



**NATIONAL RESOURCE CENTER
FOR FOSTER CARE
& PERMANENCY PLANNING**

at the Hunter College
School of Social Work

INFORMATION PACKET: *Child Welfare Class Action Lawsuits*

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SUMMARY:

In 1973, a landmark lawsuit in New York was launched by Marcia Lowry, an attorney for the New York Civil Liberties Union. The lawsuit was named *Wilder*, named after Shirley Wilder, one of the city's thousands of foster care children, and the lead plaintiff in the lawsuit. Shirley Wilder was a thirteen year-old girl who, unfortunately, fell prey to the New York foster care system and eventually died in 1999 from AIDS (Bernstein, N., 2001)

Lowry brought this lawsuit on the basis that religious foster care agencies were charged with violating the 1st, 14th and 8th amendments. The case is filed to prohibit government agencies from referring children for placement on the basis of religion and ban placement of children in inadequate and inappropriate institutions. (Bernstein, N. 2001).

The lawsuit took over 20 years to settle and the New York foster care system remained virtually unimproved. Yet this case was significant, as it marked the beginning of an era of state class action lawsuits that have been initiated by Children's Rights as well as other advocacy organizations in an effort to protect children and improve child welfare systems across the United States.

This packet will provide information on three of the many class action lawsuits that have been initiated by advocates for children and families. The states that will be discussed are as follows: Alabama, The District of Columbia and Connecticut. The information that is included for each state will be:

- Background of the lawsuit

- Court Decision (including settlements and agreements)
- Reforms that were initiated as a result of the lawsuits
- Results in each of the three states which includes:
 - Administration of Children and Family Outcomes
 - Administration of Children and Family Reviews; and
 - Analyses from advocacy groups in each state

This information packet also includes:

- A General Fact Sheet
- Statistics relevant to foster care, adoption and child welfare outcomes in each of the three states
- Descriptions of the Child Welfare Agencies in each state
- Description of the advocacy groups which initiated and assisted in each of the three lawsuits discussed

Reference:

Bernstein, N (2001) *The Lost Children of Wilder* Vintage Books: New York

FACT SHEET

According to the Bazelon Center for Mental Health Law:

Cited from: <http://www.bazelon.org/fn1#fn1>

By the early 1990s almost half a million children were in the custody of state child welfare systems and the U.S. Department of Health and Human Services estimated that at least one of every 10 babies born in poor urban areas in the '90s would be placed in foster care. Children with emotional or behavioral disorders made up 40 percent of the child welfare population and few resources were available for any type of treatment or support services

According to the U.S. Department of Health and Human Services; Administration for Children and families:

Cited from <http://www.acf.hhs.gov/programs/opre/fy2002rev.doc>

Only twenty-one percent of children who exit foster care achieve permanency after three or more years; 33 percent of the children currently in care (as of September 1999)

Statement on Oversight of the Child Welfare System by Olivia A. Golden

Assistant Secretary for Children and Families (1999)

Cited from: <http://www.hhs.gov/asl/testify/t990422b.html>.

“Because of the continuing problems of child abuse and substance abuse and other factors, the number of children in foster care continues to grow and too many children

remain in care for too long; the median length of stay nationally is 21 months. And approximately 18 percent of children have been in care for 5 years or more”

cited from: <http://www.acf.dhhs.gov/programs/opa/facts/chilwelf.htm>

- There were 588,000 children in foster care in March 2000, up from 414,000 in 1991.

According to HHS 2001 National Statistics:

Cited from <http://www.hhs.gov/news/press/2003pres/20030401.html>

The data released today are based on information collected through the National Child Abuse and Neglect Data System (NCANDS). The data show that child protective service agencies received about 2,672,000 reports of possible maltreatment in 2001. There were 903,000 substantiated cases of maltreatment of children - the majority of which involved cases of neglect. About 1,300 children died of abuse or neglect, a rate of 1.81 children per 100,000 children in the population.

