

Media Coverage 20, May 14, 2006-July 18, 2006

Troubles Continue in New York City's Administration for Children's Services, DYFS Receives a Positive Report Card on Safety, Governor Corzine Signs Bill Establishing Cabinet Level Department of Children and Families (DCF), New Jersey Reaches New Settlement Agreement With Children's Rights, and A New Reform Plan is Developed.

ACS STAFF BURIED IN BUSYWORK & STRICKEN WITH FEAR

By SUSAN EDELMAN and ANGELA MONTEFINISE, NEW YORK POST

May 14, 2006 -- Kids are still slipping through the cracks.

That's the worsening state at the city's Administration for Children's Services, where complaints of child abuse and neglect have spiked 40 percent, overtime has tripled, and resignations have surged since the horrifying murder of 7-year-old Nixzmary Brown in January.

Morale, workers told The Post, has hit rock bottom.

Queens caseworker Timothy Greeran, 29, was the latest to make the heart-wrenching decision to quit the agency, handing in his resignation letter Friday.

He and his colleagues told The Post of an agency run by threats, intimidation and fear, moving the focus from protecting children to protecting itself.

"My heart raced every time the 11 o'clock news came on - I was afraid of becoming the lead story if a child on my caseload died," Greeran said.

Said another caseworker: "Do you know what it's like when you have dreams of all your clients coming at you? You see all your case files swimming around in a circle. If something happens on my caseload, they're going to hang the caseworker out to dry."

Exhausted and demoralized caseworkers say ACS management:

- * Threatens to treat workers like "murder suspects" if children in their caseloads die.
- * Requires 80 to 100 pages of paperwork per case and prioritizes paperwork over field visits.
- * Runs an onerous bureaucracy that requires two signatures on a form to get a voucher to obtain a translator.
- * Expects workers to visit violent households late at night, without partners or police protection.
- * Has failed to lower caseloads as high as 40 for some caseworkers to the stated goal of 12.
- * Pushes for cases to be closed quickly, creating the potential for sloppy investigations.

Caseworkers - whose salaries range from \$36,000 to \$41,000 - say they've been clocking 15 to 25 hours of overtime a week in a hopeless effort to check on the safety of scores of children.

So far this year, ACS has shelled out more than \$6.1 million in overtime, up from \$1.8 million over the same time last year.

Meanwhile, the number of child-protective caseworkers and supervisors who have quit since January - 154 - has jumped 54 percent over the same period in 2005, the agency said.

The agency acknowledged that caseloads are "too high," and said it is trying to "alleviate the burden on individual caseworkers" while coping with a 40 percent spike in abuse and neglect complaints since Nixzmary's Jan. 11 death.

ACS hired 525 new caseworkers since last July, holding a ceremony last week for 200 who completed a six-week course. But 100 of the new hires will still be in the classroom in July, and the new graduates will get their feet wet with just two to six cases in their first three months in the field.

"Once the training wheels come off, and they see what they're up against, they won't stay long," Greeran said.

A Queens co-worker, who has just two years at ACS under her belt, said she plans to quit tomorrow.

"I can't handle it anymore," she said.

The caseworker, in her late 20s, said she's cracking under the strain of 40 cases of child abuse or neglect, and is often forbidden to visit her families until late in the evening after spending the whole day on paperwork. She often gets home after midnight.

Though required to visit each family twice a month, "I haven't seen many families in three months or longer. We're not helping the people who suffer."

In one of her cases, she said, a husband hit his wife during a vicious argument, cops were called, and he was barred from the home.

The caseworker has not yet checked on their infant.

Her last straw came two weeks ago, when a manager demanded she work on paperwork all Saturday before her vacation. The manager warned she'd have hell to pay if a child in her caseload died without the documentation.

"If you get brought before the Fatality Review Board, they'll treat you like a murder suspect," she quoted him as saying.

"I broke down in tears," she said.

Another city caseworker said her supervisor "rolls his eyes" whenever she asks for a field day to check on children such as newborns under the care of crack-addict moms or other kids at risk who should be monitored to make sure they "still have arms and legs."

"They'd rather me be in the office doing paperwork instead of doing these cases," she said. "So we lose track of these kids."

The worker recalled a case that slipped through the cracks - a child whose working mother left him with a relative who was also housing the boy's violent father.

"I had such a huge caseload and so much else to keep track of, this child was sleeping under the same roof as the abusive parent for weeks," she lamented. "I couldn't sleep the night I found out."

Greeran and his co-worker said that between them they've called in sick 20 days since January. Both said they suffer stress headaches.

Greeran said caseworkers fill out 80 to 100 pages of paperwork for abuse cases - and 30 to 40 pages for unfounded cases.

To get a translator - crucial when dealing with a non-English-speaking family - a caseworker needs to obtain the signatures of both a manager and a supervisor on a permission slip before he can get the voucher that permits them to make an appointment.

"In this agency, you need a form to get a form," Greeran said.

A citywide caseworker walkout to protest poor working conditions was set for Friday by their union, DC 37, but it was postponed because of rain.

Workers have started wearing red "Who's Next?" pins, a reference to colleagues disciplined, fired or "scapegoated" in the wake of Nixzmary's death.

Meanwhile, caseworkers are biding their time until they find new jobs.

Workers gain weight on the fast food they eat to keep up the pace, can't sleep because of nerves, and fear for their safety, he said.

"We walk into areas alone, armed with a notepad and ID and a prayer, hoping that the person behind the door doesn't want to take our lives for questioning their child-rearing skills," Greeran said.

Until the new hires are handling full duties, ACS spokeswoman Sheila Stainback said the agency has "redeployed" 200 child-welfare workers, who usually focus on adoption, foster care and other services, to help front-line caseworkers investigate child abuse and neglect.

Stainback said agency records show that only six of nearly 1,000 workers had caseloads of 40 families as of last week, and 63 had caseloads of 30 to 39.

As for paperwork, she said, "Everybody who goes into this job knows everything must be documented so there's always an extra pair of eyes looking at everything."

But she admitted that ACS is in a tight spot. With abuse complaints rising, caseworkers quitting and new hires still in training, caseloads will remain high, she said.

