

August 2019

Child Welfare Update

DCF's New Vision of "Safe, Healthy, and Connected" Guides Efforts to Improve Child Welfare System



By Mary Coogan and Chris Frascella

In June, the court-appointed Federal Monitor presented her [latest report](#)¹ to the Honorable Stanley Chesler, the federal judge overseeing the reform of New Jersey's child welfare system as a result of the class action lawsuit, *Charlie and Nadine H. v. Murphy*.² In just over three years, the New Jersey Department of Children and Families (DCF) has gone from having achieved 25 percent (6) of its 48 performance measures to now having achieved nearly 90 percent (42) of these measures.

While there is still work to be done, DCF Commissioner Christine Norbut Beyer, has announced a [new vision](#), Safe, Healthy, and Connected,³ for how to achieve these final six measures as well as strengthen the agency in the years that follow. DCF is actively collaborating with the New Jersey judiciary and other stakeholders to improve outcomes for children and youth under its supervision. These efforts are a promising start, focused on reducing the number of youth in placement for three or more years and on reducing the racial disparity in youth under the care of New Jersey's child welfare system.

"DCF also created a new office – the Office of Family Voice (OFV) – in November 2018. The purpose of the OFV is to promote and facilitate including youth and family voice in decisions involving policies and practice that impact their lives."⁴

DCF has described OFV as "the first of its kind among public child welfare agencies nationwide. The Office will serve as a liaison for families and program participants, facilitating opportunities to formally engage with [the] department and help inform policy, procedures and guide system transformation by sharing their lived experiences connected with their involvement with New Jersey's child welfare system."⁵

Advocates for Children of New Jersey (ACNJ) is optimistic that OFV will help DCF improve involving children and families in

the process, not only to facilitate achieving quality-related Sustainability and Exit Plan (SEP) performance targets, but also to help New Jersey's child welfare system become more responsive and more accountable to those it serves.

DCF Progress Nov 2015 - Dec 2018

48 Performance Measures	Nov 2015	Dec 2018
"To Be Achieved" - Requires further action to be considered meeting the agreed-upon standard	36	6
"To Be Maintained" - Has been completed, maintained for six months and now requires consistent action	12	42

Source: CSSP reports for Monitoring Periods XVII, XXIII (FMR)⁶

To that end, ACNJ co-sponsored regional forums with DCF where Commissioner Norbut Beyer presented her vision for the department and, along with senior staff, explained changes currently underway and sought feedback from attendees.

Further progress will require continued dialogue 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.

Federal Monitor Reports on Progress

In her recent report to the federal court, Judith Meltzer, Executive Vice President of the Center for the Study of Social Policy (CSSP), explained that the Department of Children and Families maintained 41 performance measures, including quality of investigations and achieving permanency outcomes within 36 and 48 months, and reached the target for one

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additional performance measure - monthly visits with siblings placed apart. DCF came close to meeting targets in some but not all of the remaining six measures.

Per the report, “[the lack of progress](#)⁷ on [quality of case plans, quality of teaming and services to support transition] reflects the overall quality of casework issues that the Department is working to improve with a renewed focus on DCF’s Case Practice Model and, in particular, consistent quality casework practice.”

Based on assessments and exploration conducted in the Commissioner’s early months in the role, including her [listening tour](#) and DCF’s regional forums, Norbut Beyer and her team established a set of priorities and a new vision for DCF: increase placements with kin; prevent maltreatment; increase the focus on staff health and wellness; and more intentionally align all of DCF’s and the Children’s System of Care’s (CSOC) work to improve mental health services and substance use treatment services to children and families in New Jersey.⁸ ACNJ supports DCF in pursuing these four priorities as a means of improving consistent quality casework practice and client outcomes.