The rate of child neglect and abuse in 2001 was about 19 percent less than the rate in 1993, when maltreatment peaked at an estimated 15.3 out of every 1,000 children. As recently as 1998, the rate was 12.9 per 1,000 children. The rate dropped to 11.8 per 1,000 children in 1999 - considered a statistical "outlier" that was unduly influenced by census population estimates - and then returned to 12.2 per 1,000 children in 2000

References:

Bazelon Mental Health Law Center (2003) Making Child Welfare Work: BACKGROUND: THE HUMAN COST OF SYSTEMIC PROBLEMS IN CHILD WELFARE <http://www.bazelon.org/fn1#fn1>

Administration for Children and Families Annual Report 2001
<http://www.acf.hhs.gov/programs/opre/fy2002rev.doc>

Administration for Children and Families (1999) *Statement on Oversight of the Child Welfare System by Olivia A. Golden* (Assistant Secretary for Children and Families)
<http://www.hhs.gov/asl/testify/t990422b.html>.

Administration for Children and families (2003) Fact Sheet
<http://www.acf.dhhs.gov/programs/opa/facts/chilwelf.htm>

United States Department of Health and Human Services (2003) *News Release April 1st, 2003* <http://www.hhs.gov/news/press/2003pres/20030401.html>

Alabama: RC v Hornsby (a.k.a RC v Fuller)

Bazelon Mental Health Law Center; ACLU; Southern Poverty Law Center

Background of Case:

Cited from Bazelon Mental Health Law Center: <http://www.bazelon.org/rc.html#two>

“After his parents divorced, 8-year-old "RC" was taken into the state's custody. He was sent to a series of psychiatric institutions, even though he was not diagnosed with any serious emotional problems. He spent much of his time in locked isolation rooms, heavily drugged. RC's father protested this treatment and was promptly barred from visiting his son. A year and a half later, after a lawsuit was filed on RC's behalf, the state's child welfare agency returned RC, offering no assistance to either the boy or his father. Alabama's system reflected all the problems seen nationally: huge backlogs of uninvestigated child abuse and neglect reports, children languishing for years in foster care and children with serious emotional problems on long waiting lists for treatment, often ultimately provided in institutional settings far from their homes”

Court Decision:

Cited from Brazelon Mental Health Law Center: <http://www.bazelon.org/rc.html#two>

“The *R.C.* case never went to trial, however. In a landmark 1991 settlement, the plaintiffs' lawyers and the state agreed to a set of values and principles for total reform of Alabama's child welfare system. Working in concert, with the help of leading national experts in children's mental health services, they began an extraordinary county-by-

county implementation strategy. As a result, at a time when child welfare systems across the United

States face a chorus of criticism for failing either to protect children or to preserve families, many of Alabama's counties have made remarkable progress in doing both.”

Reforms:

Alabama adopted a strengths based perspective in making positive changes for children and their families. Instead of focusing on family and children deficits the reforms that took place as a result of RC v Hornsby, focused on collaborative efforts to identify the strengths of families and assess their needs on a case by case basis. The uniqueness of the RC settlement was the emphasis on family preservation.

Cited from Brazelon Mental Health Law Center: <http://www.bazelon.org/rc.html#two>

“It is the first reform to be driven not by procedural requirements but by the principles of good practice. The outcome measure in each case is not a federally mandated time frame, a court-ordered service plan or a referral for services; it is meeting the child's needs for stability and family integrity, by whatever means it takes. Partnership is the key principle—between DHR workers, families, foster parents, communities and the providers of all the services a child and family need. When all involved agree—family members, the foster family, other providers, the worker and, when old enough, the child—on what a child needs, and undertake to do whatever is necessary to meet those needs, more intensive services are provided that result in shorter stays and in foster care placements and adoptions that do not break down”

Another unique aspect of the RC settlement in Alabama was that they developed a new model for child welfare safety, permanency and well being which was not simplistically based upon compliance with existing standards. Consultation and training

have been critical to Alabama's success. Workers and providers receive training and then have continuing access to help in applying the new way of thinking to their own cases.

Even with such

assistance, however, designing services specific to each child and family calls for new and creative thinking and takes more effort by direct line workers.

Cited from Brazelon Mental Health Law Center: <http://www.bazelon.org/rc.html#two>

"Fixing a bike while riding it" was how state and county child welfare staff sometimes described the R.C. change process. At the outset, neither the counties nor the state office had an instruction book for fixing the bicycle. Instead, the players invented the reform as it went along. As more and more workers enthusiastically changed their practice, all the activities of the county office changed, from foster-parent recruitment to intake to personnel. And as the strengths/needs-based service philosophy was applied locally, county offices integrated the improvements in their management, casework and relationships with providers. Finally—and rather gradually—state-office infrastructure evolved to support it. Now workers, families and providers have such a strong personal investment in the success of the new approach that they are the first line of defense against any drift into bureaucratic stagnation"

Results:

Cited below are three distinct sources regarding outcomes for Alabama from 1999-2002:

1) According to Richard Wexler (Executive Director of National Coalition for Child Protection Reform):

Cited from: http://www.nkmr.org/english/foster_care_vs_family_preservation.htm (1999)

*"In **counties** adopting a family preservation approach, foster care placements have declined by 33 percent. More important, an independent, court-appointed monitor*

concluded that children in Alabama are safer now than before the system switched to a family preservation model. The monitor wrote that "the data strongly support the conclusion that children and families are safer in counties that have implemented the R.C. reforms."

