



**Washington State Supreme Court
Commission on Children
in Foster Care**

**3/19/2018
1:00 p.m.
Reception Room
Temple of Justice**

Agenda

1:00 pm 5 min	1. Welcome and Introductions	Justice Bobbe Bridge (ret.), Co-Chair
1:05 pm 5 min	2. Approve minutes	Justice Bobbe Bridge (ret.), Co-Chair
Announcements		
1:10 pm 5 min	3. Retirement	Justice Bobbe Bridge (ret.), Co-Chair
Old Business		
1:15 pm 10 min	4. DSHS/Children's Administration Updates	Connie Lambert-Eckel, Acting Asst. Secretary Children's Administration
1:25 pm 15 min	5. CFSR/PIP Update	David Del Villar Fox, Children's Administration
1:40 pm 20 min	6. Children's Representation Study Update	Jill Malat, Office of Civil Legal Aid
2:00 pm 20 min	7. Foster Parent Rights and Responsibilities	Mike Canfield, Foster Parents Association of Washington State Shanna Alvarez, PhD Licensed Psychologist
2:20 pm 10 min	8. Reunification Day Steering Committee	Joan Moore, Office of Public Defense Lorrie Thompson, Administrative Office of the Courts
2:30 pm 10 min	9. Sex Education for Youth in Foster Care	Jeannie Kee, Normalcy Workgroup Chair Martin Mueller, OSPI
New Business		
2:40 pm 15 min	10. Secretary Strange Introduction and Priorities for DCYF	Cheryl Strange, Secretary of the Department of Social and Health Services
2:55 pm 20 min	11. 2017 Office of the Family & Children's Ombuds Annual Report	Patrick Dowd, Washington State Office of the Family and Children's Ombuds
3:15 pm 30 min	12. Pierce County "Baby Court" Project Presentation	Judge Kitty-Ann van Doorninck Judge Hickman, Pierce County Superior Court Lisa Mansfield, Parent Attorney Sally Mednansky, FJCIP Court Coordinator
3:45 pm 15 min	13. International Foster Care Alliance	Jeannie Kee Miho Awazu, IFCA Executive Director Taku Mineshita, IFCA Board President Alissa Neuman, IFCA Youth Alumni Justine Mantz, IFCA Youth Alumni
4:00 pm	14. Adjournment	Justice Bobbe Bridge (ret.), Co-Chair
	<u>Next Meeting:</u> March 19 th , 2018	

Washington's Child and Family Services Review

Five steps to implementing the plan



Step 1 Statewide Assessment

CA's self assessment on seven outcomes and seven systemic factors.



Step 2 Review of Cases

Review of cases by internal case review team in close collaboration with federal partners.



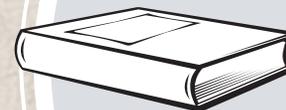
Step 3 Review of Systemic Factors

Federal partners interview CA staff, tribal partners, stakeholders and other partners, as informed by the statewide assessment, to determine the effectiveness of systemic factors in supporting positive outcomes.



Step 4 Final Report

Final Report from federal partners which identifies areas of conformity and non-conformity with federal standards.



Step 5 Program Improvement Plan

A plan is negotiated which outlines improvements for the areas not in substantial conformity with federal standards. The improvement in performance must be achieved within two years of the approved PIP.

TIMELINE

Step 1: End of January 2018 | **Step 2:** April – September 2018 | **Step 3:** May 2018 | **Step 4:** End of October 2018 | **Step 5:** following federal review of the Final Report

Fact Sheet

for COURTS

HISTORY of the CFSRS

The 1994 Amendments to the Social Security Act (SSA) authorize the U.S. Department of Health and Human Services (HHS) to review state child and family service programs to ensure conformity with the requirements in titles IV-B and IV-E of the SSA. The Children's Bureau, part of the HHS, administers the review system, known as the Child and Family Services Reviews (CFSRs).

In 2000, the Children's Bureau published a final rule in the Federal Register to establish a process for monitoring state child welfare programs. Under the rule, states are assessed for substantial conformity with federal requirements for child welfare services.

All 50 states, the District of Columbia, and Puerto Rico completed their first review by 2004 and their second review by 2010. After each review cycle, or "round," no state was found to be in substantial conformity in all of the seven outcome areas and seven systemic factors. States developed and implemented Program Improvement Plans after each review to correct those areas not found in substantial conformity.

The third round of reviews began in 2015 and will conclude in 2018.



PURPOSE

The CFSRs enable the Children's Bureau to: (1) ensure conformity with federal child welfare requirements; (2) determine what is actually happening to children and families as they are engaged in child welfare services; and (3) assist states in enhancing their capacity to help children and families achieve positive outcomes.

The reviews are structured to help states identify strengths and areas needing improvement within their agencies and programs. Ultimately, the goal of the reviews is to help states improve child welfare services and achieve the following seven outcomes for families and children who receive services:

Safety

- Children are, first and foremost, protected from abuse and neglect.
- Children are safely maintained in their homes whenever possible and appropriate.

Permanency

- Children have permanency and stability in their living situations.
- The continuity of family relationships and connections is preserved for families.



Family and Child Well-Being

- Families have enhanced capacity to provide for their children's needs.
- Children receive appropriate services to meet their educational needs.
- Children receive adequate services to meet their physical and mental health needs.

The CFSRs also assess the following seven systemic factors that affect outcomes for children and families:

- statewide information system
- case review system
- quality assurance system
- staff and provider training
- service array and resource development
- agency responsiveness to the community
- foster and adoptive parent licensing, recruitment, and retention

ROLE *of the* COURTS

Court representatives are critical partners in the state child welfare agency's ability to achieve positive outcomes for children and families. Decisions and time frames of

the court directly affect the agency's ability to meet child welfare goals. The courts are an integral part of any state's system for addressing the needs of abused, neglected, and dependent children. If there are any areas determined to need improvement based on the review, the state is provided an opportunity to do so through a Program Improvement Plan developed and implemented jointly by the state child welfare agency and the courts.

The courts' role in children's welfare is part of what is monitored by the CFSRs. The courts ensure that the agency is in compliance with child welfare laws and standards and can provide data and information on issues examined by the CFSRs, such as:

- how effectively the state's processes for periodic case reviews and permanency hearings promote timely and appropriate permanency outcomes for children in foster care,
- how effective the state is in identifying children for whom termination of parental rights is appropriate and whether termination of parental rights actions are filed in a timely manner,
- how engaged parents are in the case planning and goal-setting processes, and
- how effectively foster parents and other caretakers are notified and have an opportunity to be heard in court hearings about the children in their care.