"You can't make that go away with a magic wand," she said.

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Open Abuse Investigations Increase at Child Agency

By SEWELL CHAN New York Times June 1, 2006

The New York City child welfare system, which has been struggling with a surge in reports of neglect and abuse since the death of a 7-year-old girl in January, has a backlog of 4,000 investigations that have not been closed within the mandatory 60-day deadline, officials said yesterday.

Zeinab Chahine, executive deputy commissioner of the Administration for Children's Services, disclosed that the agency had 14,000 to 15,000 open abuse and neglect cases in total, about 40 percent more than a year ago.

"At any point in time we're receiving approximately 300 reports of child abuse and neglect every day," about twice as

many as a year ago, she said during a City Council hearing on the agency's proposed budget of \$2.4 billion for the fiscal year that starts July 1.

The case of the 7-year-old, Nixzmary Brown, who the authorities say was beaten, starved and abused in her Brooklyn home, prompted a surge in calls and complaints by caregivers, neighbors and educators.

"In some ways, that's good news because we've found a large number of youngsters who were at risk, who were in danger — especially groups of brothers and sisters who had been hurt badly," said John B. Mattingly, the agency's commissioner. "They came to our attention for the first time because of the public's interest in recent cases, and that's actually good news. But it places great stress on an agency that needs to train its workers before we can increase our numbers."

The annual attrition rate for child-protection specialists — the front-line caseworkers who investigate reports of neglect and abuse — has risen to 28 percent from the recent average of 22 percent, he said, and the agency is girding itself for the possibility that the rate could rise to 35 percent over the next year. Mr. Mattingly said his goal was to reduce the attrition rate to less than 20 percent.

A crucial statistic, the average caseload per worker, also has increased, to 19.6 from 15.2 one year ago, Mr. Mattingly said in an interview after the hearing. The caseload figure varied significantly across the boroughs. It was highest in Queens (25.4), followed by the Bronx (24), Manhattan and Staten Island (20.7 in each) and Brooklyn (15.2). The city's goal is no more than 12 cases per worker.

"Those cases are going to be coming down this summer, quite dramatically," Mr. Mattingly told Councilman Bill de Blasio of Brooklyn, the head of the General Welfare Committee. "They have to and they will. When we will get to 12, I cannot predict right now, but we will be in a much more reasonable range by the end of this summer and we will be back where we were by early next year. But we need to get to 12, and we're going to keep at it."

Mr. Mattingly said the agency was hiring social workers as quickly as it could without sacrificing the quality of applicants. It had 977 caseworkers yesterday, compared with fewer than 900 a year ago, he said. He added that he expected to have 1,100 caseworkers by July — meeting a goal of hiring 525 this fiscal year — and to hire an additional 400 over the next fiscal year. It was the revelation that some one-fourth of all cases were not being closed within the state-mandated deadline that most surprised some council members and children's advocates.

"Any delay in the timeliness of investigations is a cause for concern," said Gail B. Nayowith, executive director of Citizens' Committee for Children of New York, who sits on an advisory committee that meets regularly with Mr. Mattingly.

Mr. Mattingly told of several efforts to improve low morale among caseworkers. They include \$2.4 million in additional city money each year for office supplies, cellphones, MetroCards and vehicle maintenance; a phone-based translation service that allows caseworkers to find an interpreter for any of 150 languages in less than five minutes; and an experiment in which workers are trying out 12 models of laptops and handheld computers to download and transmit information about cases more quickly.

He also described efforts to improve coordination with the Police and Education Departments and to develop a computerized system, ChildStat, that will allow better tracking of the agency's performance.

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DYFS gets a positive report card on safety

Officials hope study boosts support for agency reforms

BY SUSAN K. LIVIO Star-Ledger June 15, 2006

Although a new report charges that chaos and confusion remain a major problem at the Division of Youth and Family Services, it also says children in its care are safer than they were before the state committed to a multimillion-dollar overhaul three years ago.

In 21 of 29 areas ranging from the rate children are abused more than once to how long children linger in foster care, statistics show the beleaguered agency has made modest progress or better, according to the New Jersey Child Protection Report Card.

The findings surprised the Association for Children of New Jersey, the authors of the study and one of several advocacy groups that have been critical of the pace and decision making in the reform effort.

"The somewhat positive (findings) do not negate the chaos in the offices, the inexperienced staff, the lack of clear direction," Executive Director Cecilia Zalkind said. "I think it is somewhat miraculous we have seen the improvement we have."

Zalkind said she hoped the study, based on DYFS data, would convince lawmakers not to abandon the reform as they look to trim a \$4.5 billion deficit in the upcoming state budget. "This suggests to me there is potential for success," she said.

The state has dedicated \$320 million to DYFS reform since 2004, and Human Services Commissioner Kevin Ryan is asking for an additional \$53 million in the new budget. Gov. Jon Corzine also has proposed creating a separate Department of Children and Families so children's issues are not lost in the behemoth Department of Human Services, which serves 1 million people.

Some legislators have been cool to the idea of the new department because early progress reports have been so grim. The New Jersey Child Welfare Panel, appointed under a lawsuit settlement, concluded last fall that progress has been "seriously inadequate."

"This is the first independently verified good news about the child welfare system in quite a time," Ryan said yesterday during a break in negotiations with Children's Rights Inc., the advocacy group whose lawsuit forced the reform. Ryan and Children's Rights have until June 23 to outline a new plan or the group can ask a federal judge to take control of DYFS away from New Jersey.

"For critics of the system and advocates who have wanted to see tangible progress, today's report card offers some proof the system is getting better," Ryan said. "I urge lawmakers and advocates to pay very close attention to today's independent report card. These investments can make a difference in the lives of children."

Child safety statistics showed the most promise. There was a 20 percent drop between 2002 and 2004 in children returning to foster care because they had been abused again, a 27.5 percent decline in children abused again within six months and a 24 percent decline in children abused again within a year.

The report also highlights weaknesses, such as the floundering attempts to expand the pool of foster and adoptive families. There were 3,913 licensed foster homes in 2004 and 4,005 this year -- a gain of just 2.4 percent.