There are three primary reasons for the better safety record of family preservation programs:

- *Most of the parents caught in the net of child protective services are not who most people think they are.*
- *When child welfare systems take family preservation seriously, foster care populations stabilize or decline. Workers have more time to find the children who really do need to be placed in foster care.*
- *Family preservation workers see families in many different settings for many hours at a time. Because of that, and because they are usually better trained than child protective workers they are far more likely than conventional child protective workers to know when a family can't be preserved -- and contrary to stereotype, they do place child safety first.*

2) According to the U.S. Department of Health and Human Services: Outcomes for the State of Alabama as of 9/30/99:

Cited from the Administration of Children and Families Annual Outcome Report (1999):

<http://www.acf.dhhs.gov/programs/cb/publications/cwo99/statedata/al.htm>

Child Welfare	1998	1999
Child maltreatment victims	16,668	13,773
Children in foster care on 9/30	5,198	5,511
Children adopted	115	153

Children in Foster Care:

Number of Children	In Care on 10/1	Entered Care	Exited Care	In Care on 9/30	Total Served
FY1998 (10/1/97-9/30/98)	5,246	2,803	2,851	5,198	8,049
FY1999 (10/1/98-9/30/99)	4,839	2,734	2,062	5,511	7,573

Median Length of Stay (Months)					
FY1998 (10/1/97-9/30/98)	19.3	N/A	9.4	22.3	N/A
FY1999 (10/1/98-9/30/99)	22.0	N/A	8.8	21.5	N/A

3) According to the Administration of Children and Family Services June 2002 Review of the Alabama Child Welfare System:

Cited from: <http://www.acf.dhhs.gov/programs/cb/cwrp/executive/ales.pdf>

An on-site review of 50 cases, drawn at random, as well as various other sources (see online site for details) of children who were active in the child welfare system as of June 2002 determined the following strengths and weaknesses of Alabama child welfare system:

Strengths:

➤ The State met the national standards for measures pertaining to the recurrence of maltreatment, maltreatment of children in foster care, re-entries into foster care, and stability of foster care placements. *Children are, first and foremost, protected from abuse and neglect.* In particular, the State was noted to be effective with respect to the following:

- *Preventing repeat maltreatment and foster care re-entry*
- *Providing stable foster care placements for children*
- *Placing children in close proximity to their biological families and with their siblings when possible and in the children's best interest.*
- *Meeting children's physical health service needs.*

The State also was found to be in substantial conformity with six of the seven systemic factors. The State was in conformity with the factors pertaining to the Statewide

information system; training; service array; responsiveness to the community; quality assurance system; and foster and adoptive parent licensing, recruitment, and retention. Alabama's DHR is particularly strong with respect to its willingness, and the capacity it has developed, to provide a wide array of services to families not only to prevent an initial removal from home, but also to ensure that families that have been reunified receive the services and supports that they need for as long as they need them.

Weaknesses:

- Alabama did not meet national standards for measures relating to the length of time to achieve reunification or the length of time to achieve adoption.
- Meeting the service needs of children and families, involving families in the case planning process, and the frequency of worker visits with children and parents.
- DHR practice is inconsistent with respect to involving parents in the development of case plans, holding permanency hearings for children in foster care, and providing a process for termination of parental rights (TPR) proceedings in accordance with the provisions of the Adoption and Safe Families Act.