COLLABORATION WITH *the* COURTS

The statutory requirements of the Court Improvement Program (CIP) include implementation of a Program Improvement Plan, as necessary, in response to findings identified in a CFSR. Thus, through the CIP, all state court systems must participate in the implementation of a CFSR Program Improvement Plan when the court system is involved. CIP strategic plans must target specific activities to bring the state into compliance. State courts were also instructed to include in their strategic plans a strategy to facilitate legal and judicial participation in the CFSR and collaboration with the child welfare agency at all stages of the review, and to identify activities to inform the legal and judicial community about the reviews and encourage active legal and judicial participation.

Court representatives involved in the CFSRs may include the chief justice, the state court administrator, the CIP director, local presiding judges, agency attorneys, guardians ad litem and court-appointed special advocates, the state bar association, parents' attorneys, the state Council of Family and Juvenile Court Judges, juvenile probation officers, and the governor's task force on juvenile justice.

Court representatives may be involved in the CFSR process in a variety of ways, such as:

- Participating in planning for the CFSR
- Participating in the statewide assessment
- Identifying legal and judicial issues affecting child welfare in the state
- Providing data and information
- Participating in interviews with the CFSR team
- Identifying child welfare-related state and court areas needing improvement and developing related strategies
- Integrating the CIP strategic plan with the Program Improvement Plan
- Initiating cross-training opportunities, such as involving court and CIP personnel in improvement plan training
- Partnering in approaching the state legislature for needed legislative changes
- Developing regularly scheduled meetings with the agency to address challenges affecting children's safety, permanency, and well-being.

The Children's Bureau encourages court representative participation in all phases of the CFSR, Program Improvement Plan, and continuous quality improvement processes.

RESOURCES

- Court representatives can obtain more information about getting involved on behalf of children in their state from the Child Welfare Information Gateway's section on "Court-Child Welfare Agency Collaboration," available at <http://www.childwelfare.gov/systemwide/courts/ccwa.cfm>.
- Court representatives may view reports from the first and second CFSR rounds on the Child Welfare Monitoring section of the Children's Bureau website at http://library.childwelfare.gov/cwig/ws/cwmd/docs/cb_web/SearchForm. Round 3 final reports will be released as available.
- The CFSR Procedures Manual addresses court-agency collaboration at <http://www.acf.hhs.gov/programs/cb/resource/round3-cfsr-procedures-manual/>.
- Resources are available from the Capacity Building Center for Courts, <https://capacity.childwelfare.gov/courts/>.





MORE INFORMATION

Additional information on the CFSRs is available on the Children's Bureau's website at <http://www.acf.hhs.gov/programs/cb/monitoring/child-family-services-reviews> or from the Child Welfare Reviews Project, JBS International, Inc., 5515 Security Lane, Suite 800, North Bethesda, MD 20852; 301-565-3260; e-mail: cw@jbsinternational.com. Round 3 resources are available at <https://training.cfsrportal.org/resources/3105>.

Washington State Office of Civil Legal Aid Children's Representation Program

Protecting the Legal Rights of Washington's Foster Children and Youth

The state funded Children's Representation Program provides lawyers to legally free children and youth in dependency cases. These lawyers:

Serve as zealous advocates in legal proceedings that will chart the rest of their clients' lives

Protect their clients' most important legal rights in these proceedings

Secure positive and timely outcomes that help position these children and youth for successful lives

In 2014, the Legislature established a right to counsel for children involved in dependency cases who remain dependent six months following the termination of their parents' legal rights. The legislation, codified at RCW 13.34.100:



- Requires judicial officers to appoint at public expense an attorney for dependent children who have been legally free (both parents' parental rights terminated) for six months. No motion to appoint is required
- Applies to children of all ages
- Directs the state through the Office of Civil Legal Aid (OCLA) to pay for the costs of legal representation when the representation is conducted in accordance with legislatively approved practice and training standards and caseload limits

Administration of the Children's Representation Program (CRP) was assigned to OCLA. In less than two months following bill-signing, OCLA developed and implemented the first statewide program for legal representation of dependent children. The program relies on private attorneys and publicly funded agencies throughout Washington State to provide standards-based representation for these "legally free" children. Attorneys commit to receiving OCLA-approved training, maintain caseloads consistent with legislatively recognized limits and to effectively represent the stated and legal interests of these children in dependency proceedings. The goal is to ensure effective legal representation that expedites permanency, and promotes and defends the legal rights and life prerogatives of children, the trajectory of whose lives will be decided in the course of the dependency proceeding.

CRP Mission

The mission of the Children's Representation Program is to underwrite and oversee the delivery of standards based, meaningful, effective and culturally competent attorney representation for legally free children who remain in the foster care system six months following termination of their parents' legal rights, with the goal of achieving early permanent placements consistent with the children's stated interests and relevant child well-being indicators.

About CRP Clients

Children in the child welfare system face a multitude of challenges. They often have experienced more than one traumatic event in their short lives. Prior to entering the child welfare system many have faced sexual abuse, chronic neglect, physical abuse, and homelessness. They often feel further traumatized by the system that is charged with protecting them.

Standards-Based, Child-Focused Legal Representation

Critical to the program's success is its commitment to standards-based legal representation. Derived from multiple state and national sources, the standards adopted by the Children's Representation Work Group form the foundation for the delivery of effective, informed and culturally competent legal representation.

Critical benchmarks of standards-based representation include:

- Ensuring the child's voice is considered in judicial proceedings
- Engaging the child in his or her legal proceedings
- Explaining to the child his or her legal rights
- Assisting the child, through the attorney counseling role, to consider the consequences of different decisions and strategies
- Confidentially counseling the child, representing the child's stated interest and, for preverbal and nonverbal children, protecting the child's rights
- Diligently representing the child at all hearings and participating in all conferences involving the child
- Seeking appropriate child welfare services and implementing a service plan that is responsive to the child's stated and legal interests
- Working to ensure that a child with special needs receives appropriate services to address physical, mental or developmental disabilities consistent with the child's stated and legal interests

Recruitment of High Quality Attorneys

From the outset, OCLA worked to identify, recruit, train and contract with attorneys who care deeply about the work and are capable of providing the highest quality and most effective representation for children who remain in foster care after their parents' legal rights have been terminated. OCLA compensates its attorneys at the rate of \$1,500 per-case/year. Consistent with statutory directives, OCLA pays half this amount for commonly represented siblings. OCLA provides supplemental compensation for attorneys who expend extraordinary time representing clients in particularly difficult or complex cases. Because many of the children represented by CRP attorneys are placed outside of the county in which their case is pending, attorneys are often required to travel long distances to meet with their clients. In order to ensure that they meet with and establish appropriate relationships with their clients, OCLA-contracted attorneys are reimbursed for mileage for out-of-county travel.



