, assuming, of course, this is not detrimental to the child. In some cases, the case goal

may change to reunification, making ongoing visitation essential. Even if the goal remains adoption or some other permanent home, research shows that visiting with parents helps children accept the transition to another family and let go of their family of origin.

Another concern is that the settlement standards set the same frequency of visitation for infants and toddlers as for older children. Research proves that younger children need more frequent visitation to form bonds with their parents – bonds that are critical to an eventual safe reunion. In ACNJ's December 2012 policy brief, *The Littlest Victims: Protecting Babies from Abuse and Neglect*, ACNJ recommended increasing the frequency of visitation for very young children and their parents to three times per week, not the current once-a-week requirement.

Last, while visit frequency is important, the quality of those visits is paramount. Are families meeting in a room at a Division of Child Protection and Permanency office? Or are they meeting in a home-like environment with opportunities for normal interaction? If visits need to be supervised, are they guided by a trained professional? When appropriate, are parents able to visit overnight with their children? These and other questions have not been publicly addressed.

Family Visitation

	Percent Meeting Standards				Change	Final Target	Meets Standards?
	Dec 2011	Jun 2012	Mar 2013	Dec 2013			
Parent/child weekly visitation	35	42	59	56	Better	60	No
Parent/child, at least every other week	61	68	80	78	Better	85	No
Sibling visitation	49	52	63	71	Better	85	No

Foster Care Placement

As mentioned previously, the state has done a good job at increasing the foster care placement options for children who must be removed from their families. The state has a strong supply of available foster homes. There are more in-state options for children who have special needs, including severe behavioral difficulties that may prevent them from living in a family foster home.

As a result, the state is meeting standards to place children in appropriate settings and placing children

with families. The state is close to meeting standards on placing sibling groups of two or three together, but has slipped on placing larger sibling groups together, accomplishing this in roughly a quarter of cases. Placement stability – the number of times a child must change foster homes or other settings – was 82 percent in 2012 – the latest year provided in the report. This is slightly below the standard of 88 percent of children having two or fewer placements one year from date of entry into foster care.

Foster Care Placement

	Percent Meeting Standards				Change	Final Target	Meets Standards?
	Dec 2011	Jun 2012	Mar 2013	Dec 2013			
Appropriateness of foster care placement	93	97	99	99	Better	90	Yes
Placing children with families	88	88	89	89	Better	85	Yes

Sibling Groups

	Percent Meeting Standards			Change	Final Target	Meets Standards?
	CY 2011	CY2012	CY2013			
Placing siblings together (groups of 2-3)	79	82	77	Worse	80	No
Placing siblings together (groups of 4 or more)	35	25	26	Worse	40	No
Placement stability	85	82	N/A	Worse	88	No

Child Safety

The most important responsibility of the child protection system is to keep children safe from harm. In all measures of child safety, children were more likely to suffer abuse or neglect during or after their involvement with DCPD.

While abuse in foster care is below the settlement's required threshold, the incidence has risen from 2010 to 2013. This is the only safety measure where the state is meeting requirements.

During roughly the same time, children were more likely to be abused or neglected again while living at home after DCPD had substantiated a previous report of abuse/neglect. The percent of children who were abused after leaving foster care to be reunified with their family is almost twice the settlement target. In addition, no progress has been made in preventing children from re-entering foster care after being returned home.

Child Safety

	Dec 2011	Jun 2012	Mar 2013	Dec 2013	Change	Final Target	Meets Standard?
Abuse/neglect in foster care	0.11	0.22	0.21	0.32	Worse	0.49	Yes

	2009	2010	2011	2012	Change	Final Target	Meets Standards?
Repeat maltreatment, in-home cases	5.6	6.3	7.8	7.6	Worse	7.2	No
Repeat maltreatment, post reunification	7	6.0	8.4	8.5	Worse	4.8	No
Re-entry into foster care	14	13	13	13	Same	9	No

Permanent Homes for Children

New Jersey is close to meeting standards of getting children into permanent homes more quickly for those children who remain in care no longer than 24 months. But the chances of exiting to a permanent home drop for those children who remain in care for 25 months or more, with about one-third being placed in a

permanent home. This has been relatively unchanged for the past several years. The state has made progress in ensuring that children who are legally free for adoption are actually adopted, with this happening in 74 percent of cases in 2012 – surpassing the standard of 60 percent. And, all adoptions are being finalized within nine months a child being placed in an adoptive home, surpassing the 80 percent benchmark.

Permanency

	2009	2010	2011	2012	2013	Change	Final Target	Meets standards?
Percent discharged to permanency within 12 months	46	45	45	46	N/A	Same	50	No
Percent discharged to permanency 13-24 months	45	44	47	42	46	Same	47	Partially
Percent discharged to permanency, 25 months or longer	37	34	34	33	36	Same	47	No
Final adoption with 12 months of being legally free	73	78	80	74	N/A	Same	60	Yes
Exit to adoption within 30 months	44	45	48	44	45	Same	60	No
	Dec 2011	Jun 2012	Mar 2013	Dec 2013		Change	Final Target	Meets Standard?
Adoptions finalized within 9 months of child's placement in an adoptive	96	88	94	100		Better	80	Yes

Summary

While the state has made significant progress in several key areas of child protection, it still has significant work to accomplish before ensuring that all children, whenever possible, are living safely at home with their families.

It is unclear why these changes have failed to take firmer hold, despite extensive training of staff and other initiatives designed to change the culture of case practice at the Division of Child Protection and Permanency. Lacking is a transparent discussion of the issues behind this slow progress.

The Department of Children and Families should undertake a public discussion with those involved in the child protection system to explore ways that we can, collectively, advance the goal of strengthening families, protecting children and meeting what is, arguably, the state's most important responsibility --- safeguarding children from abuse and neglect.