[How Did We Get to This Point?](#)

Federal Monitor: MSA Phases I + II, and SEP

Phase I of New Jersey’s reform effort focused on creating a system and processes for the newly created DCF and implementing DCF’s Case Practice Model (CPM)⁹. The Monitor worked with state officials and Marcia Robinson Lowry, the attorney who filed the lawsuit, to create performance measures with baselines, interim performance benchmarks and final targets to assess the state’s performance on meeting the requirements of the 2006 [Modified Settlement Agreement \(MSA\)](#).¹⁰ The performance measures included focusing on caseload sizes, staff training and recruiting foster homes, now called resource family homes. [Phase II \(2009\)](#)¹¹ focused on the state’s ability to reach and maintain defined performance levels that reflect a healthy child welfare system, which protects children who are brought to the attention of the child protection agency, provides the services to meet their physical and mental health, developmental and educational needs, engages parents to help address the problems which caused state involvement and ensures that these children are safely returned to their parents or placed into other permanent homes in a timely manner.

On November 4, 2015, the federal court approved a [Sustainability and Exit Plan \(SEP\)](#)¹², which modified the MSA, changing some of the performance measures to give DCF more flexibility to achieve the goals. Through the SEP, DCF sought to maintain how it was operating and to focus more attention on the basics of a healthy child welfare system. A total of 48 measures were identified and placed into two categories - “to be maintained” and “to be achieved.”

[How did the SEP change the monitoring system?](#)

In November 2015, there were 36 of 48 performance measures in the “to be achieved” category, meaning that DCF’s performance related to that measure had not yet reached the agreed-upon standard. A measure is moved to the “to be maintained” category once the state meets that measure for six months. As of the Monitor’s most recent report, 42 performance measures were “to be maintained” and six “to be achieved.” The Monitor continues to review DCF data to verify that the state is meeting the measure standards in the “to be maintained” category, but does not have to verify the state’s performance on individual indicators—as long as the general category standards are being met, then the Monitor does not look at the individual aspects.

The Monitor receives data on the indicators in the “to be achieved” category every 6 months. Once DCF demonstrates that it has met all 48 performance measures for at least one year, the state will then be able to seek an end to federal oversight.¹³

[How do these measures relate to DCF’s Case Practice Model?](#)

DCF’s Case Practice Model (CPM) uses a strengths-based, family-centered and child-focused approach with the goal of ensuring the safety, permanency and well-being of children and families. There are six key areas to implementing the model: (1) enact quality investigation and assessment; (2) engage youth and families; (3) work with family teams; (4) individualize planning and relevant services; (5) hold continuous reviews and adaptation; and (6) ensure a safe and sustained transition from DCF involvement.

To better assess the state’s progress in handling child protection, ACNJ examined the SEP measures, which we believe are vital to the successful implementation of the CPM.

Investigating Abuse and Neglect: Child Safety

Risk assessments are the essential first step in ensuring children's safety and well-being. Timely and thorough risk assessments are necessary for caseworkers to properly identify the challenges facing a family and work towards a solution. Per the Monitor, DCF has reached all five performance measures related to investigations and risk assessments completed prior to cases being closed. During the most recent monitoring period, substantiated cases of abuse and neglect of a child by a resource parent increased from 0.24 percent to 0.27 percent but remained below the 0.49 percent target, meeting the SEP

standard. These performance measures all fall under the "to be maintained" category.

The state made progress in the quality performance measure. Ninety-one percent of investigations were determined to meet the quality standard as of October 2017. This measure is reported every other year, so an updated report on the quality of abuse/neglect investigations will not be available until 2020.

Engaging Youth and Families

Family Team Meetings (FTMs) provide the opportunity for enhanced collaboration and communication as families work to address the challenges they face. The goal is to bring family

Investigating Abuse and Neglect: Child Safety

	SEP Standard	December 2015	December 2017	December 2018	Met SEP Standard?
Timeliness of abuse/neglect investigation (60 days)	85%	83%	83% (Nov. '17)	81% (Nov. '18)	Yes*
Quality of abuse/neglect investigation	85%	78%	91% (Oct. '17)	N/A	Yes
Safety/risk assessments conducted during initial investigation	98%	100%	Yes	N/A	Yes
Safety/risk assessments conducted prior to case closing	100%	100%	Yes	N/A	Yes
Abuse/neglect in foster care	0.49%	0.16%	0.24%	0.27%	Yes

*Although the reported percent is lower than the SEP Standard, the Monitor has indicated that DCF has met its Standard.