OCLA contracts with approximately 75 attorneys and public agencies throughout the state. Attorneys are required to participate in all mandatory trainings carry a caseload of no more than 80 open cases at a time, conduct their practice in accordance with state legal representation standards and enter case activity and information into a web-based Case Activity, Reporting and Oversight System (CAROS). CAROS allows the Children's Representation Program Manager to monitor the performance of CRP attorneys over time.

Consistent and Relevant Training

Consistent, high quality training and support are essential for effective legal representation of dependent children. OCLA engaged the **Court Improvement Training Academy (CITA)** at the University of Washington School of Law to develop and deliver a training curriculum that enhances the ability of CRP attorneys to provide effective standards-based legal representation. All CRP attorneys are required to participate in mandatory core training, which is delivered at no charge to them.



CITA provided regional trainings on standards-based legal representation of children throughout the state and one statewide webinar. Videos of CITA trainings are hosted on the OCLA website for attorneys who are not able to attend in person or who have recently joined the CRP. In addition to focusing on the very basic aspects and duties of an attorney representing children in dependency cases, training subjects included topics such as:

- Understanding culture in the client counseling context
- Psychotropic medications and children in foster care
- Ethical issues in representing very young children and age appropriate youth counseling. (During this training, attorneys had an opportunity to practice what they had learned on 4th and 5th graders from a nearby elementary school.)

In FY 2017, OCLA and CITA initiated a new CRP training modality. Each CRP attorney is assigned a mentor attorney. Regular counseling calls are scheduled between the mentor and attorney mentee. In addition, each attorney participates in a regional training and 2 lunchtime regional continuing legal educational events (CLE's). The objective is to establish regional "communities of practice" that will help identify current and future training needs, facilitate sharing of information about local resources among attorneys and provide a forum for attorneys to learn from each other as they encounter new or difficult issues in the course of their practice.

In addition to the trainings delivered by CITA, OCLA hosted several trainings to assist attorneys to become more culturally competent in their representation. These include representing LGBTQ youth, a workshop put on by Mockingbird Society foster youth and alumni on the Culture of Foster Care and a training on issues surrounding the representation of commercially sexually exploited children. Trainings were conducted regionally in Skagit, King, Spokane and Thurston counties.

Statewide Support



OCLA supports CRP attorneys in multiple ways. In partnership with the Washington Defender Association, OCLA maintains and supports a very active listserv. This closed listserv facilitates peer connections between children's attorneys, timely case-based problem solving and sharing of resources and connections. OCLA currently engages and supports a core group of attorney mentors who support newer CRP attorneys by providing guidance, support and assistance in problem solving issues that arise in the course of their cases. OCLA's CRP Manager is a nationally accredited children's attorney who is also available at all times to staff cases with attorneys and to assist in locating resources.

Effective Oversight and Accountability

OCLA is responsible for ensuring that CRP attorneys provide the most effective legal representation, that outcomes achieved are consistent with the stated and legal interests of their young clients and that scarce taxpayer funds are efficiently invested. OCLA employs multiple tools to review the performance of its contract attorneys consistent with these objectives. These include:

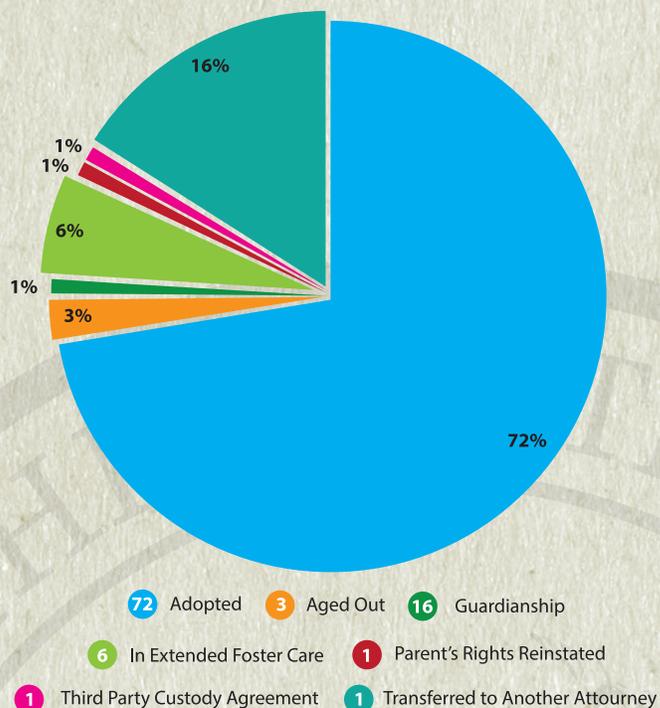
- In-court observation
- Meetings with presiding judicial officers
- Review of case activity inputted into the CAROS case management system, including, but not limited to, the amount of time the attorney has spent meeting with her client(s)¹
- Attorney feedback obtained during an in-person meeting with the attorney being reviewed
- Review of writing samples from pleadings or other documents that the attorney has filed
- Review of outcomes achieved for clients

¹ Standard of Practice 2 requires that: In all cases counsel must maintain sufficient and frequent contact with the child to establish a trusting relationship and maintain an attorney-client relationship that will enable counsel to understand the child's interests and needs, as well as the child's position on issues or questions in the case.