The state's problem is it has focused too narrowly on recruiting families instead of keeping them, Zalkind said. After recruitment, "the hard work begins in terms of developing a family into a good foster home," she said.

Children's Rights Executive Director Susan Lambiase said she welcomed the report, not only because it showed reforms are starting to work, but because it is the first time the state has shared reliable DYFS data.

"We praise the state for making the data available; it's been a sore point for us," Lambiase said.

Assemblyman Joseph Cryan (D-Union), chairman of the Assembly Human Services Committee, said he hadn't seen the report, but said it may sway him and others who want to support the new department but are concerned about the cost. "We are looking for positive results," he said. "And we sure could use some good news."

Green-lighting the additional \$53 million to continue the reform plan may be a harder sell, he said.

"Does the amount of money invested come close to the returns people expect? There will have to be more accountability for the dollars," Cryan said.

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June-19-06 Governor Corzine Lauds Bill For State's First Cabinet-Level Children & Families Agency

GOVERNOR CORZINE LAUDS BILL FOR STATE'S FIRST CABINET-LEVEL CHILDREN & FAMILIES AGENCY

TRENTON – Governor Jon S. Corzine today lauded legislation introduced today to create New Jersey's first cabinet-level department focused solely on children and families. Senator Joseph F. Vitale and Assemblyman Joseph Cryan sponsored the legislation.

The legislation would carve out the existing child welfare programs from within the Department of Human Services (DHS) and establish a new freestanding Department of Children and Families (DCF). Currently, DHS is the largest state department with more than 22,000 employees and a budget that consumes almost one third of the entire state budget.

"This legislation marks a great step forward in improving the state's ability to strengthen families, protect our children and fix the broken child welfare system," said Governor Corzine. "Separating DHS into two departments not only allows us to more effectively meet the urgent needs of our child welfare programs, but also to devote the proper attention to meeting the vital needs of people with developmental and physical disabilities, mental illnesses and addictions."

Establishing the new department would be cost neutral and staffed by 6,600 existing state child welfare employees, requiring no infusion of new staff, office space, programs or funding. Any costs to create the new department will be offset by savings the state is achieving through greater efficiencies, including reducing staff in the existing structure. Governor Corzine plans to nominate DHS Commissioner Kevin Ryan to lead the new department and will nominate a new commissioner for DHS.

"By elevating child welfare to a cabinet-level position, we are prioritizing New Jersey's commitment to the kids who are most in need," said Senator Vitale. "Creating a State Department singularly focused on child protection and family development will bolster our attempts to protect kids and provide environments for them to thrive, while giving the ongoing responsibilities of our current Department of Human Services greater resources and attention."

"I'm always grateful for the opportunity to work on behalf of New Jersey's at-risk children," said Assemblyman

Cryan. "I understand the road ahead will not be easy but I welcome the challenge and look forward to working with Governor Corzine and Commissioner Ryan to bring about positive change."

The legislation would enable the Governor to appoint a commissioner to head the new department, which would initially contain the following existing programs: the Division of Youth and Family Services, the Division of Child Behavioral Health Services, the Division of Prevention and Community Partnerships and the New Jersey Child Welfare Training Academy.

"The creation of the new department alone, of course, will not suddenly fix the child welfare system, but it is a critical component to achieving reform in an area where the stakes are too high not to do all that we can," Commissioner Ryan said. "I truly believe that the current structure, with the child welfare system embedded in DHS, has been a significant factor in the state's inability to achieve the aggressive and effective reform that is necessary to better safeguard our children."

A funding increase is outlined in Governor Corzine's proposed DCF budget in the amount of \$235 million - nearly half of which, or \$103 million, is for programs already funded in the DHS budget to support child welfare programs. As a result, this \$103 million increase represents only a shift of funds, and will not affect services in either department. The remaining amount presented as a funding increase covers mandatory growth of existing child welfare services and resources needed to continue child welfare reforms in key areas: caseloads and training; adoption practice; mental health services for children; and abuse prevention.

There is no proposed increase in funding to cover the costs of creating the new department; all the funding is dedicated to delivering child welfare services.

DHS is currently in negotiations to settle a class action lawsuit brought against the state in 2003, charging that New Jersey's child welfare system failed to adequately protect children within its care. New Jersey settled the lawsuit in July 2004, committing to implement a child welfare reform plan, with the legislature appropriating more than \$300 million over the last three years to support the reform. Despite these commitments, the child welfare system has not fully achieved key results for kids and families. The state's failure to meet certain requirements under the previous settlement led the plaintiffs to file a contempt motion against New Jersey. As a result, negotiations have resumed to reach a new settlement agreement based on Commissioner Ryan's turnaround plan for child welfare in New Jersey.

To ensure the most effective and efficient delivery of services for all of New Jersey's human service clients, Governor Corzine formed a Policy Advisory Council on Human Services Restructuring to assess and make recommendations for any additional changes that should be made in the state's current system. After reviewing input received from interested members of the public, the Council is scheduled to present its recommendations to the Governor in July.

July-11-06 Governor Corzine Signs Bill Establishing Department of Children and Families

FOR IMMEDIATE RELEASE
DATE: July 11, 2006

GOVERNOR CORZINE SIGNS BILL ESTABLISHING DEPARTMENT OF CHILDREN AND FAMILIES

Nominates Commissioners for Children and Families, Corrections, Education and Human Services

TRENTON - Governor Jon S. Corzine today signed legislation to create the Department of Children and Families (DCF), the state's first Cabinet-level department focused solely on child and family welfare.

"Today, we are taking a major step toward fixing New Jersey's child welfare system and fulfilling our most basic commitment to protecting our children," said Governor Corzine. "Aggressive reform of this system requires a degree of focus that simply is not possible under the current structure."

The new, freestanding DCF will be staffed by approximately 6,600 state child welfare employees from within the Department of Human Services' (DHS) Office of Children's Services: the Division of Youth and Family Services (DYFS), the Division of Child Behavioral Health Services, the Division of Prevention and Community Partnerships, the Office of Education, and the New Jersey Child Welfare Training Academy.