Source: CSSP reports for Monitoring Periods XVII, XXI, XXIII¹⁴

Engaging Families

	SEP Standard	Dec 2015	Jun 2016	Jun 2017	Dec 2017	Jun 2018	Dec 2018	Met SEP Standard?
Initial FTM	80% within 45 days	85%	75%	84%	91%	85%	95%	Yes
3 or more FTM within first 12 months of placement	80%	77%	86%	74%	83%	78%	84%	Yes
FTM quality	75%	40%	51%	59%	59%	N/A	58%	No
Initial case plan timeliness	95% within 30 days	88-100%	96%	85%	94%	95%	94%	Yes*
Ongoing case plan modifications completed	95%	97%	96%	96%	97%	98%	96%	Yes
Case plan quality	80%	53%	51%	Data not available	53%	Data not available	51%	No

*Although the reported percent is lower than the SEP Standard, the Monitor has indicated that DCF has met its Standard.

Source: CSSP reports for Monitoring Periods XVIII, XXI, XXIII¹⁵

members, supporters and providers "together to exchange information, participate in case planning, coordinate and follow up on services and examine and track progress."¹⁶ Despite progress in holding FTMs in a timely manner, DCF continues to fall short in meeting the quality requirements. Only 58 percent of the FTMs held met the minimum quality standards during the last monitoring period, down from 59 percent in the prior period. The target is 75 percent.

The Monitor notes: "FTMs are only one of the many ways in which DCF staff engage with families. Effective teaming is in fact much broader than just convening a meeting, and relies upon other foundational elements of quality case practice, such as engagement with family members, timely assessments and quality case planning, all of which are evaluated as part of the state's QR process."¹⁷

Carefully crafted case plans are essential for families to successfully identify and access needed services and resources. DCF continues to meet the performance standards for the timeliness of initial case plans and case plan modifications. However, again, the quality of case plans is far from meeting the SEP required standard. Only 51 percent of cases met the minimum quality standard during the last monitoring period, a percentage far below the 80 percent SEP requirement and lower than the 53 percent achieved during the previous monitoring period.

An acceptable quality case plan includes family involvement in the case planning process, evidence that the child and family's needs are appropriately addressed in the case plan, and the continued development and adjustment of different services

and interventions. The quality measures are assessed through a document review, service review and interview process with parents, family members, teachers, doctors, resource parents, caseworkers and the children when appropriate.

Supervising Children and Families and Family Visitation

The Federal Monitor wrote in her report that "[visitation] between children in foster care and their workers, parents and siblings are critical to children's safety and well-being, and are essential tools for strengthening family connections and improving prospects for permanency."¹⁸ The Monitor's report showed that state child welfare workers continue to maintain or improve the frequency of visits with children living in foster care and with parents and family members. In November 2015, 94 percent of children had at least twice-per-month face-to-face contact with their caseworker within two months of entering the system.

The state exceeded the SEP standard for caseworker visits with children in ongoing placements. Ninety-four percent of children in placement had at least one caseworker visit per month. While the CP&P's performance in meeting the revised caseworker-parent visitation standard continues to improve, the 90 percent target has not yet been met. As of December 2018, 76 percent of parents with a reunification goal had twice monthly face-to-face contact with their caseworkers. This performance standard does not include cases where the parent is unavailable or the visit is not required.