Alabama Family Services Department:

The Alabama Family Services Division is a part of the state's Department of Health and Human Services (DHS). Within Alabama's FSD there is a Child Welfare Policy unit described below:

Cited from: http://www.dhr.state.al.us/fsd/child_welpolic.asp

The Office of Child Welfare Policy provides the following functions for the Family Services Division of the Department of Human Resources:

The development and revision of child welfare policies required by state and federal legislation

The development and revision of minimum licensing standards for Child Care Facilities, Foster Family Homes, and Child Placing Agencies

The development of all child welfare policy required by the 1991 federal consent decree requiring Alabama to reform its child protective services and foster care systems (R.C. versus Fuller)

The Office of Child Welfare Policy also revises policy and procedures currently contained in the Family and Children's Services Manual related to receiving, investigating, and disposing of child abuse and neglect reports, and the provision of child protective, foster care, and adoptive services when children and families need continued intervention by Alabama's Department of Human Resources (DHR).

Washington D.C.- LaShawn v. Barry

Children's Rights Organization

Background of case:

Cited from the "DC Watch" web site <http://www.dwatch.com/govern/cfs000505a.htm>

LaShawn A. was brought to the Child and Family Services Agency (see below description) by her homeless mother when she was nearly 2 years old. At the time of the lawsuit, LaShawn A. was 7 and had developed severe emotional problems likely to last into her adulthood and may have suffered sexual abuse because of inappropriate placement and poor follow-up by District officials.

“Staggering caseloads, lack of services, overcrowded foster homes and almost no adoptions are all factors which contributed to making the District of Columbia's Child and Family Services Agency (CFSA) seem markedly inhuman. Once children entered the foster care system, they were unlikely to leave until they were old enough to be on their own. In June 1989, Children's Rights initiated a massive reform effort with the filing of a class-action lawsuit alleging failure to comply with the federal Child Welfare and Adoption Assistance Act, the U.S. Constitution, and various local statutes”

Court Decision:

Cited from the “DC Watch” and “Children’s Rights” web sites
<http://www.dcwatch.com/govern/cfs000505a.htm>
<http://www.childrensrights.org/press/2000-1012.htm>

In 1991, the U.S. District Court Thomas F. Hogan ruled that the District's child welfare system failed to protect children from physical, psychological or emotional harm and that it violated federal law, district law, and the constitutional rights of children. Following the court's decision, the District of Columbia and the plaintiffs developed a comprehensive Remedial Order to correct the significant management and service delivery problems in the District's child protection, foster care and adoption services programs. After three years, the Child and Family Service Agency failed to comply with the Court Order and was placed under Court supervised receivership. The District's failure to comply with the MFO placed the child welfare system in the hands of a receiver in 1995 and Judge Hogan gave that position full power to institute reforms.

Reforms:

During Receiverhsip:

<http://www.childrensrights.org/press/2000-1012.htm>

Significant changes in the Child and Family Services Agency under the receivership include, among others, the following:

Area Of Reform	Pre-Receivership	Under Receiver
Adoptions	60 per year before the <i>LaShawn</i> lawsuit	250 in 1999 329 in current fiscal year
Federal Revenue Reimbursement	\$8 million in 1992 Received reimbursement for <u>22%</u> of foster care population.	\$50 million for 1999; \$60 million expected in 2000 Receiving reimbursement for <u>70%</u> of foster care population.
Staffing	<ul style="list-style-type: none"> • 95 social workers in 1992 • 40 supervisors in 1993 • a few case aides in 1993 	<ul style="list-style-type: none"> • 259 social workers in 1999 • 57 supervisors in 1999 • 80 case aides in 1999
Overcrowding	114 children placed in overcrowded foster homes in 1994.	39 children placed in overcrowded foster homes by June 1999.
Community-based Services	Zero capacity to deliver services in communities in 1992.	Eight neighborhood collaboratives set up under Healthy Families/Thriving Communities Collaboratives to provide preventive and family preservation services.
Health Services	Zero capacity to assess health and mental health needs.	D.C. KIDS established in 1999 to provide coordinated system of health assessment.
Management Information Services	Information kept on index cards; zero capacity to produce any reliable data on children in the system or to monitor payments to foster parents.	FACES, an automated case management and financial system is functioning and providing accurate data on needs, services, and costs.

However, the receivership ended in controversy, which was sparked by the death of Brianna Blackmond. Brianna was taken from her mother's custody along with seven of her siblings in 1998. After postponement of custody hearings in 1999, Briana's mother petitioned the courts to allow

Brianna visitation for Christmas. Brianna's mother was staying with a friend who had also been investigated for alleged child abuse. Brianna died in January 2000 of a trauma injury to the head.