Now is not the time to relax the requirements of the agreement or back away from providing the resources necessary to achieve this critical goal.

Appendix A: Description of child welfare indicators cited in this report

Investigating Abuse/Neglect

Timeliness of Completion: Investigations of alleged child abuse and neglect shall be completed within 60 days.

Quality Investigative Practice: Investigations will meet measures of quality including acceptable performance on:

- a. Locating and seeing the child and talking with the child outside the presence of the caretaker within 24 hours of receipt by field;
- b. Conducting appropriate interviews with caretakers and collaterals;
- c. Using appropriate tools for assessment of safety and risk;
- d. Analyzing family strengths and needs;
- e. Seeking appropriate medical and mental health evaluations;
- f. Making appropriate decisions; and
- g. Reviewing the family's history with DCF/CP&P

Safety and Risk Assessments: Number/ percent of closed cases where a safety and risk of harm assessment is done during the initial investigation and prior to case closure

Engaging Families

Number of family team meetings at key decision points:

- a. For children newly entering placement, the number/percent who have a family team meeting within 30 days of entry.
- b. For all other children in placement, the number/percent who have at least one family team meeting each quarter.

Quality of Family Team Meetings: A family team (involving parents, youth and appropriate formal and informal supports) shall meet and plan together. The team should be involved in planning & decision making throughout a case and have the skills, family knowledge and abilities to solve and help to organize effective services for the child and family.

Timeliness of Initial Plans: For children entering care, number/ percent of case plans developed within 30 days

Timeliness of Current Plans: For children entering care, number/ percent of case plans shall be reviewed and modified as necessary at least every six months.

Quality of Case and Service Planning: The child's/family's case plan shall be developed with the family and shall be individualized and appropriately address the child's needs for safety, permanency and wellbeing. The case plan shall provide for the services and interventions needed by the child and family to meet identified goals, including services necessary for children and families to promote children's development and meet their educational, physical and mental health needs. The case plan and services shall be modified to respond to the changing needs of the child and family and the results of prior service efforts.

Supervising Children and Families

Caseworker Visits with Children in State Custody: Number/percent of children where caseworker has two visits per month (one of which is in the placement) during the first two months of an initial placement or subsequent placement for a child in state custody.

Caseworker Visits with Children in State Custody: Number/ percent of children where caseworker has at

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least one caseworker visit per month in the child's placement after first two months.

Caseworker Visits with Parents/Family Members: The caseworker shall have at least two face-to-face visits per month with the parent(s) or other legally responsible family member of children in custody with a goal of reunification.

Caseworker Visits with Parents/Family Members: The caseworker shall have at least one face-to-face visit per month with the parent(s) or other legally responsible family member of children in custody with goals other than reunification unless parental rights have been terminated

Family Visitation

Visitation between Children in Custody and Their Parents: Number/percent of children who have weekly visits with their parents when the permanency goal is reunification unless clinically inappropriate and approved by the Family Court. (Note: The monitor also tracks the number/percent of children who have bi-weekly visits, but does not track visitation for children with a goal other than reunification).

Visitation Between Children in Custody and Siblings Placed Apart: Number/percent of children in custody who have siblings with whom they are not residing shall visit with their siblings as appropriate.

Foster Care Placement

Combined assessment of appropriateness of placement based on:

- a. Placement within appropriate proximity of their parents' residence unless such placement is to otherwise help the child achieve the planning goal.

- b. Capacity of caregiver/placement to meet child's needs.
- c. Placement selection has taken into account the location of the child's school.

Placing Children with Families: The percentage of children currently in custody who are placed in a family setting.

Placing Siblings Together: Of sibling groups of two or three siblings entering custody at the same time or within 30 days of one another, the percentage in which all siblings are placed together.

Placing Siblings Together: Of sibling groups of four or more siblings entering custody at the same time or within 30 days of one another, the percentage in which all siblings are placed together.

Stability of Placement: Of the number of children entering care in a period, the percentage with two or fewer placements during the 12 months beginning with the date of entry.

Child Safety

Abuse and Neglect of Children in Foster Care: Number of children in custody in out-of-home placement who were victims of substantiated abuse or neglect by a resource parent or facility staff member during 12 month period, divided by the total number of children who have been in care at any point during the period.

Repeat Maltreatment: Of all children who remain in home after substantiation of abuse or neglect, the percentage who have another substantiation within the next 12 months.

Repeat Maltreatment: Of all children who are reunified during a period, the percentage who are

victims of substantiated abuse or neglect within one year after the date of reunification.

Re-entry to Placement: Of all children who leave custody during a period, except those whose reason for discharge is that they ran away from their placement, the percentage that re-enter custody within one year of the date of exit.

Permanent Homes for Children

Discharged to Permanency: Percentage of children discharged from foster care to permanency (reunification, permanent relative care, adoption and/or guardianship).

- a. Of all children who entered foster care for the first time in target year and who remained in foster care for eight days or longer, percentage that discharged to permanency within 12 months.
- b. Of all children who were in foster care on the first day of the target year and had been in care between 13 -24 months, percentage that discharged to permanency prior to 21st birthday or by the last day of the year.
- c. Of all children who were in foster care for 25 months or longer on the first day of the target year, percentage that discharged to permanency (through reunification, permanent relative placement, adoption & guardianship) prior to 21st birthday or by the last day of the year.

Adoption: Of all children who became legally free for adoption during the 12 months prior to the target year, percentage that was discharged from foster care to a finalized adoption in less than 12 months from the date of becoming legally free.

Total time to Adoption: Of all children who exited foster care to adoption in the target year, percentage discharged from foster care to adoption within 30 months from removal from home.

Final Adoptive Placements: Number/percent of adoptions finalized within nine months of adoptive placement.