Governor Corzine has appointed Kevin M. Ryan, who has served as the Commissioner of Human Services since January, to lead the new department of Children and Families on an interim basis. From 2003-2006, Ryan was the State Child Advocate where he was responsible for holding accountable state agencies that serve children at risk of abuse and neglect. He earned a B.A. from The Catholic University of America, a J.D. from Georgetown University Law Center and a LL.M. from New York University School of Law. The Governor will submit Ryan's formal nomination to the Senate for confirmation once the Senate reconvenes.

"The state of New Jersey has long needed a cabinet agency devoted to keeping kids safe and families strong," said Commissioner Ryan. "As an advocate for children, I would especially like to extend my appreciation and gratitude to the Governor and the Legislature for their leadership on behalf of New Jersey's children."

To fill the post of Human Services Commissioner, Governor Corzine will nominate Clarke Bruno. Bruno previously served as General Counsel to the New York City Department of Homeless Services, where he directed legal affairs for the 2,200 employee agency with an operating budget of \$730 million. Mr. Bruno has extensive legal expertise, vast managerial experience, and a strong command of the issues facing the New Jersey Department of Human Services. He obtained his B.A. from Swarthmore College and his J.D. from New York University. Until the confirmation process is complete, DHS Director of the Division of Addiction Services Jim Smith will serve as Acting Commissioner. Mr. Smith previously served as the Acting Commissioner of Human Services from 2001-2002, and also as Deputy Commissioner of Human Services from 1998-2001.

"I am honored by this extraordinary opportunity to serve the Governor, the clients of the Department of Human Services and the people of New Jersey," said Mr. Bruno. "The Governor has charged me with making the state a leader in delivering high quality health and social services in a cost-effective manner. I look forward to getting started."

The Senate bill creating the new department was sponsored by Senators Joseph Vitale and William Gormley, and co-sponsored by Senators Ellen Karcher, Ronald Rice, Loretta Weinberg and Diane Allen. The Assembly bill was sponsored by Assemblypersons Joseph Cryan, Sheila Oliver, Nilsa Cruz-Perez and Valerie Vainieri-Huttle, and co-sponsored by Assemblypersons Mims Hackett, Charles Epps, and Oadline Truitt.

"We have made a lot of progress in turning around our child protection safety net to ensure that no child falls through," said Senator Vitale, Chair of the Senate Health, Human Services and Senior Citizens Committee. "However, reorganizing our state's children's welfare and family support programs into a standalone department within the Executive Branch offers an opportunity to advance reform well beyond the current timetable

DCF's total budget for the Fiscal Year 2007 will be \$1.4 billion, which includes the Legislature's full appropriation of Governor Corzine's proposed funding to support and deliver child welfare programs and services. The majority of DCF's divisions, programs and staff will continue working from current offices and the central office of DCF will remain housed at the DHS headquarters at Capital Place One.

"I am proud to have sponsored this legislation giving children and families in New Jersey the attention they deserve," Assemblyman Cryan said. "I look forward to working with the new Department and Commissioner Ryan in our continued commitment to improving the lives of our most vulnerable children and families."

Governor Corzine's Policy Advisory Council on Human Services Restructuring is completing its report, which will make recommendations to the Commission on Government Efficiency and Reform on how to ensure the most effective and

efficient delivery of services for all of New Jersey's human services clients.

DHS will be streamlined to provide more targeted services to persons with developmental disabilities and mental illness; persons with physical disabilities; those who are blind, visually impaired, deaf or hard of hearing; people in need of addiction services; and people in need of affordable health care and other welfare services, such as food stamps, emergency assistance and unemployment support.

Governor Corzine today also announced that he will nominate Lucile Davy to serve as Commissioner of Education and George Hayman to serve as Commissioner of Corrections.

Davy was first appointed Acting Education Commissioner in 2005; previously she served as Special Counsel to the Governor on Education. She earned a J.D. from the University of Notre Dame Law School and a B.S. in mathematics from Seton Hall University.

Hayman a 22-year veteran of the Department of Corrections has served as Acting Commissioner since January. He previously served as Assistant Commissioner of the Department. He earned both an M.A. and B.A. in social work from Rutgers University in Camden.

Advocates cheer new state child aid agency

Corzine calls separate entity a big step, Ryan a good fit to lead it

BY SUSAN K. LIVIO Star-Ledger Staff July 12, 2006

Calling it a "major step toward fixing New Jersey's child welfare system," Gov. Jon Corzine yesterday created the state's first Cabinet-level agency dedicated to family issues, and tapped his commissioner of human services to run it.

The new Department of Children and Families will be responsible for continuing the reform of the Division of Youth and Family Services, which has been the target of lawsuits and widespread criticism that it fails the children it is supposed to protect.

Corzine said he chose Kevin Ryan, formerly the state's first Child Advocate, to lead the new department because Ryan is "a good administrator, a good manager" who has the "passion and belief that we have to do the right thing."

Ryan's new department splits off DYFS and other services for children and families from the huge Department of Human Services.

"Aggressive reform of this system requires a degree of focus that is simply not possible under the current structure," Corzine told a packed room of nearly 200 people at the Statehouse Annex in Trenton. With its 22,000 employees, he said, Human Services had "more people than I managed at Goldman Sachs."

Corzine said the idea of a free-standing children's department is not new; 10 other states have such agencies. Children's Rights Inc. of New York, the national child advocacy group that sued DYFS for its poor performance, all but demanded it because it said the first two years of a five-year court-monitored reform plan showed only glimmers of progress.

"This has been a necessary ingredient for a long time," said Susan Lambiase, associate director for Children's Rights. "Legally and morally, children deserve this level of attention."

The Department of Children and Families will have about 6,600 employees. Human Services will still be the largest state department with 16,000 employees, serving nearly 1 million people who are poor, live with mental illness or have physical or developmental disabilities.

To manage this "unbelievable agenda," Corzine announced Clarke Bruno, an attorney in New York Mayor Mike

Bloomberg's administration, as his pick for human services commissioner. Ryan's and Bruno's appointments need approval from the state Senate.

Since 2002, Bruno has directed legal affairs for the city's Department of Homeless Services, which serves a homeless population of about 31,500 with a \$730 million budget and a staff of 2,200. He graduated from New York University law school in 1992 and spent nearly a decade in private practice, according to his résumé.