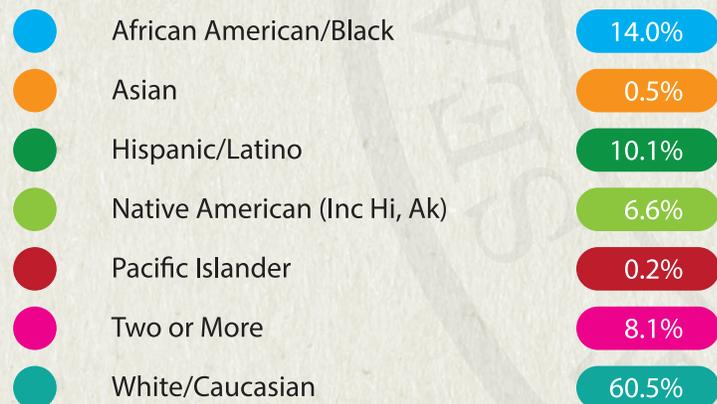
Delivering Results

Children’s Representation Program attorneys represented over 2000 children since the start of the program in July 2014. Approximately 750 to 850 children are represented by CRP attorneys at any given time.

In creating a right to counsel for legally free children, the Legislature declared that “[p]roviding attorneys for children following the termination of the parent and child relationship is fundamental to protecting the child’s legal rights and to accelerate permanency.” Laws of 2014, Ch. 108, sec. 1. Experience to date demonstrates that well qualified, highly trained CRP attorneys are zealously protecting the legal rights of and achieving positive outcomes for legally free children in every corner of the state. Early research confirms that legally free children are leaving the foster care system faster than their counterparts did before implementation of the program.



Demographics



Demographics of children served for whom the racial/ethnic identity is known.



OCLA's Children's Representation Success Stories

Names have been changed to protect confidentiality.

Olivia

Olivia (age 14) was adopted into a family after her biological parents' legal rights were terminated. Olivia's adoptive family was abusive to her and she was removed from that home and the legal rights of her adoptive parents were also terminated. During this time, Olivia had been in contact with her biological parents who had been clean and sober since their parental rights were terminated.

Olivia's CRP attorney was able to explain the process of reinstating parental rights to her and Olivia decided this was an avenue she wanted to explore. The attorney advocated for Olivia's wishes and eventually convinced the state's social worker to agree to a petition to reinstate parental rights. Olivia is now happily living with her biological parents, who are on the path to a full reinstatement of rights and a closed dependency case.



Anna, Luther and Braxton

Anna, Luther and Braxton (ages 10, 6 and 7 respectively) were removed from their parents and placed with the Anderson family. All three were assigned a CRP attorney to represent them. A year after being placed with the Andersons they disclosed severe sexual abuse that had occurred when they were still with their biological parents. There was a criminal trial a year later where the children had to testify against their parents. Shortly after the trial their biological mother died. As a result of the abuse, trial and death of their mother, the children were extremely traumatized and were having a very difficult time forming an attachment to the Andersons. The Andersons were committed to the children and made sure that they were in treatment to address their many complex emotional needs. The treatment was very expensive and they were relying on the state's financial support to pay for it.



When the children had been living with the Andersons for 3 years, the state's social worker threatened to remove the children due to a technicality with the Andersons' foster care license. Both the Court Appointed Special Advocate (CASA) and the state's social worker told the children that they might be moved. This exacerbated their attachment issues. The children's CRP attorney filed a motion with the court and was able to get an order that ensured that the children stayed with the Andersons. They have now been adopted by the Andersons and their dependency case has been dismissed.

Shannon

Shannon (age 3) was to be adopted by her aunt and her aunt's boyfriend with whom she had been placed when she was 5 days old. Her aunt was a stay-at-home mom, and her boyfriend worked full time. It was their practice that he give the aunt his paycheck and she paid the bills. Without his knowledge, instead of paying the rent, Shannon's aunt used the money to buy drugs. They were evicted.



Shortly thereafter Shannon's aunt sought help for her drug addiction and, with support from her pastor and her boyfriend's family, entered into intensive outpatient treatment. When the state's social worker learned about the situation she did not believe that the boyfriend was unaware of what was going on and felt that the boyfriend had failed to protect Shannon. Based on her aunt's drug addiction and the perception that the boyfriend failed to protect Shannon, the state's social worker decided to oppose the adoption and requested that Shannon be removed from their care.

Removal was not the right outcome for Shannon. Fortunately, she had a CRP lawyer who fought to ensure that her legal rights were protected. For more than a year, her lawyer worked to protect the stability of Shannon's placement. In the end, the judge allowed her aunt's boyfriend, the only father that Shannon had ever known, to adopt her.

Charlie

Charlie is six years old. He uses a wheelchair and has the mental capacity of an 18 month old. He had a habit of chewing through straps on his wheelchair leaving him vulnerable to physical injury. One of the straps that was destroyed was the one that goes over Charlie's head to keep him in the wheelchair. At school Charlie would be duct-taped into his wheelchair to keep him from falling out. His foster parents had been trying to get replacement straps for over a year to no avail. Charlie's CRP attorney was able to work with DSHS, the foster mother and the company that supplies the replacement straps. The straps were replaced within a couple of months of the attorney being appointed, and Charlie's wheelchair is fully functional again.



"The OCLA Children's Representation Program attorney is an asset to the Spokane County Juvenile Court. The attorney always addresses the important issues quickly, has a great connection with her youth clients and educates the court on what options are available to young people in Spokane County. Not only does she do an excellent job on her individual cases, but she is involved in advocating for system reform when necessary."

Commissioner Michelle Ressa, Spokane County Superior Court



"I wish that all of the attorneys who appear in front of me were as well prepared as the OCLA CRP attorneys."

Judge Stephen Brown, Grays Harbor County Superior Court

OCLA
Office of Civil Legal Aid



"When I was in care I was assigned an attorney to help me through the court process. For me this was a positive experience because she made the court room less scary by briefing me prior to each hearing. She made the legal terms more understandable by putting them into common terms. I was able to go into the courtroom knowing what was going to be talked about and knowing that I had someone on my side. The scariest thing about being in foster care was not knowing what would happen and my attorney helped me to be more relaxed through the hearing by informing me of what would happen in the process. With this support I was able to find my forever family and was adopted on May 15, 2015."

Foster youth represented by OCLA CRP attorney

1 The assessment must also identify and project cost savings to the
2 state, if any, as a result of providing legal representation for
3 children at the shelter care hearing.

4 (b) The office of the superintendent of public instruction and
5 the children's administration or a successor agency shall provide, in
6 compliance with the federal family education rights and privacy act,
7 the center with necessary data including necessary personal
8 identifiers. The office of the superintendent of public instruction
9 shall consult with the center to ensure the validity of data elements
10 and the interpretation of results.

