

CHILD WELFARE OVERVIEW

2018

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SUMMARY OF THE DEPARTMENT'S PROCESS FOR REPORTS OF ABUSE

When the Department receives information that a child may be abused or neglected, the Department's first step is to decide whether the child may be in danger. If the Department believes the child may be in danger, then the Department meets with the family and gathers more information about the circumstances of the danger. To do this work, the Department either uses a trained Office of Child and Family Services (OCFS) Child Protection Services caseworker (state employee) or a trained Alternative Response Program caseworker (contractor).

In circumstances where a child cannot be safely parented within his or her home, the Department works with the parents/caregivers to provide services and supports to increase their ability to safely raise their children. This assistance sometimes includes supporting the child within his or her home, while other times it is necessary to temporarily or permanently remove the child from the home.

Throughout this process, the Department must balance numerous factors, including the rights and responsibilities of parents, statutory priorities, and the foremost priority of child safety. Ensuring the safety of children requires the Department and the community to work together to identify and support children at risk.

Child Welfare Reports of Abuse: Intake Procedure

Processing Child Welfare Reports of Abuse

When a report is made to the Department, information is gathered from OCFS Intake staff regarding demographics of the referent and family information. This information includes who is in the home, the abuse allegations, and past child protective history. After gathering such information, the OCFS Intake staff determine whether the allegation is "Appropriate" or "Inappropriate" for Child Protective Services intervention.

When a report contains allegations of abuse or neglect per Title 22:

- The report is marked as "Appropriate" for intervention.
- The necessary response timeframe is determined:
 - 24 hours for high severity risk: allegations include imminent safety concerns exist, including potential occurrences of sexual abuse and/or physical abuse with injury.
 - 72 hours for low-to-moderate safety risk: allegations include safety concerns, such as the potential for physical abuse and neglect to occur.
- The report becomes an open assessment and is sent to the local OCFS District Office for assignment according to the following guidelines:
 - If the severity of the case is high, the case will *always* be assigned to an OCFS Child Protective Services Caseworker.
 - If the severity is low to moderate, the case may be assigned to the local Alternative Response Program provider. Alternative Response Program providers are private agencies contracted by the Department to provide services similar to those of OCFS Child Protective Services.

When a report does *not* contain allegations of abuse or neglect as described in Title 22:

- First, the report is marked as “Inappropriate” for intervention, meaning the intervention methods described in the immediately preceding bullet for “Appropriate” (note that this does not mean that no action is taken).
- A determination is then made regarding whether the report warrants referrals to other voluntary community intervention or prevention service providers.

Child Welfare Reports of Abuse: Assessment Procedure

Conducting Child Welfare Assessments of Reports of Abuse

After a report is marked as “Appropriate” for intervention and assigned to an OCFS Child Protective Services caseworker or Alternative Response Program caseworker as an open assessment:

1. The caseworker initiates contact with the family and then conducts interviews with every member of the family individually within the assigned timeframe. The caseworker also gathers information from others involved with the family, to include such individuals as extended-family members, friends, neighbors, police, school personnel, and medical professionals).
2. Within 35 days of the assessment being opened, the caseworker determines whether the allegations are “Substantiated,” “Indicated,” or “Unsubstantiated.”
 - A “Substantiated” allegation is a finding of high severity abuse or neglect that results in an open case. It may result in a closed case in those instances where the “Substantiated” abuser no longer has access to the child, such as when an abuser has been incarcerated.
 - An “Indicated” allegation is a finding of low-to-moderate severity abuse or neglect that results in an open case. It may result in a closed case in instances where the safety concerns regarding the child have been adequately addressed.
 - An “Unsubstantiated” allegation is no finding of abuse/neglect. This finding results in closing the assessment, although potential referrals may be made to voluntary community intervention or prevention service providers.

Child Welfare Reports of Abuse: Open Case Procedure

Open Cases with Court Involvement

After an assessment results in an open case, the Department requests court intervention when a child cannot be safely maintained in his or her home. The Department will advocate for the Court to either:

- Remove the child from the home and make the Department the legal guardian of the child when safety concerns still exist within the current family home. This process includes working with the family on rehabilitation and reunification with the child, as mandated under Title 22, except when there are aggravating factors (i.e., heinous or abhorrent treatment) as described under Title 22.