Prior to his law career, Bruno managed a housing and educational agency in Harlem, and was director of the city's street outreach program within the Human Resources Administration.

A foot injury Bruno suffered at home last weekend will sideline him for about a month before he reports to work, Corzine said. The governor named Human Services veteran James Smith acting commissioner, describing him as a "terrific soldier" who also served as acting commissioner between 2001 and 2002.

Many social service advocates admitted they had never heard Bruno's name before yesterday, but they appeared more than willing to give him a chance.

"Homelessness cuts across all the issues -- mental illness, children, families dependent on welfare," observed Cecilia Zalkind, executive director of the Association for Children of New Jersey, a statewide advocacy group.

Debra Wentz, executive director of the new Jersey Association of Mental Health Agencies, said she and her members were "a bit surprised the governor ... chose someone outside New Jersey. However, Commissioner Bruno's record sounds stellar."

Bruno's boss, New York Homeless Services Commissioner Robert V. Hess, said in a prepared statement: "I know he will bring not only his legal expertise and well-honed management skills to the position, but also a sense of fairness and compassion."

Patrick Markee, senior policy analyst at the Coalition for the Homeless, an advocacy group that has sued New York over its homelessness policies, had a different view of Bruno. "He was a major force in shaping legal strategy regards towards homeless shelters, and in every instance, he sought to limit access to adults and children," Markee said. "As general counsel, he sought to justify some policies that resulted in real harm -- denying emergency shelter to homeless adults and children."

Corzine's signature on the bill creating a new children's department is one of several victories that social service advocates are savoring since the state budget passed Saturday.

The budget includes \$133 million in new child welfare spending, \$25 million to raise the pay for private agencies that care for children, senior citizens and disabled people, and \$20 million for the Early Intervention program for children with developmental delays.

Susan K. Livio covers health and welfare issues from the Statehouse Bureau.

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July 12, 2006

Corzine Makes Child Welfare a Cabinet Department

By **DAVID KOCIENIEWSKI** **NEW YORK TIMES**

TRENTON, July 11 — Moving to overhaul a child welfare agency so troubled that it has been on the verge of a

takeover by a federal judge, Gov. [Jon S. Corzine](#) signed a new law on Tuesday creating a cabinet-level Department of Child and Family Services.

The establishment of the new department comes just three days after Mr. Corzine won approval of a budget that will provide \$959 million for child welfare, which drew praise from even the most persistent critics of programs for abused and neglected children.

Mr. Corzine said that by removing child welfare from the Department of Human Services and elevating it to the status of a separate department, he hoped to give its newly appointed director, Kevin Ryan, the authority to make sweeping changes.

“Aggressive reform of this system requires a degree of focus that simply is not possible under the current structure,” Mr. Corzine said as he signed the new law during a ceremony in the State House.

For more than a decade, governors have been frustrated in trying to fix a welfare agency rattled by a parade of ghastly cases of children abused or killed while they were under state supervision.

Child advocacy groups have long complained that onerous caseloads, poor training, outdated computer systems and an inscrutable bureaucracy were leaving the system barely functioning. One leading group, Children’s Rights Inc., sued the state in 1999, demanding that the system be strengthened.

Four years later, Gov. [James E McGreevey](#) agreed to settle the suit and enact a sweeping set of court-supervised reforms after the decomposed body of a 7-year-old Newark boy, [Faheem Williams](#), who was under state supervision, was found in a storage bin at a relative’s house.

But the state missed so many of its deadlines for providing caseworkers with better training and more manageable caseloads that Children’s Rights filed a contempt motion now pending in federal court. In turn, the federal judge overseeing the reforms, Judge Stanley R. Chesler of the United States District Court in Trenton, threatened to place the child welfare agency in receivership.

Mr. Ryan, who as the state’s child advocate for the past two years pressured state officials to provide more resources, said that Mr. Corzine’s actions had helped the negotiations to settle the court case. He expressed confidence that the reorganization would avert a court takeover.

Susan Lambiase, associate director for Children’s Rights, declined to discuss the settlement talks, but said that Mr. Corzine had made a positive impression on child advocates by making the issue a top priority.

“The fact that Governor Corzine took it on so soon after coming into office is an encouraging sign that they might mean business this time.”

Mr. Corzine’s action makes [New Jersey](#) the 10th state in the nation to transform child welfare services into a separate department. He said improving the way the state protected children “may be the most important thing” he does while in office.

But national experts say that organizational structure does not necessarily ensure improvement.

Richard Wexler, the head of the National Coalition for Child Protection Reform, said that New Jersey faced a particularly difficult task because the state had historically been quick to remove children from their homes — often misinterpreting poverty as abuse, and overwhelming its foster care system.

But Mr. Wexler said that Mr. Ryan had developed a solid reputation because of his work as the state's independent child advocate, when he harangued state officials into providing more cars and cellphones to caseworkers and pushed to streamline paperwork and reduce caseloads.

“No one should expect miracles from moving boxes around on an organizational chart,” Mr. Wexler said. “The key is getting enough resources and giving Kevin Ryan the time to produce results.”

Under Mr. Corzine's new organizational structure, Human Services will retain 16,000 employees and a \$4.6 billion budget to administer Medicaid and welfare, offer drug and alcohol treatment and provide services to the elderly and mentally ill.

The new department Mr. Ryan will lead will have 6,600 workers.

Mr. Ryan said that the state had recently published a 12-month turnaround plan that concentrated on protecting children by strengthening their families and that would serve as a blueprint for his policy changes. He also pledged to help trim the 13 percent turnover rate among caseworkers by offering them better training and lower caseloads.

Above all, he said, he would help the caseworkers, who perform a difficult job in frequently dangerous circumstances, by providing them with “the basics” — logistical support and clear guidelines.

“The least that we owe them,” he said, “is clarity about our expectations.”

State strikes new deal on child welfare reform

Accord puts focus on training, adoptions

BY SUSAN K. LIVIO Star-Ledger Staff July 18, 2006

Renewing the state's commitment to improve its troubled child welfare system, Gov. Jon Corzine yesterday agreed to a new set of reform goals that include retraining all workers who investigate abuse and licensing 1,000 new foster homes by next June.