Supervising Families and Children: Caseworker Visits with Children and with Parents

	SEP Standard	Dec 2015	Jun 2016	Dec 2016	Jun 2017	Jun 2018	Dec 2018	Meet SEP Standard?
Caseworker visits (two times a month during first 2 months)	93%	90-95%	91%	93%	94%	90%	94%	Yes
Caseworker ongoing child visits (at least one time a month)	93%	95-97%	96%	98%	96%	95%	94%	Yes
Caseworker visits (two visits per month with parents when goal is reunification and parent available)	90%	76-80%	74%	84%	71%	77%	76%	No

Source: CSSP reports for Monitoring Periods XVIII, XX, XXIII¹⁹

Supervising Families and Children: Parent & Child Visits; Sibling Visits when Living Apart

	SEP Standard	Dec 2015	Jun 2016	Dec 2016	Jun 2017	Dec 2017	Jun 2018	Dec 2018	Meet SEP Standard?
Parent/child weekly visits; reunification goal and no court order prohibits visits	60%	73-81%	82-87%	82-87%	80% 80-85%	80% 78-82%	79% 78-82%	77% 76-79%	Yes
Parent/child visits; (two times a month) reunification goal and no court order prohibiting visits	85%	85-90%	86-89%	94-96%	93% 93-97%	93% 90-93%	92% 91-94%	91% 89-92%	Yes
Sibling visits when not placed together (one time a month)	85%	85%	71%	76%	73%	80%	75%	88%	Yes

Source: CSSP reports for Monitoring Periods XVIII, XX, XXI, XXIII²⁰

Foster Care Placement

In her report, the Monitor recognized that “[s]table and appropriate placement for children in foster care is critical to safety and well-being, and maintenance of family bonds. DCF policy requires siblings to be placed together whenever possible, and that children experience as few placement changes as possible while in out-of-home placement.”²¹ The state continued to meet the standard for placing children in family settings and providing children with resource home care placements. DCF continues to recruit resource homes that can accommodate large sibling groups. The Monitor reports that as of December 2018, DCF had 73 resource homes for large sibling groups. Eighteen could accommodate five or more children and 55 homes could accommodate four children.

Child Safety

A primary goal of the child welfare system is to ensure children’s safety and well-being. With lower rates of abuse and

neglect in foster care and lower rates of repeat maltreatment in in-home cases, the state has made progress in keeping children safe. The rate of repeat maltreatment for children who remain at home after an allegation of abuse or neglect was substantiated was 5 percent for calendar year 2017 (CY17), meeting the SEP requirement. In CY15 (the most recent calendar year available), 5.9 percent of the 1,826 children who exited foster care to be reunified with a parent or relative were victims of abuse and/or neglect within 12 months of their return home, the third consecutive year DCF has met its standard for maltreatment post-reunification.

However, for children who enter foster care for the first time and who are discharged within 12 months to reunification, living with a relative, or guardianship, 12.2 percent re-entered care within 12 months of their discharge. While DCF has made progress since 2007, when 17 percent of children were re-entering foster care, the state has still not met its target performance standard of 9 percent.

Child Safety

	SEP Standard	Dec 2015	Dec 2016	Dec 2017	Dec 2018	Met SEP Standard?
Repeat maltreatment, in-home cases	7.2%	6.5%	6.5% for CY15	6.5% for CY16	5% for CY17	Yes
Repeat maltreatment, post-reunification	6.9%	7.7% for CY12	6.5% for CY13	6.4% for CY14	5.9% for CY15	Yes
Re-entry into foster care	9%	11.5% for CY13	12% for CY14	11.2% for CY15	12.2% for CY16	No

Source: CSSP reports for Monitoring Periods XVII, XIX, XXI, XXIII²²

Foster Care Placement

Placement of Siblings Together	SEP Standard	CY2015	CY2017	December 2018	Met SEP Standard?
Placing siblings together (2-3)	80%	79%	76%	77%	No
Placing siblings in a group of 4 or more with at least one other sibling	80% with at least 1 other sibling	87%	83%	86%	Yes
Stability of Placements	SEP Standard	CY2014	CY2016	December 2018	Met SEP Standard?
Placement stability (no more than 1 placement change in first 12 months in foster care)	84%	82%	85%	85%	Yes
Placement stability (no more than 1 placement change during the 13 to 24 months following entry)	88%	94%	N/A	95%	Yes

