



**National Resource Center for
Family-Centered Practice and Permanency Planning**
at the Hunter College School of Social Work

Running head: CASE REVIEW SYSTEMS

Information Packet

Systemic Factors: Case Review Systems

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Summary of the Issue

Case review systems are one of the seven systemic factors that are evaluated in the Child and Family Services Reviews process. Under this factor, various aspects of case plans are assessed based on their congruency with national standards. The Adoption Assistance and Child Welfare Act of 1980 mandated that each State provide a written case plan for each child to be developed jointly with the child's parent(s). Federal regulations require that the child's case plan explain how the state will provide the child with a safe placement in a family-like situation that is both least restrictive and in proximity to the child's parents. It must also discuss how the placement adheres to the child's best interest and unique needs. This case plan should be reviewed periodically (no less than once every six months) to assess the status of each child in foster care to determine whether the placement is still necessary and suitable, whether the case plan has been adhered to, and whether progress has been made towards reunification. This review also documents an anticipated date at which the child will be reunified, adopted, or placed in another permanent situation (Badeau & Gesiriech, n.d.).

In addition, each child in foster care must have a permanency hearing no later than 12 months from the date the child entered foster care and not less than every 12 months thereafter as defined by the Adoption and Safe Families Act of 1997 (which modified the time frame from the 18 months originally required by the Adoption Assistance and Child Welfare Act). The Adoption and Safe Families Act also requires that States initiate termination of parental rights proceedings after the child has been in foster care 15 of the previous 22 months unless it is not in the best interest of the child or if the child is in kinship care. This case plan should also provide foster parents, pre-adoptive parents, and relative caregivers of children in foster care with notice of and an opportunity to be heard in any review or hearing (Mallon & Hess, 2005).

Facts and Statistics

- The findings from the initial Child and Family Services Reviews conducted from 2001 to 2004 revealed that case review systems rated lowest of the seven systemic variables on adherence to National standards.
- The weakest indicator under systemic factors was developing case plans jointly with parents, with only 6 states achieving ratings of “strength” while 42 rated “area needing improvement.”
- States scored their overall highest ratings on implementing periodic case reviews every six months, with only 10 states receiving a poor outcome and 42 receiving a rating of “strength”.
- Ratings regarding the timeliness of permanency hearings, termination of parental rights, and the notification of caretakers showed only approximately fifty percent of States received ratings of strength, while the other fifty percent received ratings of area needing improvement.
- Of the 591 children who had been in foster care for 15 of 22 months (of the 35 states reviewed between 2002-2004), 43 percent of records showed that termination of parental rights had not been filed, while 57 percent showed they had been filed.
- Of the 43 percent of cases where termination of parental rights had not been filed, an exception had been noted in the child’s case file in only 36 percent of cases.
- Analysis showed statistical significance between “strength” ratings on three performance indicators under Case Review Systems and “strength” or “substantially achieved” ratings on performance indicators and outcomes in the CFSR:
 - Six-month case review systems showed correlations to Adoption and Well Being Outcome 1.
 - Permanency hearings within 12 months showed correlations to Adoption.
 - Termination of parental rights showed correlations to Adoption, Permanency Outcome 1, and Reunification.

*Facts and Statistics retrieved July 14, 2009 from:
Findings from the Initial Child and Family Service Reviews, 2001-2004
<http://www.hunter.cuny.edu/socwork/nrcfcpp/downloads/ppt/52-state-findings.ppt>*

Review of Policies and Legislation

Adoption Assistance and Child Welfare Act (1980)

The Adoption Assistance and Child Welfare Act states that the court or agency must review the status of a child in any non-permanent setting every 6 months to determine the status and potential need to modify the plan. Most emphasis is placed on returning the child home as soon as possible. The act also stipulates that the court or administrative body must determine the child's future status and permanency plan, whether it is a return to parents, adoption, or continued foster care, within 18 months after the child is initially placed in foster care.

Adoption and Safe Families Act (1997)

The Adoption and Safe Families Act made provisions for various aspects of permanency and safety. The act modified the period of time that the Adoption Assistance and Child Welfare Act allowed for reunification between parent and child from 18 months to 12 months. It also provides that states should engage in significant efforts to preserve and reunify families. The law also emphasizes that the safety of children in foster care must be considered in case plans and case reviews. For families with whom reunification is unlikely to be possible, workers should concurrently be making efforts to create other permanency plans. AFSA also clarifies reunification exceptions in which children will not be reunified and stresses health and safety as a paramount concern. The ASFA requires states to terminate parental rights and find an adoptive family if a child has been in foster care for 15 months or longer, or if a parent has assaulted or killed another child in the family, or if a child has been determined to be an abandoned infant.

Promoting Safe and Stable Families Amendments (2001)

The goal of these amendments focused primarily on pushing states to develop and expand programs geared towards family preservation services, community-based family support services, adoption promotion and support services, and time-limited family reunification services, and to make further improvements in state court systems.

Child and Family Services Reviews (2000)

The implementation of Child and Family Services Reviews (CFSR) were announced in 2000. This policy was designed to improve the child welfare system by holding states accountable for effective services through Federal monitoring. State assessments are made to ensure they are fulfilling Federal requirements for child protective services, foster care, adoption and family preservation and support services under titles IV-B and IV-E of the Social Security Act. States are assessed through a statewide assessment as well as an on-site review on outcomes for children and families in regards to seven outcomes including variables such as safety, permanency and well-being, as well as seven systemic factors such as case review systems, quality assurance, and others.