The agreement with an advocacy group that sued the state removes the threat of a federal takeover, but will continue court-ordered monitoring of the state's reform efforts until at least 2012.

“Today's settlement allows New Jersey to focus on making real, enduring change in our child welfare system

and ensures that our energies are focused not in a courtroom but on the front lines serving the state's most vulnerable children," Corzine said.

The blueprint revises a deal the state and the advocacy group, Children's Rights Inc. of New York, reached two years ago, which both sides agree was too unfocused. Children's Rights was so unhappy with the pace of changes at the Division of Youth and Family Services that its top officials asked a judge to order a federal takeover.

Marcia Robinson Lowry, executive director for Children's Rights, said she will withdraw that petition today when she and state officials present the revised plan to U.S. District Judge Stanley R. Chesler in Newark.

Lowry acknowledged the plan gives the state more time to reach some rudimentary goals, such as developing training programs for supervisors and ensuring foster children get annual medical exams. She blamed prior administrators for the sluggish progress.

"The children we represent suffered greatly because of the state's unkept promises and unconscionable mismanagement of child welfare reform," Lowry said. "Today's agreement is focused on what children need and what the state must do to produce results. ... This agreement should produce much-needed improvement for New Jersey's at-risk children."

Children's Rights also successfully lobbied the Corzine administration to create a new Cabinet-level Department of Children and Families last week. The commissioner of the new department, Kevin Ryan, joined in announcing yesterday's deal.

"This agreement reflects the fact that we have set priorities -- reducing caseloads, improving training programs, expanding the pool of foster and adoptive homes, re-establishing adoption expertise at the local level and ensuring services to children and families," Ryan said. "We must focus on these fundamentals to deliver on our promise of promoting the safety and permanent well-being of New Jersey's children."

Ryan's plan focuses on making training more rigorous for caseworkers and supervisors, which has been identified as one of the biggest weaknesses of the original plan. For the first time, those employees will have to pass competency exams, and undergo 40 hours of in-house training by January 2008. New hires will face competency exams before they are allowed to carry a caseload of families, beginning in September. And all caseworkers who investigate abuse will be retrained by June 2007, according to the plan.

The plan also provides more help for families under DYFS supervision who are trying to stay together, and for those who want their children to obtain mental health care inside New Jersey. Next year, the plan requires the state to earmark more cash aid and in-home services for families, and to identify how many treatment beds it needs to keep children from having to go outside the state for mental health care.

The new plan retreats from some of the ideas in the original DYFS reform plan.

After widespread criticism that adoptions became less important under those reforms, the new blueprint will re-create on a smaller scale the specialized adoption units dismantled in early 2005. The new plan pledges to

unite 1,100 and 1,400 families through adoption in 2006 and 2007, respectively -- although those goals only hover at or below the number of adoptions the state finalized prior to dismantling the adoption offices. The state approved 1,418 adoptions in 2004 and 1,315 in 2005.

The state has already spent \$320 million since early 2004 to right the troubled child welfare system. The newest phase of reform, which began July 1, dedicates another \$62 million to launch the new programs outlined in the plan, officials said.

The agreement also concludes the work of the New Jersey Child Welfare Panel, a group of five experts from around the country that guided and critiqued the state's progress. The relationship between the panel and the state grew contentious last year as the progress reports became more critical.

One panel member will remain as monitor until at least 2012, or longer if the court decides it's necessary. The state and Children's Rights chose as monitor Judith Meltzer, deputy director for the Center of the Study of Social Policy, a child and family issues think-tank in Washington, D.C. The center has been involved with monitoring the child welfare overhaul in Tennessee and Washington, D.C., Meltzer said.

The state embarked on reform after Newark police found the body of 7-year-old Faheem Williams in January 2003, 11 months after DYFS closed his case. Then-Gov. James McGreevey agreed in June of that year to settle Children's Rights' long-standing civil rights lawsuit on behalf of the state's 11,000 foster children and commit to a top-to-bottom revamp of DYFS.

The new child welfare reform plan may be found on the state's Web site http://www.state.nj.us/dcf/home/settlement_agreement.html

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New deal reached on child welfare

By Jennifer Moroz Inquirer Trenton Bureau July 18, 2006

TRENTON - New Jersey's beleaguered child-welfare system would adopt strict new procedures and time lines for recruiting foster parents, speeding adoptions, training social workers, and reducing their workloads under an agreement struck to avert a federal court takeover.

The pact, announced yesterday, ends almost six months of negotiations between state officials and Children's Rights Inc., a national advocacy organization that sued in 1999 to force changes.

The group last year dragged state officials back into court, alleging they had violated a 2003 settlement of the

lawsuit by failing to produce meaningful change. But it put its request for a takeover on hold to give the new administration, under Gov. Corzine, a chance to come up with a new overhaul plan.

All parties heralded yesterday's agreement, which replaces the 2003 settlement and resolves the takeover threat, as a turning point for a system accused of failing to protect the thousands of at-risk children under its watch.

Corzine called it "a win for all, but most of all for the children of New Jersey."

"We've made some progress, but not what we should," he said of the past effort. "It is a moral imperative that we actually do this right."

Marcia Robinson Lowry, executive director of Children's Rights, said the past effort had been dogged by "bureaucratic impediments, poor planning [and] mismanagement." She credited the Corzine administration with finally coming up with a workable plan.

But, Lowry warned, "it's only a structure... . The test is going to be the results."

Kevin Ryan, acting commissioner of the new Department of Children and Families and a chief architect of the plan, said it stuck to the basics: keeping children with their birth families when feasible, and otherwise creating an environment that is as safe, normal and stable as possible.

While the plan has goals similar to the state's failed overhaul effort, Ryan said, it differs by setting priorities and creating procedures to reach them.

"The last administration, while it had aspirations... had not thought out how to achieve those aspirations," Ryan said.

This time, he said, success will be gauged by checking for statistical evidence that the children's lives are improving - not by ticking off tasks on a list.

Under the plan, which requires court approval, the state would have to develop a new case-management model by December.