Source: CSSP reports for Monitoring Periods XVII, XX, XXI, XXII, XXIII²³

Permanent Homes for Children

A safe, permanent home is essential to a child's well-being. Reunification with parents, adoption or kinship legal guardianship foster a child's positive well-being. There are four SEP standards related to achieving permanency for children living in foster care. The SEP revised previous MSA permanency measures to assess permanency within 12, 24, 36 and 48 months of entering placement.

Since CY10, DCF has achieved 41 percent or greater of children being discharged to permanent homes within 12 months of entering foster care. The SEP target is 42 percent. Similarly, over the same time period, DCF has achieved 63 percent or better of children achieving permanency within 24 months of entering care compared to the SEP target of 66 percent, and 77 percent or better for children achieving permanency within 36 months versus the SEP target of 80 percent. DCF met or surpassed its target of 86 percent of children entering foster

care being discharged to permanency within 48 months for CY13 and CY14.

Conclusion

While the state has made significant progress in several key areas of child protection, there is still much work to do to ensure that all children, whenever possible, are living safely at home with their families. It is unclear why the case practice changes have failed to take firmer hold, despite extensive staff training and other initiatives designed to change the culture of case practice at the DCF.

While metrics for timeliness have improved (and/or been adjusted between the MSA and the SEP)²⁴, this does not correspond to an impact on the performance targets for quality. Most notably, performance targets pertaining to timeliness for FTMs and for case plans have been met for at least 18 months, whereas those for quality are consistently 15

Percent Discharged to Permanency, of All Children Entering Care in 12-Month Period

Percent Discharged to Reunification, Living with Relatives, Guardianship or Adoption	SEP Standard	CY10	CY11	CY12	CY13	CY14	CY15	CY16	CY17	Meet SEP Standard?
Discharged to permanency within 12 months	42%	43%	42%	44%	43%	41%	42%	43%	41%	Yes*
...within 24 months	66%	64%	64%	63%	66%	65%	64%	65%	N/A	Yes*
...within 36 months	80%	77%	78%	78%	80%	81%	81%	N/A	N/A	Yes
...within 48 months	86%	83%	85%	85%	88%	89%	N/A	N/A	N/A	Yes

*Although the reported percent is lower than the SEP Standard, the Monitor has indicated that DCF has met its Standard.

Source: CSSP report for Monitoring Periods XXIII²⁶

percentage points or more below the target, and nearly 30 percentage points below target for case plan quality.²⁵

ACNJ is publishing a series of blogs related to current efforts and best practices. For more information, visit ACNJ's website

at www.acnj.org or contact Mary Coogan at mcoogan@acnj.org.

Endnotes

¹ Progress of the New Jersey Department of Children and Families: Monitoring Period XXIII Report for *Charlie and Nadine H. v. Murphy* July 1 – December 31, 2018 <https://cssp.org/resource/charlie-and-nadine-h-v-murphy-progress-report-xxiii-july-1-december-31-2018/> (hereinafter known as FMR)

² *Charlie and Nadine H. v. Murphy* was previously *Charlie and Nadine H. v. Christie* and *Charlie and Nadine H. v. Corzine* prior to that.