11 (c) The Washington state center for court research shall report
12 its initial findings to the legislature by December 31, 2019. Subject
13 to the availability of amounts appropriated during the 2019-2021
14 fiscal biennium or obtained from other sources, the center may
15 continue the research assessment through December 31, 2021, and
16 submit a supplemental report to the legislature. The report or
17 reports may not include personal identifiers, or any personally
18 identifiable information, as defined in the federal family
19 educational rights and privacy act.

20 (d) The office of civil legal aid may apply for and receive
21 grants, donations, or other contributions to help underwrite this
22 research assessment effort.

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List of Indicators to be Tracked in Children's Representation Study

1. School suspensions
2. GPA's
3. Truancy
4. Status offenses
5. Whether school age children functioning at grade level
6. Time to permanency
7. Number of school movements
8. Number of placements
9. Frequency of placement in institutional settings
10. Frequency of child being placed with relatives (including kinship placement and suitable adult)
11. Frequency of Hope bed placements
12. Missing from care reports
13. How long child is missing from care
14. Is child involved with early intervention services
15. Does child have a medical home
16. Is child engaged in birth to three services
17. Is child visiting with parents
18. Is child visiting with siblings
19. How soon are visits occurring
20. What is frequency of visitation
21. Some measure of whether youth trusts attorney
22. Some measure of whether youth feels informed of what is happening in court
23. Whether youth's stated interest is acknowledged in court
24. How quickly are youth's health care needs addressed
25. Juvenile justice involvement



Office of the Family and Children's Ombuds

An Independent Voice for Families and Children

2017 Annual Report Summary ***Supreme Court Commission on Children*** ***in Foster Care***

March 19, 2018

Patrick Dowd, *Director*
ofco.wa.gov

2017 OFCO COMPLAINT PROFILES¹

Complaints Received

OFCO received 917 complaints in 2017, by far the most OFCO has ever received in a single year.



Complainant Race and Ethnicity

	OFCO Complainants 2017	WA State Population ²
Caucasian	70.1%	80.4%
African American or Black	8.0%	4.0%
American Indian or Alaska Native	3.7%	1.8%
Asian or Pacific Islander	2.1%	9.0%
Other	0.7%	-
Multiracial	5.2%	4.9%
Declined to Answer	10.3%	-
Latino / Hispanic	5.6%	12.6%
Non-Hispanic	94.4%	87.4%

¹ OFCO's reporting year is September 1 – August 31

² Office of Financial Management. Population by Race, 2016. <http://www.ofm.wa.gov/trends/population/fig306.asp>.

Complaint Issues

As in previous years, issues involving the separation and **reunification of families** were the most frequently identified, with just over half (52.2 percent) of complaints expressing a concern about separating and/or not reunifying with parents or other relatives. Issues involving the **conduct of CA staff and other agency services** were the next-most identified category of concerns (identified in 44.3 percent of complaints). Complaints can be complex and often complainants bring up multiple issues or concerns they would like investigated.

Number of Times Issue Was Identified in a Complaint	2017	2016	2015
Family Separation and Reunification	479	335	327
Failure to provide appropriate contact between child and parent/other family members (excluding siblings)	120	78	49
Unnecessary removal of child from parental care	106	100	89
Failure to place child with relative	94	42	73
Failure to reunite family	81	44	51
Other inappropriate placement of child	33	34	23
Unnecessary removal of child from relative placement	19	13	22
Failure to provide sibling visits and contact	6	3	7
Failure to place child with siblings	4	9	5
Inappropriate termination of parental rights	8	6	5
Concerns regarding voluntary placement and/or service agreements	3	3	0
Other family separation concerns	3	3	0

	2017	2016	2015
Complaints About Agency Conduct	406	276	214
Unwarranted/unreasonable CPS investigation	131	86	43
Unprofessional conduct, harassment, retaliation, conflict of interest or bias/discrimination by agency staff	106	86	71
Communication failures	97	55	43
Unreasonable CPS findings	26	21	23
Breach of confidentiality by agency	17	16	19
Poor case management, high caseworker turnover, or other poor service	14	4	1
Inaccurate agency records	13	8	13
Lack of coordination between DSHS Divisions	2	2	1

	2017	2016	2015
Child Safety	207	176	205
Failure to protect children from parental abuse or neglect	84	79	100
<i>Abuse</i>	40	41	53
<i>Neglect</i>	37	37	44
Failure to address safety concerns involving children in foster care or other non-institutional care	75	53	54
Failure to address safety concerns involving child being returned to parental care	18	21	31
Child safety during visits with parents	17	11	5
Child with no parent willing/capable of providing care	7	10	11
Child safety of children residing in institutions/facilities	6	0	
Failure by agency to conduct 30 day health and safety visits with child	5	3	3

