

A BRIEF SUMMARY OF THE ACTIVITIES OF THE
CHILD WELFARE LEGISLATIVE OVERSIGHT PANEL
1999—2014

Theme: Implementing the provisions of the consent decree sufficiently to exit federal court oversight under *David C.*

- This included implementing the provisions of the Performance Milestone Plan, developed around 1998. The milestone plan addressed:
 - Practice model development, implementation, and training
 - Adequacy and distribution of funding
 - DCFS Management and communication
- 20-something states under court supervision
 - Only Alabama had exited

Theme: Proper level of intervention by the state in cases of child abuse and neglect

- Two-track, or "differential response" approach in the early 2000s
- Continue to see that effort with the fairly recent legislative audit that emphasized the use of in-home services
- Development of DCFS' HomeWorks model that ties the level of intervention to evidence-based assessment outcomes

Theme: Balancing children's safety with parental rights

- Prominent medical neglect case that spawned a great deal of legislative activity
- Amendment of the Panel's enabling statute to "study actions the state can take to preserve, unify, and strengthen the child's family ties whenever possible in the child's interest, including recognizing the constitutional rights and claims of parents whenever those family ties are severed or infringed"
- Heard several individual cases over the years, including one in closed session
- Creation of the Parental Defense Program for indigent parents

Theme: Improving outcomes for children

- Juvenile court created a system for measuring and reporting its compliance with statutory timelines that lead to permanency within specified time frames (result of a legislative audit)
- Placement with kin (monitoring efforts to improve, and supporting federal legislation that increases flexibility for states)
- Recent "Normalcy legislation"
 - Gives foster parents greater discretion over decisions relative to foster children

- Driving privileges
- Fatality reviews
- Use of psychotropic medications
- Racial and ethnic disparities
- Transitions to adult living
 - Homeless youth

Theme: Supporting foster and adoptive parents

- Adequacy of the daily rate for parents
- Distribution among the regions of subsidies paid to adoptive parents of children with special needs
- Creation of the Utah Foster Care Foundation for recruitment and training
- Number of children a foster parent can parent

Theme: Providing an appropriate level of funding for the child welfare system

- Adequate ongoing budget support was a key element of exiting federal court oversight
- Caseworker caseloads
- Caseworker compensation
- Caseworker training (funding for mentoring)
- GAL funding
- Adequate number of juvenile court judges
- Resources to prevent placement disruption

Theme: Addressing rights of those implicated as potential perpetrators in cases of child abuse and neglect

- Preservation and use of data in the child abuse database

Theme: Development of a child welfare system that is capable of self-assessment and self-correction

- Proper oversight and accountability structures
 - Some no longer exist
 - Monitoring Panel
 - Foster Care Citizen Review Boards
 - Consumer Hearing Panel
 - DCFS Board
- Initially had the measures used by the monitoring panel
- Bureau of Services Review/Office of Services Review
- Initial measures scaled back to create the Case Process Review
- Also developed the Qualitative Case Review
 - Evaluates performance from many angles and invites input from multiple stakeholders
- Legislative auditor used to sample cases used by court monitor

- Audits reduced to once each three years and nature of the audits broadened
- "Vexing problem" studies by OSR and other emphases
 - Response times, based on priority
 - Placing children as close as possible to familiar surroundings
 - Ensuring children receive appropriate medical, dental, and mental health care
 - Placement of sibling groups
 - Placement of older children
 - Caseworker visits
 - Family engagement
 - Prevention of placement disruption
- Development of federal Child and Family Services Review
- Development and use of quality improvement committees
- Access to juvenile court proceedings

Source: Mark D. Andrews, Policy Analyst, Office of Legislative Research and General Counsel, 6/30/15