³ Safe, Healthy, Connected: DCF In The 21st Century <https://www.nj.gov/dcf/about/strategic.html> Last accessed Aug. 8, 2019

⁴ FMR at page 5

⁵ DCF Executive Management <https://www.nj.gov/dcf/about/executive/> Last accessed Aug. 8, 2019

⁶ Progress of the New Jersey Department of Children and Families: Monitoring Period XVII Report for *Charlie and Nadine H. v. Christie* January 1 – December 31, 2015 <https://cssp.org/wp-content/uploads/2018/08/Charlie-and-Nadine-H.-v.-Christie-Monitoring-Report-XVII-June-8-2016.pdf> (hereinafter MP XVII) at page 7; FMR at page 6

⁷ FMR at page 7

⁸ FMR at page 5

⁹ http://www.nj.gov/dcf/about/welfare/case/DCF_CasePracticeModel.pdf

¹⁰ *Charlie and Nadine H. v. Corzine* Modified Settlement Agreement http://www.state.nj.us/dcf/documents/home/Modified_Settlement_Agreement_7_17_06.pdf

¹¹ Progress of the New Jersey Department of Children and Families: Monitoring Period VI Report for *Charlie and Nadine H. v. Corzine* January 1 – June 30, 2009 <https://cssp.org/resource/charlie-and-nadine-h-v-christie-progress-report-vi-january-june-2009/> (hereinafter MP VI)

¹² *Charlie and Nadine H. v. Christie* Sustainability and Exit Plan <http://www.nj.gov/dcf/about/welfare/Sustainability-and-Exit-Plan-110415.pdf>

¹³ The 2006 Modified Settlement Agreement required the state to substantially meet the benchmarks for 2 years before it could seek to end federal oversight, but the 2015 SEP reduced that duration to 12 months.

¹⁴ MP XVII; Progress of the New Jersey Department of Children and Families: Monitoring Period XXI Report for *Charlie and Nadine H. v. Murphy* July 1 – December 31, 2017 <https://cssp.org/wp-content/uploads/2018/10/Charlie-and-Nadine-H.-v.-Christie-Monitoring-Report-XXI-July-18-2018.pdf> (hereinafter MP XXI); FMR

¹⁵ Progress of the New Jersey Department of Children and Families: Monitoring Period XVIII Report for *Charlie and Nadine H. v. Christie* January 1 – June 30, 2016 <https://cssp.org/wp-content/uploads/2018/08/Charlie-and-Nadine-H.-v.-Christie-Monitoring-Report-XVIII-April-5-2017.pdf> (hereinafter MP XVIII); MP XXI; FMR

¹⁶ FMR at page 7

¹⁷ FMR at page 43

¹⁸ FMR at page 50

¹⁹ MP XVIII; Progress of the New Jersey Department of Children and Families: Monitoring Period XX Report for *Charlie and Nadine H. v. Christie* January 1 – June 30, 2017 <https://cssp.org/wp-content/uploads/2018/08/Charlie-and-Nadine-H.-v.-Christie-Monitoring-Report-XX-January-11-2018.pdf> (hereinafter MP XX); FMR

²⁰ MP XVIII; MP XX; MP XXI; FMR

²¹ FMR at page 55

²² MP XVII; Progress of the New Jersey Department of Children and Families: Monitoring Period XIX Report for *Charlie and Nadine H. v. Christie* July 1 – December 31, 2016 <https://cssp.org/wp-content/uploads/2018/08/Charlie-and-Nadine-H.-v.-Christie-Monitoring-Report-XIX-July-19-2017.pdf> (hereinafter MP XIX); MP XXI; FMR

²³ MP XVII; MP XX; MP XXI, Progress of the New Jersey Department of Children and Families: Monitoring Period XXII Report for *Charlie and Nadine H. v. Murphy* January 1 – June 30, 2018 <https://cssp.org/wp-content/uploads/2019/02/Charlie-and-Nadine-H-v-Murphy-Jan-Jun-2018.pdf> (hereinafter known as MP XXII); FMR

²⁴ Compare “Initial FTMs” performance targets between MP XVII at page 14 and <https://cssp.org/wp-content/uploads/2018/08/Charlie-and-Nadine-H.-v.-Christie-Monitoring-Report-XVI-11-4-15.pdf> (MP XVI) at page 66

²⁵ FMR at page 46

²⁶ FMR at pages 63-66

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