It also would have to increase and provide more specialized training for social workers. New caseworkers would have to complete 160 hours of training. And by January 2008, caseworkers already on the job would be required to complete at least 40 hours of in-service training.

The state would develop plans to reduce the number of children placed in out-of-state care and shelters. Officials also would create a team to tackle the backlog of children waiting to be adopted.

In a bid to reduce notoriously high caseloads, the state would have to create a computer reporting system to track workloads. Caseloads would be reduced gradually so that by December 2008, 95 percent of field offices would have average caseloads of 15 families or fewer - 12 or fewer if they are new cases.

By that same time, nearly all offices would be required to have a supervisor for every five caseworkers.

The plan also creates benchmarks for improvements in several other areas, including health care and response to complaints of abuse and neglect. It further calls for increasing subsidies to foster parents and boosting the number of at-risk families served by a counseling program designed to prevent abuse.

Starting in January 2009, the state's performance would be measured against benchmarks in the agreement. For example, one requires that no more than 7.2 percent of children who remain with their families after abuse or neglect can be abused again within a year.

So that the state is held accountable, it will be responsible for keeping detailed statistics on the children under its care, and making them public.

The new plan will be monitored by Judith Meltzer, a child advocate who sat on the panel that has overseen the overhaul effort to date. And if the state meets its goals, it can request that the 1999 lawsuit be dismissed.

Children's Rights leaders said the state was finally showing that it took improving child welfare seriously.

They said they were encouraged by Corzine's choice of Ryan, the state's former child advocate, to lead the effort. They were further heartened by the creation of the Department of Children and Families to house the system, which they argued had become lost in the sprawling bureaucracy of the Department of Human Services.

Yesterday's agreement was one more step in the right direction, Lowry said. But the state still has a lot of work ahead, she said, and "as I'm sure you're all aware, we will be watching carefully, as will the court."

View a copy of the agreement via <http://go.philly.com/dyfsagree>

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July-17-06

Corzine Reaches New Settlement Agreement on Child Welfare

TRENTON - Governor Jon S. Corzine today joined with Marcia Robinson Lowry, executive director of Children's Rights, and Department of Children and Families Commissioner Kevin M. Ryan to announce a settlement agreement with Children's Rights. Based on the state's new turnaround plan and proven commitment to protecting the safety and well-being of children under state care, the agreement averts a federal takeover of New Jersey's child welfare system.

"Today's settlement allows New Jersey to focus on making real, enduring change in our child welfare system and ensures that our energies are focused not in a courtroom but on the frontlines serving the state's most vulnerable children," Governor Corzine said. "With this settlement, we reaffirm our commitment to this mission, as already evidenced by the creation of a new, cabinet-level department for children and families."

The settlement focuses on tangible, prioritized actions, including reductions in caseloads, workforce development and training, and data-driven management. The new settlement holds the state accountable for improving outcomes for children and families, rather than on compliance with a checklist of tasks. This agreement also replaces a five-member panel with a single independent monitor, Judith Meltzer of the Center for the Study of Social Policy.

"This agreement reflects the fact that we have set priorities – reducing caseloads, improving training programs, expanding the pool of foster and adoptive homes, re-establishing adoption expertise at the local level, and ensuring services to children and families," Commissioner Ryan said. "We must focus on these fundamentals to deliver on our promise of promoting the safety and permanent well-being of New Jersey's children."

Today's new agreement is divided into two phases. During the first phase, which begins immediately and runs through December 2008, the state will:

- Develop a new case practice model, synthesizing best practices and experimenting with different approaches to better serve children and their families;
- Prioritize training for new frontline staff, new supervisors, and investigators, while phasing in the development of other key training for existing staff, beginning with concurrent planning, and training in new data management tools, such as Safe Measures and NJ SPIRIT;
- Expand and improve critical services, such as health care, to help keep families together, reunite families that are separated, promote the well-being of children in out-of-home care, and help foster and adoptive families to provide for children;
- Expand and improve critical services, such as health care, to help keep families together, reunite families that are separated, promote the well-being of children in out-of-home care, and help foster and adoptive families to provide for children;
- Continue hiring and training additional frontline staff to reduce individual workers' caseloads to levels that are manageable and support good practice;
- Develop adoption expertise in each local office and create impact teams to work on eliminating backlogs of adoption cases to ensure children achieve permanency;
- Link the efforts of foster and adoptive family recruiters with the Office of Licensing to ensure a recent – and welcome – surge in applications actually results in a wider pool of families licensed to care for children in need of placement;
- Improve investigations of abuse and neglect in institutional and out-of-home placements; and
- Continue developing quality data to guide management of the child welfare system.

During the second phase, which begins in January 2009, the state's efforts will be monitored for enforceable, key indicators in three areas:

- Child welfare outcomes – such as safety, permanency, and stable and appropriate placements for children;
- Performance measures – including caseloads, executing timely investigations, supporting a sufficient pool of resource families, ensuring children's visitation with parents, siblings, and caseworkers and maintaining high quality in healthcare, adoption, and overall case practice.
- Advanced practice – for example, developing improved practices in contracting, medication and needs assessment, while requiring maintenance of high levels of practice in the areas of resource families and workforce development.

Measurement of these indicators will begin in June 2009 with the first Phase II report from the Monitor expected in early 2010. If the state achieves its targets and sustains the progress, the lawsuit can be dismissed.

The new agreement replaces the settlement reached in June 2003. Since 2003, the state worked to comply with the 2003 settlement and the lengthy list of enforceable actions that became the cornerstone of a reform effort. As a result, in December 2005, Children's Rights, returned to federal court seeking a ruling that would hold the state in contempt and set in motion a federal takeover of New Jersey's child welfare system.

However, after Governor Corzine was elected, Children's Rights agreed to postpone litigation and allow the incoming administration to develop a new turnaround plan and renegotiate the state's settlement agreement.

Within six months, the Corzine administration has made landmark strides in changing the way New Jersey manages its child welfare system: last week officially establishing a new Department of Children of Families, last month releasing a first-year reform plan with some implementation well underway, and today finalizing a settlement agreement to set the course for lasting, fundamental reform.

Today's settlement agreement has been submitted to Judge Stanley R. Chesler in the U.S. District Court in Trenton, New Jersey.