Representative Tom Davis: Cited from the DC Watch;
<http://www.dcwatch.com/govern/cfs000505a.htm>

“Brianna's homicide is currently under investigation by the Metropolitan Police Department and is under a confidentiality ruling by Judge Queen. Therefore, many of the facts surrounding this case are not known. Fingers are being pointed in every direction by every agency involved to place blame for this tragic death. Seven agencies shared the responsibility of protecting Brianna Blackmond from harm, and

yet seven agencies failed to help her. This case clearly reveals a breakdown not only within the Child and Family Service Agency, but with the inter-government agency relationship governing children who are innocent victims of abuse and neglect. After five years dwindling as an agency separate from the District of Columbia's government, decisive action needs to be taken to enact progressive reform. Children in the District of Columbia need a functioning Child and Family Service Agency to look out for their well-being when their home environment is not safe. I look forward to hearing from our testifying witnesses to determine what immediate actions need to be taken to prevent further tragedies from occurring”

Receivership ends and a probationary period begins in 2000:

Cited from <http://www.childrensrights.org/press/2000-1023.htm>

Judge Thomas F. Hogan of the U.S. District Court for the District of Columbia, the presiding judge in the *LaShawn* lawsuit, approved the consent order that allowed the District to begin recruiting a new administrator immediately and provides for an orderly transition to end the receivership on the following terms and conditions:

- *The enactment of legislation that will unify all neglect and abuse investigations and services within a single child welfare agency, the Child and Family Services Agency ("CFSA").*
- *The establishment of the child welfare agency as a cabinet-level agency.*

- *Moving the responsibility for personnel, contracting, licensing of foster and group homes and the Interstate Compact on the Placement of Children into that agency.*
- *The development of licensing standards for foster homes and group homes.*

In addition, throughout the duration of the *LaShawn* court order the District agreed that:

- *CFSA will be exempt from any District-wide budget cuts, furloughs, or personnel reductions that might otherwise be imposed during the time the LaShawn court order remains in effect.*
- *The mayor will take all reasonable steps to obtain passage of an annual CFSA budget based on the 2001 "implementation" budget of \$184 million, with annual increases as necessary to ensure implementation of the LaShawn court order, unless the District can demonstrate that compliance with the order can be achieved with a lower budget.*
- *An adequately-staffed CFSA legal unit will be established within the Office of Corporation Counsel, with the CFSA Administrator participating in the selection and evaluation of those lawyers, and with the lawyers having greater involvement with the CFSA workers, and with a method developed to resolve disputes between the lawyers and the CFSA workers.*
- *The new administrator, in consultation with the Court Monitor and others, will select an independent advisory group of experts, so long as private funds can be raised to fund this.*

Results:

1) According to the U.S. Department of Health and Human Services: Outcomes for the District of Columbia as of 9/30/99:

Cited from the Administration of Children and Families Annual Outcome Report (1999): <http://www.acf.dhhs.gov/programs/cb/publications/cwo99/statedata/dc.htm>:

Child Welfare	1998	1999
Child maltreatment victims	4,916	2,308
Children in foster care on 9/30	3,397	3,466
Children adopted	139	166

Children in Foster Care

Number of Children	In Care on 10/1	Entered Care	Exited Care	In Care on 9/30	Total Served
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FY1998 (10/1/97-9/30/98)	2,966	1,408	979	3,397	4,374
FY1999 (10/1/98-9/30/99)	2,894	1,231	659	3,466	4,125
Median Length of Stay (Months)					
FY1998 (10/1/97-9/30/98)	30.0	N/A	13.0	26.3	N/A
FY1999 (10/1/98-9/30/99)	24.5	N/A	17.2	23.7	

2) According to the Administration of Children and Family Services:

An on-site review of 50 cases, drawn at random, as well as various other sources (see online site for details), of children who were active in the child welfare system during the period of *April 1, 2000 through July 29, 2001* determined the following strengths and weaknesses of the D.C. system:

Cited from the Administration of Children and Families web site:

<http://www.acf.hhs.gov/programs/cb/cwrp/staterpt/dc.htm#summary>

Strengths:

- District's timeliness of initiating investigations of reports of child maltreatment and the lack of repeat maltreatment in the cases reviewed.
- For children in foster care: Strengths in the District's efforts to preserve the continuity of family relationships and connections, place children in proximity to

their families and with their siblings when possible, preserve important connections for the children, and utilize relatives as placement resources.