OR

- Order the parent/caregiver to participate in rehabilitative services, as mandated under Title 22, for purposes of mitigating the child-safety concerns. In such instances, the child remains in the parent’s/caregiver’s custody.

The Department consults and collaborates with the Attorney General’s Office throughout the course of a case, particularly during the time the Department is determining whether to file court action.

Open Cases without Court Involvement

After an assessment results in an open case, the Department will work with the family to create a plan to address child-safety concerns. Such plans will either opt to leave the child in his or her current home or to place the child with agreed-upon informal family supports on a voluntary basis.

SUMMARY OF STRATEGIC INITIATIVES

The Office of Child and Family Services completed an extensive review of the internal Child Welfare System during the late winter and early spring of 2018. This review entailed a detailed look at specific cases as well as the resulting evaluation of overall Child Welfare practice and policy decisions. As a result of this internal review, the Office of Child and Family Services has initiated several strategic initiatives as detailed below.

Initiative 1: Improve Service of Contracted Alternative Response Providers (ARP)

Objective: Ensure all ARP cases in a certain district are appropriately served and increase monitoring and oversight of ARP service providers and referrals in all districts to ensure high quality work. This effort included monitoring reassignment practices to ensure that no “Appropriate” reports are closed by the ARP provider before an assessment of child safety is completed.

Status: This objective was initiated in March 2018 and has been completed.

Initiative 2: Ensure Consistent, High-Quality Casework Practice for Child Welfare Services

Quality Improvement Objectives

- *Objective:* Increase quality review of casework practice statewide through implementation of the Quality Improvement Program. This program increases oversight of casework practice through continuous, real-time review of Child Welfare caseworker documentation.

Status: This objective was initiated in July 2017 and will continue to be an ongoing focus of OCFS work.

- *Objective:* Obtain consistent statewide practice through implementation of the Structured Decision Making tool to strengthen consistent, research and evidence-based decision making across Child Welfare practice. This tool provides a structured guideline against which caseworkers can benchmark their decision-making and determine next steps.

Status: This objective was initiated in the spring of 2016 and will continue to be an ongoing focus of OCFS work.

Intervention Objectives

- *Objective:* Increase high quality statewide practice through continued implementation of the Family Teaming Practice. Family Teaming Practice increases engagement of caregivers and their informal supports—which are such non-paid supports as relatives and neighbors. This “teaming” works to create a plan to meet the safety needs of children involved with Child Welfare interventions.

Status: This objective was initiated in June 2016 and will continue to be an ongoing focus of OCFS work.

- *Objective:* Increase child safety-focused interventions by transitioning from the use of contracted providers (ARP) for assessments of Reports of Abuse. This action increases safety of children involved with child welfare interventions by having only Child Welfare caseworkers conduct assessments related to reports of abuse.

Status: This objective was initiated in the summer of 2017 and will continue to be an ongoing focus of OCFS work.

- *Objective:* Strengthen consistent statewide practice and reduce permanency timeframes by discontinuing Out of Home Safety Plans. This action mitigates risk related to the practice of agreeing to place a child outside of their parents' home(s) with another caretaker, without a court directive and court oversight.

Status: This objective was initiated in February 2018 and will continue to be an ongoing focus of OCFS work.

Personnel, Management and Training Objectives

- *Objective:* Complete personnel investigation of two recent cases to review and make recommendations for improvement in Child Welfare practice.

Status: This objective was implemented in December 2017 and expanded in February 2018. This has been completed.

- *Objective:* Implement the supervision “case review toolkit.” Caseworker supervisors will use the toolkit to strengthen high quality, consistent casework practice across all districts. This toolkit also increases oversight and improves caseworker supervision.

Status: This objective was initiated in January 2018 and will continue to be an ongoing focus of OCFS work.

- *Objective:* Create two additional Child Welfare Regional Director Positions and implement the Chief Operating Officer model to increase oversight of the work in each of the eight districts, including intake practice and statewide operations.