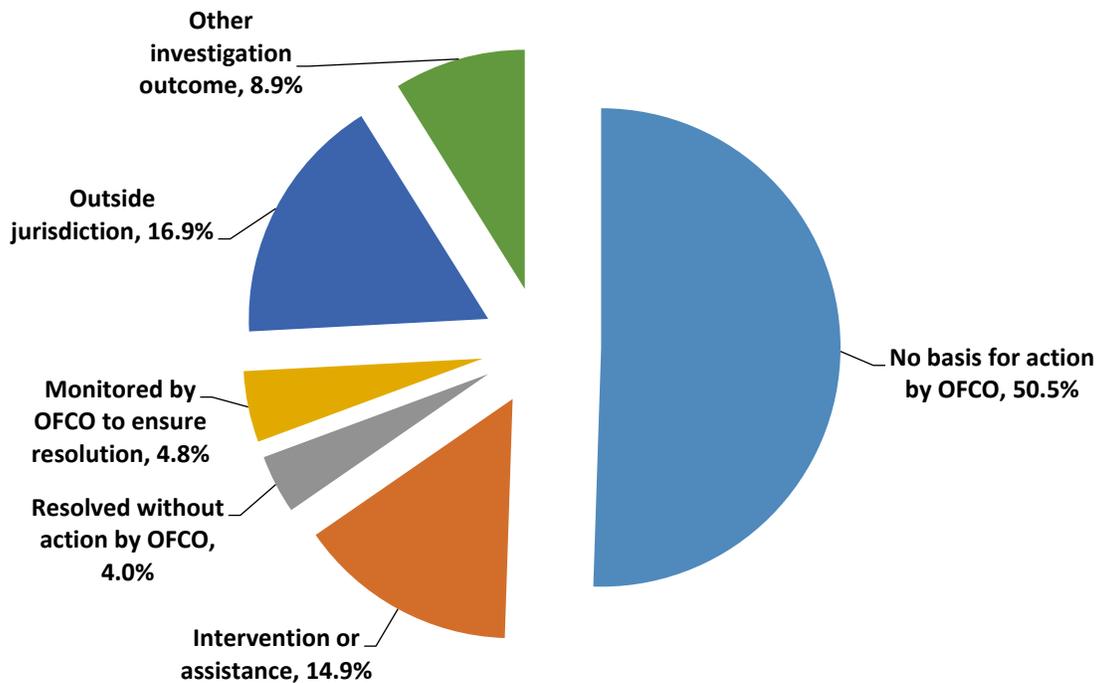
	2017	2016	2015
Dependent Child Well-Being and Permanency	133	111	103
Unnecessary/inappropriate change of child's placement, inadequate transition to new placement	41	33	39
Failure to provide child with adequate medical, mental health, educational or other services	52	29	32
Inappropriate permanency plan / other permanency issues	16	13	14
Unreasonable delay in achieving permanency	9	12	3
Failure to provide appropriate adoption support services/other adoption issues	4	10	5
Inadequate services to children in institutions and facilities	4	4	0
Placement instability / multiple moves in foster care	3	0	2
ICPC issues (placement of children out-of-state)	1	8	5

	2017	2016	2015
Other Complaint Issues	133	114	112
Violation of parent's rights	24	34	23
Failure to provide parent with services / other parent issues	32	38	47
Children's legal issues	4	3	5
Lack of support / services to foster parent / other foster parent issues	18	15	7
Foster parent retaliation	8	4	1
Foster care licensing	17	13	13
Lack of support / services and other issues related to relative / suitable other / fictive kin caregiver	26	7	15
Violation of the Indian Child Welfare Act (ICWA)	4	1	8

2017 INVESTIGATION OUTCOMES

OFCO completed **956 complaint investigations** in 2017, over 200 more than the previous year. These investigations involved **1,393 children and 873 families**. Only about one out of every 10 investigations met OFCO's criteria for initiating an **emergent investigation**, i.e. when the allegations in the complaint involve either a child's immediate safety or an urgent situation where timely intervention by OFCO could significantly alleviate a child or family's distress.

Complaint investigations resulted in the following actions:



ADVERSE FINDINGS

After investigating a complaint, if OFCO has substantiated a significant complaint issue, or has discovered its own substantive concerns based on its review of the child welfare case, OFCO may make a formal finding against the agency. In 2017, OFCO made **52 adverse findings** in a total of 36 complaint investigations. Some complaint investigations resulted in more than one adverse finding, related to either separate complaint issues or other issues in the case that were identified by OFCO during the course of its investigation.

Adverse Findings By Issue	2017	2016	2015
Child Safety	19	17	14
Failure by DCFS to ensure/monitor child's safety:			
• Failure to conduct required monthly health and safety visits	6	4	6
• Unsafe placement of dependent child	5	5	2
• Other failures to ensure/monitor child safety	--	2	1
Inadequate CPS investigation or case management	3	2	1
Inappropriate CPS finding (unfounded)	--	--	1
Delay in notifying law enforcement of CPS report	--	1	1
Failure to complete safety assessment	4	3	1
Other child safety findings	1	--	1
Family Separation and Reunification	7	2	2
Failure to place child with relative	2	2	1
Failure to provide contact with siblings	3	--	--
Failure to provide appropriate contact / visitation between parent and child	2	--	--
Failure to make reasonable efforts to reunify family	--		1
Dependent Child Well-being and Permanency	4	0	2
Delay in achieving permanency	3		
Failure to provide child with medical, mental health, or other services	1	--	--
Unnecessary/multiple moves	--	--	2
Parent's Rights	11	10	12
Failures of notification/consent, public disclosure, or breach of confidentiality	2	1	6
Delay in completing CPS investigation or internal review of findings	9	5	3
Failure to communicate with or provide services to parent		2	1
Other violations of parents' rights	--	2	2
Poor Casework Practice Resulting in Harm to Child or Family	3	10	2
Inadequate documentation of casework	2		
Poor communication among CA divisions (CPS, CFWS, DLR)	--	5	2
Other poor practice	1	5	2
Foster Parent/Relative Caregiver Issues	8	2	--
Issues relating to child's removal from foster placement	7		
Failure to share information about child with caregiver	1		
Other Findings	--	1	1
Failure to provide meaningful assistance and services to adoptive family		--	1
Failure to protect referent's confidentiality		1	--
Number of findings	52	42	33
Number of closed complaints with one or more finding	36	31	24

RECOMMENDATIONS TO IMPROVE SUPPORT TO FOSTER PARENTS

Expand Support Programs for Foster Parents

- **Foster Parent Liaison/Peer Mentor and FIRST Programs**
Foster parent liaisons and peer mentors enhance the working relationship between the Department case workers and foster parents, and provide expedited assistance for the unique needs of children in foster care. Many of the concerns raised by foster parents could likely be resolved quickly and informally with the assistance of a liaison or mentor. Additionally, the Department should establish foster parent liaison positions within each office to respond to inquiries and concerns from foster parents.
- **Foster Parent Support Groups**
Foster parents cited various peer support programs as an essential element to successful fostering. These programs include support provided by the Foster Parents Association of Washington State (FPAWS), Fostering Together, and through the foster hub home and constellation within the Mockingbird Family Model. State and private child welfare agencies should build on these programs and dedicate resources to ensure local support groups are accessible to all foster parents throughout the state.

Increase Collaboration with Foster Parents in Case Planning Process

Maximize foster parent participation in case planning events such as case staffing, permanency planning, Family Team Decision Making meetings, and review hearings, and let foster parents know their contributions are valued. Collaboration with foster parents should also encompass encouraging contact between foster parents and the child's parents and relatives, and foster parent involvement with family reunification and a child's transition to a new placement.

Improve Communication with Foster Parents

While Department policy requires that case workers return calls within 48 hours or the next business day, many foster parents report this often does not occur. Mobile technology should enable caseworkers to answer calls and e-mails while in the field. Identify and address workload or other barriers that impact case workers' abilities to communicate with foster parents in a timely manner.