Connecticut: Juan V. Rowland

Children's Rights Organization and
Center for Children's Advocacy

Background of case:

According to Children's Rights Organization: http://www.childrensrights.org/case_updates/index.htm

The severely under funded and understaffed Connecticut Department of Children and Families neither adequately investigated reports of child abuse nor did they provide appropriate placements for children. Social workers had caseloads twice that of the national average, and foster parents were underpaid and poorly trained. Children's Rights, along with local advocates, filed a lawsuit in 1989. a comprehensive consent decree which continues to be monitored through the office of the Court Monitor.

Court Decision:

Judge Nevans ordered a comprehensive consent decree which continues to be monitored through the office of the Court Monitor. According to the consent decree, various manuals were implemented by DCF, including the following:

[Cited From: <http://www.kidscounsel.org/content/legal/index.2.html>]

Adoption Manual: <http://www.kidscounsel.org/content/legal/assets/adoption.htm>

Contracts Manual: <http://www.kidscounsel.org/content/legal/assets/contractmanual.html>

Quality Assurance Manual: <http://www.kidscounsel.org/content/legal/assets/QA.html>

Intake & Investigations Manual: <http://www.kidscounsel.org/content/legal/assets/Intake.htm>

Health Management Unit Manual: <http://www.kidscounsel.org/content/legal/assets/DCF-hmu.htm>

Treatment Manual: <http://www.kidscounsel.org/content/legal/assets/juanfcd.html>

Voluntary Services Manual: <http://www.kidscounsel.org/content/legal/assets/voluntary.htm>

On August 29th 2000, Judge Nevans specifically ordered that as a part of the policies outlined in the DCF manuals, all “relatives” are included under the term foster parents and that one social worker is assigned no more than 40 cases, including children in the care of relatives other than their biological parents. This decision was made in order to eliminate the ambiguity in who is considered a “foster parent” and to further minimize the case loads of social workers at DCF (Juan F v Rowland et. a. Civil No H-89-859)

Cited From: <http://www.childrensrights.org/press/2001-0710.htm>

The court-appointed monitor in the class action lawsuit, *Juan F. v. Rowland* issued a report (July 2001) on how often caseworkers visit children in the custody of Connecticut's Department of Children and Families (DCF). Reviewing a random sample of 178 foster care cases, the Monitor's review uncovered dangerous violations of the legally required number of contacts and visits by caseworkers with children. Key findings of the report were:

- *Over an 11-month period last year, 53% of children in foster homes did not see a caseworker face-to-face for least 5 to 8 consecutive weeks.*
- *18% of the children did not see a caseworker for at least one period of 9 to 12 weeks.*
- *8% of the children were not seen for at least one period of 14 to 20 consecutive weeks.*
- *5% of the children were not seen for at least one period of 24 to 42 weeks.*
- *Over a 30-day review period last year, 86% of the children did not even receive a telephone call from a caseworker.*

Reforms

Cited from: <http://www.childrensrights.org/press/2002-0208.htm>

Both sides in the civil rights class action lawsuit, *Juan F. v. Rowland* agreed on a series of performance and outcome measures to ensure better outcomes for children in Connecticut's child welfare system that, if met by the state, could lead to an exit from a court-ordered Consent Decree. Enforcement mechanisms to protect the rights of foster children stay in place as the state moves to reach good practice outcomes that are embodied in the Consent Decree. During an 18-month transition period, detailed record reviews of hundreds of children's files will determine if the outcomes are being met. If the state is successful, and can maintain adequate performance levels, then it has the potential to eventually exit the consent decree in the *Juan F.* lawsuit. Under the agreement between counsel for the plaintiff children in the lawsuit and the Connecticut Department of Children and Families (DCF), 23 separate outcomes for children are to be addressed, including:

- *Getting services promptly to children and families to protect children in the home and prevent removing the child.*
- *Preventing further abuse while in foster care custody.*
- *Reducing the length of time in foster care.*
- *Reducing the number of moves for children while in foster care.*
- *Avoiding overcrowding of foster family homes.*

Results:

Results:

1) According to the U.S. Department of Health and Human Services: Outcomes for the District of Columbia as of 9/30/99:

htmCited from the Administration of Children and Families Annual Outcome Report (1999): <http://www.acf.dhhs.gov/programs/cb/publications/cwo99/statedata/ct>.