Information on Policies and Legislation retrieved July 14, 2009 from:

<http://www.hunter.cuny.edu/socwork/nrcfcpp/information.html#legislation>

Model Programs and Promising Practices

RED Team Approach – Minnesota

In 1999, Olmstead County Child and Family Services implemented a Differential Response system for responding to accepted child maltreatment cases. Minnesota has different systems for responding to high-risk reports of maltreatment (investigative response) and moderate to low-risk reports of community concern about maltreatment of children (family assessment). These community reports are evaluated by a RED (review, evaluate, and direct) Team to decide whether the case warrants intervention and sends these accepted reports to the appropriate response system. The assessment is made through a group process that allows for a collective responsibility. The Team generally consists of one representative social worker from each of the child protection responses or critical pathways and also representatives from the agency who are not child protective workers. This program has been extremely successful, with fewer than two percent of accepted reports each year being re-assigned from family assessment to investigative response and fewer children and families returning for investigation.

Adoption and Adolescent Resource Teams (AART) – New Mexico

In April 2004, New Mexico Children, Youth, and Families Department instituted a case review system utilizing three teams, composed of a contract adoption consultant and a State agency partner, called *Adoption Resource Teams* (ART). The group meets every sixty days to review cases comprised mostly of children whose permanency plans are adoption. During these meetings, recommendations from the previous meeting are reviewed and if they have not been implemented, the group offers clear, time-limited recommendations for each case geared towards speeding up the adoption process. In February 2006, this team expanded to review all cases of foster youth ages 16.5 to 18 to secure supports needed upon leaving foster care (thus changing it's orientation to AART). This program has been extremely effective in the acceleration of cases from foster care to adoption.

Benchmark Permanency Hearing Program, Child Protection Mediation Program, and Court Family Conferences – Illinois

From 1998 to 2001, the Circuit Court of Cook County launched three different programs that are geared towards bettering the ability for the court and the Department of Children and Family Services (DCFS) to work together. The goal of the *Benchmark Permanency Hearing Program* is to allow teenagers exiting foster care to speak with a judge in order to express their concerns as they transition to independent living, allowing DCFS and the court to explore services that may help them in this process. The *Child Protection Mediation Program* has been implemented to bring in a trained mediator to assist in discussion processes between the court and DCFS, allowing them to discuss their concerns in a collaborative way. Lastly, the *Family Court Conferences* program is held 55 days after temporary custody hearings are informally facilitated by the judge to discuss the causes that were a factor in the child being brought into care.

Information on the above Model Programs and Promising Practices was retrieved July 14, 2009 from: Children's Bureau, Child and Family Services Reviews, Promising Approaches in Child Welfare (As of December 2007):

<http://www.acf.hhs.gov/programs/cb/cwmonitoring/promise/states.htm>. Many additional Promising Approaches are listed on this website.

New Mexico Citizen Review Board – New Mexico

The Citizen Review Board, a project of New Mexico Child Advocacy Network (NMCAN), has over 170 volunteers staffing 34 local review boards across the state of New Mexico. It is an independent project legislatively created by the State of New Mexico in 1983 “to provide a permanent system for independent and objective monitoring of children placed in the custody of the department.” The CRB has a two part mandate: To review the cases of children in the custody of the state and make recommendations to the Judge who presides over the case; and, To make recommendations to the New Mexico Legislature, the Children, Youth and Families Department, and the courts regarding the statutes, policies, and procedures relating to substitute care.

<http://www.nmcrb.org/default.asp?DomName=nmcrb.org>

Websites and Resources

- **Children's Bureau.** The Children's Bureau website has a wealth of information on Child and Family Service Reviews. The results of Statewide Assessments for each state are available, detailing whether or not each State adhered to each performance indicator under Case Review Systems. Also available is a printable Stakeholder Interview Guide for Case Review Systems and child welfare policy manuals providing answers to specific questions on this topic. <http://www.acf.hhs.gov/programs/cb/>
- **Child Welfare Information Gateway.** The Child Welfare Information Gateway is well-organized and easy to navigate with State Statutes on various aspects of child welfare including those related to case reviews systems, general information on CFSRs and related legislation and policies, findings from previous CFSRs and information for the second round of reviews, and PIP resources for states that do not initially pass the CFSRs. <http://www.childwelfare.gov/>
- **National Resource Center for Family-Centered Practice and Permanency Planning (NRCFCPPP).** The NRCFCPPP website provides many valuable resources on case review systems including full-text PDF files of policies and legislation that have impacted this systemic factor, a power-point presentation which gives an overview of the results from the first round of CFSRs in regards to case review systems, and links to other websites and resources. A power-point presentation on the results of 2001-2004 CFSRs is also accessible from this website. <http://www.hunter.cuny.edu/socwork/nrcfcpp/information.html>
- **National Center for Youth Law – Child and Family Service Reviews.** The National Center for Youth Law publishes a newsletter entitled Youth Law News that can be found on this website. From this site, visitors can download the PDF files of a five-part series of analysis of CFSRs as well as information on litigation, policy and legislation, and links to publications on child welfare. http://www.youthlaw.org/child_welfare/
- **National Resource Center for Child Protective Services (NRCCPS).** NRCCPS provides consultation, training and technical assistance to child welfare agencies. NRCCPS helps agencies identify and implement program improvement strategies for various needs and has provided solutions to CPS issues in all 50 States. <http://www.nrccps.org/index.php>
- **National Foster Care Review Coalition (NFCRC).** The mission of NFCRC is to serve as a national coalition of independent foster care review programs to ensure, through individual case review and advocacy for systemic change, the safety, well-being, and timely achievement of permanency for children in foster care by: Informing and influencing individual state and national policy makers, as well as the public; promoting the establishment of an independent review system in each state to assess the status of these children; and, supporting the work of active independent review systems. The website provides information on Independent Foster Care Review, access to publications, and more. <http://nfcrc.net/default.aspx>

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