Continue to implement technological solutions such as "Our Kids App" which will allow foster parents to access a child's medical and educational records. Hold quarterly meetings with foster parents in each DCFS office so foster parents, private agency staff, area administrators and supervisors can discuss local issues and developments impacting foster parents and children in state care.

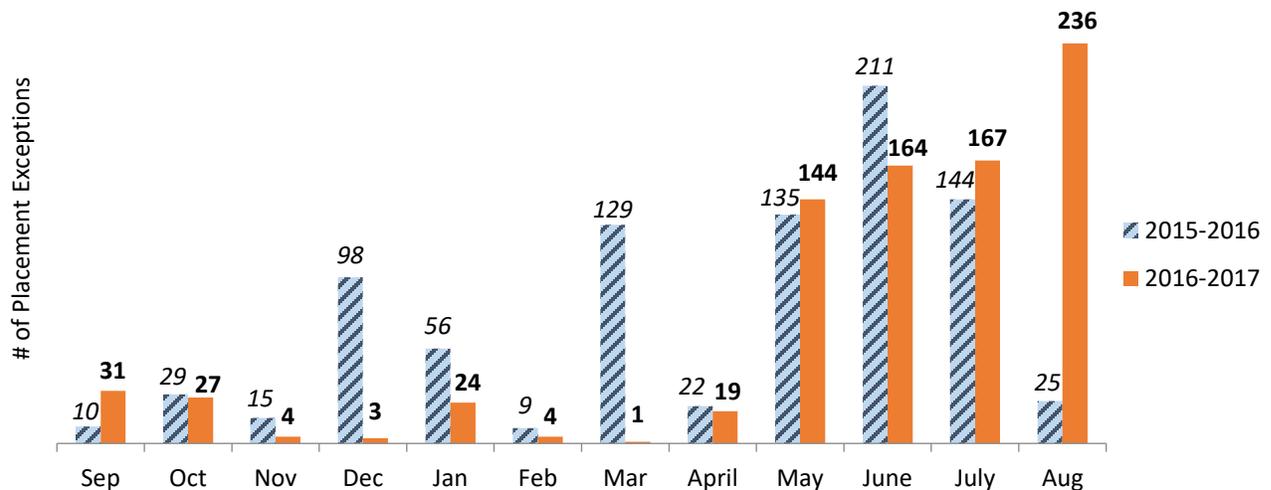
Support and Retain Case Workers

Increase efforts to reduce workload and retain caseworkers. Manageable caseloads for case workers and appropriate ratios of supervisor to case workers are essential to achieving positive outcomes for children and families, and supporting caregivers. Washington State was recently selected as one of eight sites to partner with the Quality Improvement Center for Workforce Development to address and study potential solutions to specific workforce issues. The goal is to build a stronger workforce with less turnover and a more supportive organizational environment that improves outcomes for vulnerable families and children.

HOTELS AND OFFICES USED AS EMERGENT PLACEMENTS

For the past three years, OFCO has tracked the use of “placement exceptions”, specifically the use of hotels and Department offices, as emergency placements for children. From September 1, 2016 to August 31, 2017, OFCO received notice of **824 placement exceptions involving 195 different children**. This is a slight decrease from last year where OFCO documented 883 placement exceptions involving 221 children. The vast majority of these placement exceptions (773) involved children spending the night with social workers in hotels.

“Placement Exceptions” by Month



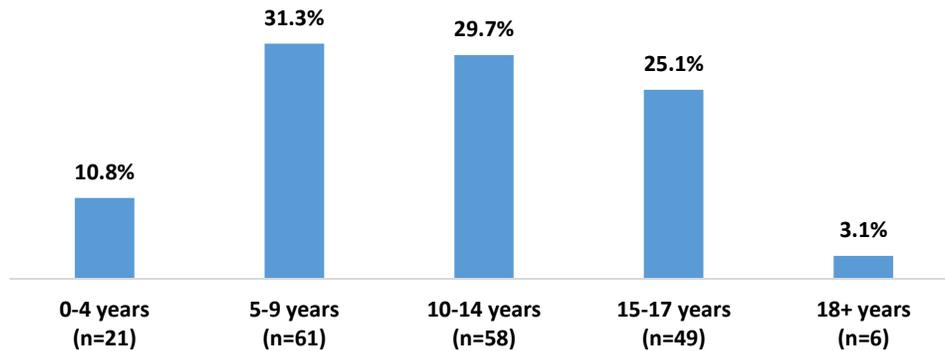
Number of Placement Exceptions per Child, 2017

Children with Number of Placement Exceptions	Number of Children (n = 195)	Percent of Children
Only 1 placement exception	103	52.82%
2 to 4	41	21.03%
5 to 9	31	15.90%
10 to 20	11	5.64%
21 or more	9	4.62%

Placement Exceptions by DSHS Region, 2017

Region	# of Placement Exceptions	% of All Placement Exceptions	% of WA Households with Children
Region 1 North	0	0.0%	12.4%
Region 1 South	0	0.0%	9.7%
Region 2 North	174	21.1%	16.9%
Region 2 South	528	64.1%	28.6%
Region 3 North	77	9.3%	16.3%
Region 3 South	45	5.5%	16.1%

Child's Age in Placement Exceptions, 2017



Child's Race and Ethnicity, 2017

	Placement Exception Population	Entire Out of Home Care Population*	Region 2 Out of Home Care Population**
Caucasian	45.64%	65.3%	49.6%
African American or Black	22.56%	8.8%	12.9%
American Indian or Alaska Native	4.62%	5.1%	5.5%
Asian or Pacific Islander	2.05%	1.9%	4.2%
Multiracial	23.59%	18.0%	14.7%
Latino / Hispanic	10.26%	19.0%	13.0%

OFCO RECOMMENDATIONS

- Provide an adequate supply and range of residential placement options to meet the needs of all children in State care.
- Recruit, Train and Compensate “Professional Therapeutic Foster Parents”.
- Expand Programs that Support Foster and Kinship Families and Prevent Placement Disruptions.
- Ensure that Children in State Care Receive Appropriate Mental Health Services.