Child Welfare	1998	1999
Child maltreatment victims	16,923	14,514
Children in foster care on 9/30	6,683	6,707
Children adopted	229	403

Children in Foster Care

Number of Children	In Care on 10/1	Entered Care	Exited Care	In Care on 9/30	Total Served
FY1998 (10/1/97-9/30/98)	5,143	5,222	3,682	6,683	10,365
FY1999 (10/1/98-9/30/99)	5,431	4,964	3,689	6,707	10,395
Median Length of Stay (Months)					
FY1998 (10/1/97-9/30/98)	9.5	N/A	6.7	11.5	N/A
FY1999 (10/1/98-9/30/99)	10.9	N/A	8		

2) According to Children's Rights Organization

Cited From: <http://www.childrensrights.org/press/2002-0918.htm>.

In a report issued on September 18, 2002, the Monitor provided data on the results achieved in speeding adoptions in three categories of foster children:

- *Children living with families who want to adopt them but cannot because DCF has failed to finalize minimal paperwork. In this category of approximately 400 children, the Monitor found that the Department had finalized the paperwork for the adoptive placements for over two-thirds (66%) of these children during this year.*
- *Children who are waiting to be placed in homes that have been identified as wanting to adopt them. For this smaller category of children, the Monitor found that the Department had placed over 88% of these children in identified homes during this year.*
- *Children whose biological parents have had their rights terminated and who are waiting for a home, but for whom no home has been identified. For this category of approximately 160 children, the Department has placed or identified homes for only 27 (about 17%) of these children.*

3) According to the Administration of Children and Family Services:

An on-site review of 50 cases, drawn at random, of children as well as various other sources (see online site for details), who were active in the child welfare system determined the following strengths and weaknesses of the Connecticut system [Cited from the Administration of Children and Families web site]:

<http://www.acf.dhhs.gov/programs/cb/cwrp/executive/ct.htm>]

Strengths:

-
- Initiating investigations to child maltreatment reports in a timely manner and consistent with agency policy guidelines
- Providing services to families to protect children in their homes and prevent removal
- Addressing the issue of risk of harm to children
- Placing children in close proximity to their biological families and with their siblings when possible and in the children's best interest.
- Preserving other cultural, familial and community connections and promoting relationships between children in foster care and their parents
- Conducting regular visits with children to assess their needs and progress with respect to the case plan
- Ensuring that children receive appropriate services to meet their educational need

- Substantial conformity with regard to the quality assurance system, the training efforts for child welfare staff and child caregivers, the array of services available to families, and foster and adoptive parent licensing, recruitment, and retention

Weaknesses :

- The State did not meet national standards for measures relating to repeat maltreatment, maltreatment of children in foster care, the length of time to achieve reunification, or the length of time to achieve adoption.
- Inconsistency in achieving permanency for children in foster care.
- Connecticut did not demonstrate an enhanced capacity to provide for their children's needs. During the case review only 66 percent of the cases were found to have

substantially achieved this outcome, which included assessments of whether children and families received needed services children and families were involved in case planning and the frequency of caseworker visits with children and parents

- Children do not receive adequate services to meet their physical and mental health needs-with only 71.5 percent of the cases reported to have substantially achieved that outcome
- Connecticut failed to demonstrate substantial conformity with factors pertaining to the Statewide information system, case review system, and agency responsiveness to the community.

About Connecticut's DCF:

Cited from The DCF site: <http://www.state.ct.us/dcf/mission.htm>

The mission of the Connecticut Department of Children and Families is to protect children, strengthen families, and help children and youth reach their fullest potential.

- To intervene to protect children and youth who have been abused or neglected by their parents or other adults entrusted with their care. Children and youth must be safe from violence, abuse, neglect and exploitation.
- To work to strengthen and preserve families so children are safe and nurtured at home whenever possible and consistent with the safety of the child.
- To help foster parents and other substitute caregivers provide temporary care when children cannot reside at home.
- To help children become adopted or secure an alternative placement when their parents cannot provide ongoing care and safety.
- To provide and fund services to help young people develop to their fullest potential. Our programs work to make a difference for children and youth who have mental health, substance abuse treatment, juvenile justice, and other needs.
- To work as partners with children, youth, birth parents, foster parents, adoptive parents, health and human service providers, court and law enforcement agencies, mandated reporters of child abuse and neglect, and many other caring individuals to bring quality services to Connecticut's young people. This community system strives to ensure the healthy growth and development of children, youth and their families.

Description of organizations:

ACLU:

Cited from: <http://www.aclu.org/about/aboutmain.cfm>

The American Civil Liberties Union (ACLU) is our nation's guardian of liberty, working daily in courts, legislatures and communities to defend and preserve the individual rights and liberties guaranteed to all people in this country by the Constitution and laws of the United States.