New Jersey Department of Children and Families Sets New Course for Child Welfare System

Read the full modified settlement agreement [HERE](#)

Summary of New Settlement Agreement

New Jersey's Department of Children and Families (DCF) is pleased to have reached a new, modified agreement in the lawsuit filed by Children's Right. This new agreement better supports child welfare reform by:

- focusing on the fundamentals by prioritizing key first steps, including reductions in caseloads, workforce development, and management by data;
- incorporating the best thinking of New Jersey stakeholders and frontline workers and supervisors, which inspired changes in adoption practice, resource family development, services, and placements;
- supporting a collaborative relationship with a single Monitor of the settlement agreement, allowing the State increased flexibility to make improvements and adjustments when needed; and
- establishing accountability on outcomes for children and families, rather than on a crushing checklist of more than two hundred legally enforceable tasks.

In the context of this litigation, the creation of the new cabinet level Department of Children and Families, which elevates child welfare issues to the highest level of government, and the building of a new executive team, were important signals of how serious Governor Corzine is about child welfare reform.

These concrete commitments by the Governor and DCF Commissioner Kevin Ryan convinced Children's Rights to take a step back from litigation and allow the State the time and flexibility necessary to construct a sound foundation for long-lasting reform.

Since 2003, New Jersey has struggled to comply with an ambitious settlement agreement, which all initially hoped would achieve better outcomes for children and families. But that agreement transformed into an exhaustive list of legally enforceable demands that dictated virtually every area of child welfare practice; eliminated most of the state's discretion and flexibility; constrained experimentation; and inadvertently created competition for resources and focus between very fundamental, cornerstone issues and secondary and tertiary areas of development. It also moved critical responsibility for oversight and planning to an expert panel and away from the State.

The end result was exactly the opposite of what everyone had hoped – rather than moving reform forward, progress stalled. While small improvements in safety were achieved, critical areas, such as adoption, slid alarmingly backward. Children's Rights was so dissatisfied with the State's performance on the enforceables that in December 2005 they filed a motion to hold the State in contempt. With the advent of a new administration and the naming of a new leadership team, Children's Rights agreed to allow the Corzine Administration time to diagnosis the state's child welfare system and develop a turnaround plan before re-negotiating a modified settlement agreement. Commissioner Ryan and his leadership team convened a group of staff and stakeholders to work together to diagnose the critical issues and construct solutions to provide the foundation for a new modified agreement.

The New Agreement

The new modified agreement is divided into two phases. The first phase, which runs from July 2006 and through December 2008, focuses on the fundamentals, including continued improvements in the development of data and institutional investigations. The second phase, which begins in January 2009, looks for return on the investments in Phase I and focuses on outcomes. Phase I references ten key areas of practice, including:

Development of a New Case Practice Model: design a new case practice model that allows the State to synthesize best practices and test different approaches to better serve children and families.

Fundamental Training: prioritize training for new frontline staff, new supervisors, and investigators, while phasing in the development of in-service training for existing staff, beginning with concurrent planning, which supports improved permanency practices, and training in new data and management tools, such as Safe Measures and NJ Spirit.

Critical Services, including Healthcare: improve delivery of critical services that help keep families together, reunite families that are separated, address the well-being of children in out of home care, and help foster families and adoptive families provide for our children. Key stakeholders and staff have identified several structural barriers, highlighting the need to develop new policies and practices to improve service delivery, and the importance of making concrete commitments to expand services in critical areas.

Placements: change the focus from eliminating out-of-state placements to placing children close to home and where the child's individual needs are best met. In some cases, this means sound placement practice could result in a placement in Pennsylvania or a facility that provides highly specialized services not currently available in New Jersey. As with critical services, this priority action responds to feedback from well-informed stakeholders.

Caseloads: continue new State investments in staff in order to achieve caseloads that are manageable and support

good practice. Recent and extensive analysis of our staffing records, data and management will allow us to target future staffing and placement to address staffing shortfalls and caseload issues by local DYFS office.

Adoption: invest in developing local adoption expertise in every office and create impact teams to address the alarming backlog of children awaiting permanency. This priority will reverse the previous settlement mandate to eliminate specialized adoption practice and, instead, support specialized practice in each local DYFS office.

Recruiting and Licensing Foster and Pre-adoptive Families: links the efforts of resource family recruiters and support staff more closely to licensing in order to transform the welcome recent surge in applications into a wider pool of available families for our children.

Management by Data: implement and support Governor Corzine's broader initiative of "government under glass" by collecting and making public critical child welfare indicators.

Phase II begins in January 2009 and is divided into three parts:

- Outcome indicators: Targets safety, permanency, and stable and appropriate placements for children.
- Performance indicators: Targets achieving reasonable caseload standards; executing timely investigations; supporting a sufficient pool of resource families; ensuring visitation for children with parents, siblings, and caseworkers; and maintaining high quality in healthcare, adoption, and overall case practice.
- Advanced practice: Targets development of improved practices in contracting, quality improvement, and needs assessment, while requiring maintenance of high levels of practice in the areas of resource families and workforce development.

The measurement of the performance and outcome indicators will begin in June 2009 with the first Phase II report from the Monitor expected in early 2010. If the State achieves its targets and sustains achievement, the lawsuit can be dismissed at any time after 2010.

Finally, the agreement also streamlines the dispute resolution process and reconstructs the monitoring role to make it more collaborative and less constrictive.

Beyond the Agreement

This agreement represents the realization that reform must begin with the fundamentals, that the house needs a foundation, long before you can build the rest of the structure, put on the roof and declare the house – and the reform – accomplished. This agreement is not an end and further represents only part of what must be a larger plan to deliver on the promise of safety, well-being, and permanency for New Jersey's children.

The leadership team at DCF wants to thank all of our staff and the many, many stakeholders who helped us diagnose the issues, formulate a turnaround plan for enduring reform and build a vision and commitment for keeping children safe and families strong in New Jersey.

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Accord puts focus on training, adoptions

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Marcia Robinson Lowry, executive director for Children's Rights, said she will withdraw that petition today when she and state officials present the revised plan to U.S. District Judge Stanley R. Chesler in Newark.

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