CONTACT US

Office of the Family & Children's Ombuds
6840 Fort Dent Way Suite 125, Tukwila, WA 98188
Phone: (206) 439-3870 ~ Website: ofco.wa.gov

Patrick Dowd, Director
Email: Patrick.Dowd@ofco.wa.gov
Phone: (206) 439-3876

BEST FOR BABIES – Pierce County

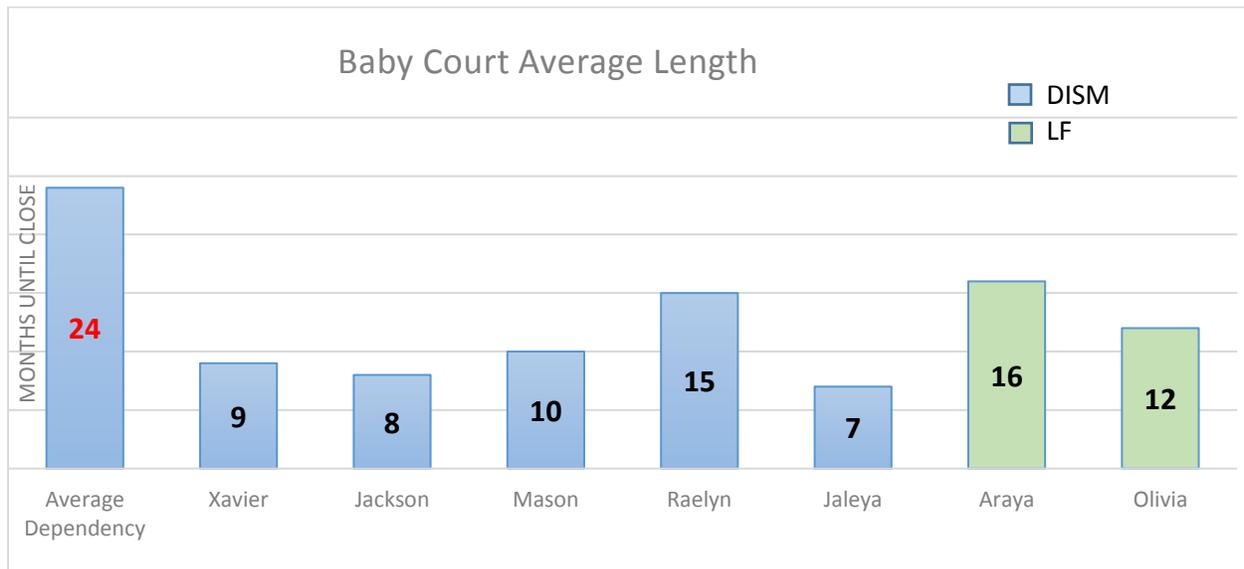
Mission: *To provide the highest quality evidenced based intervention services to infants and toddlers entering the foster care system; to support healthy and secure attachments to parents and caregivers, ensuring the best possible start to secure future success for our county's most vulnerable citizens; to improve outcomes for infants and toddlers in foster care through community engagement and systems change.*

Facts:

- **Children served by the Safe Babies Court Teams reached permanency two to three times faster.**
- **Children served by the Safe Babies Court Teams exited the foster care systems approximately one year earlier than children in a matched comparison group and they are more likely to reach permanence with a member of their biological family (12.6 mo. median time to permanence).**
 - *Reunification was the most common exit type (38%), while adoption was the most typical for comparison group (41%).*
 - *If kinship families are included, 62.4% of the Court Teams children ended up with family members, while only 37.7% of the comparison group did.*
- **99.05% of the infants and toddlers served were protected from further maltreatment.**
- **97% of the identified service needs of infants and toddlers served by the Safe Babies Court Teams had either been met or were in the process of being met.**

Study of the cost effectiveness of the Safe Babies Court Teams on the basis of one positive outcome, expedited permanency. In order to evaluate any savings, Economics for the Public Good first calculated an average direct cost of \$10,000 per child. These costs are similar to or substantially lower than those found in other early childhood interventions. Short-term savings generated by the earlier exits from foster care by Court Team children are estimated at an average of \$7,300 per child. In other words, the Court Teams' **reduced costs of foster care placements alone cover two thirds of the average costs per child.** Longer-term savings—such as increased health and well-being, fewer subsequent high-risk pregnancies, and improved school performance—may also exist, but they were not the subject of this study. This study also showed that children involved with Safe Babies Court Teams access more services than the comparison group. In particular, Court Teams children were significantly more likely to receive a developmental screening (92% v. 25%), health care visit (94% v. 76%), and dental visit (29% v. 18%). The study also demonstrated Safe Babies Court Teams' ability to leverage substantial in-kind resources: for every grant dollar received, the Court Teams were able to generate another dollar of in-kind support.

BABY COURT RESULTS



Since the inception of Pierce County's Baby Court (October 2016), the program has served 15 infants and toddlers. To date, five cases have been dismissed with Reunification as the outcome. Two children have been adopted by relatives. All children in the program have been placed with their parents or with a relative placement, with the exception of one child who is in foster care.

Our Community Partners/Stakeholders with similar missions

- Hope Sparks
- A Step Ahead – BOOST Program
- Mary Bridge Children's Hospital
- Public Health
 - Nurse Family Partnership
 - Maternity Support
 - Family Support Partnership
 - Perinatal Collaborative
 - Maternal Child Health
- Pierce County Community Connections – Birth to Three
- P-CAP (Parent Child Assistance Program)
- Olive Crest
- Care Net Pregnancy and Family Services
- Amara Fostering
- Nourish the Whole Child
- Parent 4 Parent (Parent Allies)

Safe Babies Court Teams is becoming an Evidence-Based Practice

In 2014 the Safe Babies Court Teams Project was added to the California Evidence-Based Clearinghouse for Child Welfare with a scientific rating of 3 which signifies promising research evidence, high child welfare system relevance, and a child welfare outcome of permanency.

Future Goals:

- Increase to 20 babies in Baby Court
 - Total children 600 -700 children, ages 0-3
 - Dedicated docket 1x/month, cases heard every 60 days
- Obtain a dedicated Community Coordinator position
- Offer Child Parent Psychotherapy (CPP) as the evidence based practice provided to Baby Court participants
- Shift policy to serve all children age 0-3 guided by Safe Babies Court Teams model
- Continue to develop and nurture relationships with stakeholders who share our mission
- Continuing education for all stakeholders around child development, services and resources for infants and toddlers