Since our founding in 1920, the nonprofit, nonpartisan ACLU has grown from a roomful of civil liberties activists to an organization of nearly 300,000 members and supporters, with offices in almost every state. The ACLU has also maintained, since its founding, the position that civil liberties must be respected, even in times of national emergency. In support of that position, the ACLU has appeared before the Supreme Court and other federal courts on numerous occasions, both as direct counsel and by filing amicus briefs.

The ACLU's mission is to fight civil liberties violations wherever and whenever they occur. Most of our clients are ordinary people who have experienced an injustice and have decided to fight back. The ACLU is also active in our national and state capitals, fighting to ensure that the Bill of Rights will always be more than a "parchment barrier" against government oppression and the tyranny of the majority.

Bazelon Mental Health Law Center:

Cited from: <http://www.bazelon.org/who.html>

The Judge David L. Bazelon Center for Mental Health Law is a nonprofit legal advocacy organization based in Washington D.C. Known until 1993 as the Mental Health Law Project, our name today honors [the federal appeals court judge](#) whose landmark decisions pioneered the field of mental health law. Advocacy is based on the principle that every individual is entitled to choice and dignity. For many people with mental disabilities, this means something as basic as having a decent place to live, supportive services and equality of opportunity.

- Bazelon Center attorneys provide technical support for and co-counsel selected lawsuits with private lawyers, legal services programs, ACLU chapters and state protection and advocacy systems (P&As).
- Collaborate with local, regional and national advocacy and consumer organizations to reform public systems and promote consumer participation in the design and operation of service programs
- Active in national policy coalitions working to preserve and expand programs that assure children and adults with mental disabilities of choice and dignity.
- Publish [handbooks, manuals, issue papers and reports](#) explaining key legal and policy issues in everyday terms

Center for Children's Advocacy, Inc.

Cited from: <http://www.kidscounsel.org/kidscounsel/about/>

The Center for Children's Advocacy, Inc. is a non-profit organization located at the University of Connecticut School of Law whose mission is to promote and protect the legal rights and interests of poor children dependent upon the judicial, child welfare, health and mental health, education, and juvenile justice systems for their care. The Center employs a number of methods to achieve its purposes including class

action and individual representation, training, administrative and legislative advocacy, and consultation. Because of its recognition that interdisciplinary approaches contribute immensely to the understanding of children's issues, the Center is committed to working in partnership with experts and policy analysts to develop appropriate solutions to meet the complex challenges of these interlocking systems.

Children's Rights Organization

Cited from: http://www.childrensrights.org/about/what_we_do.htm

Children's Rights is a national nonprofit organization, at the forefront in the fight for the rights of poor children in the custody of child welfare agencies across the country. With an annual budget of nearly two million dollars, a staff (<http://www.childrensrights.org/about/staff.htm>) of seasoned litigators, and a growing public policy department, Children's Rights combines the power of the courts and the assistance of expert partners to improve services for abused and neglected children.

Children's Rights now has six child welfare systems under some form of court supervision and five others before the courts. Equally importantly, Children's Rights is drawing from its experience to evaluate the long-term effect and limitations of impact litigation, and, based on its own analyses and partnerships with experts, identifying new and more effective means of creating and sustaining long-term change. In all instances, Children's Rights recognizes that no one approach works everywhere and that the needs of children must come before those of any government bureaucracy or courtroom strategy. Children's Rights' Executive Director, Marcia Robinson Lowry, has been fighting for children's rights for almost three decades. In 1973, when Lowry began at the

New York Liberties Union, the principle that children had legal rights had barely been established. Her

work with the NYCLU, and her twenty years as the Director of the Children's Rights Project of the ACLU, has helped establish the rights of children into law, and forced foster care systems across the country to be held accountable. In 1995, with the ACLU's blessing, she formed Children's Rights to continue her innovative work using litigation and collaboration to promote and protect rights for children across the country.

Southern Poverty Law Center:

Cited from: <http://www.splcenter.org/splc.html>

The Southern Poverty Law Center is a nonprofit organization that combats hate, intolerance, and discrimination through education and litigation. Its programs include the Intelligence Project Teaching Tolerance and Tolerance.org. The Center also sponsors the Civil Rights Memorial, which celebrates the memory of those who died during the Civil Rights Movement.

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