Status: This objective was initiated in May 2018 and is still in the process of being completed.

- *Objective:* Re-class Intake and Assessment Child Welfare Human Services caseworker lines. This action increases the training requirements and expectations related to these positions, with a focus on investigation of child abuse and neglect.

Status: This objective was initiated in April 2018 and is still in the process of being completed.

- *Objective:* Increase training requirements for all Child Welfare caseworkers and supervisors. This action improves practice within Child Welfare and therefore creates increased child safety.

Status: This objective was initiated in April 2018 and is still in the process of being completed.

- *Objective:* Increase Child Welfare oversight and case review at the District level through adding clinical supervision by a clinical psychologist, which increases high quality casework practice. This objective was initiated in April 2018 and has been partially implemented.

Status: This will continue to be an ongoing focus of OCFS work.

- *Objective:* Increase caseworker retention and performance by implementation of trauma debriefing and a semi-annual psychological evaluation of staff. A similar system is employed by the Department of Public Safety to ensure the psychological wellbeing of workers.

Status: This objective was initiated in April 2018 and is still in the process of being completed.

- *Objective:* Review, plan and implement a Field Instruction Unit (an internship and training program created in partnership with University and College systems) for recruitment of high quality Child Welfare staff.

Status: This objective was initiated in April 2018 and is still in the process of being completed.

Statutory, Regulatory, and Policy Objectives

- *Objective:* Increase focus on the “Child’s Best Interest” through a full review of relevant statutes and policies and the implementation of the resulting recommended changes. This action strengthens the statewide approach to Child Welfare intervention by prioritizing the best interests of the children.

Status: This objective was initiated in April 2018 and will require statutory changes to complete.

- *Objective:* Change Mandated Reporting Statute to create a penalty for failure to report. This action ensures that the professionals required to make mandated reports do so.

Status: This objective was initiated in April 2018 and will take legislative action to complete.

- *Objective:* Review current Child Welfare policies of a 35-day timeframe for assessments and a 72-hour response timeframe for suggested changes in practice. This action increases child safety focused practice to increase the information available to Child Welfare caseworkers as they make decisions regarding child safety.

Status: This objective was initiated in April 2018 and is still in the process of being completed.

Initiative 3: Strengthen the Intake Process Related to Reports of Abuse

- *Objective:* Increase ability to holistically review Reports of Abuse by updating the Intake process to make all Reports of Abuse separate reports. This action increases high quality practice in the review of Reports of Abuse and ensures that the gravity of repeat reports is easily noticed and assessed within decision making for dispositions of incoming reports of abuse.

Status: This objective was initiated in March 2018 and will continue to be an ongoing focus of OCFS work.

- *Objective:* Increase the ability to recognize risk as demonstrated through multiple Reports of Abuse by implementation of an automatic Child Welfare Assessment. Circumstances where three “Inappropriate” reports have been filed within six months—in other words, when there are three alleged abuse reports that did not meet the threshold for Child Welfare intervention—a Child Welfare Assessment will automatically be triggered. The Child Welfare Assessment will be conducted in addition to the review of any Report of Abuse for appropriateness of Child Welfare Intervention.

The triggering of an automatic Child Welfare Assessment increases high quality practice in the review of reports of abuse – ensuring that patterns revealed via repeated reports will be assessed within the decision-making protocols for dispositions of reports of abuse.

Status: This objective was implemented in March 2018 and will continue to be an ongoing focus of OCFS work.

- *Objective:* Decrease the wait time for calls related to Reports of Abuse received by the Child Welfare Intake staff. This action increases high quality practice in the receipt and review of reports of abuse.

Status: This objective was initiated in March 2018 and will continue to be an ongoing focus of OCFS work.

Initiative 4: Improve Child Safety Decision-Making Through Improved Access to and Management of Information Available to Caseworkers

- *Objective:* Increase efficiency of caseworker access to state and federal background checks. This action increases the information available to Child Welfare caseworkers as they make decisions regarding child safety.

Status: This objective was initiated in April 2018 and will continue to be an ongoing focus of OCFS work.

- *Objective:* Change statutes to provide authority to Child Welfare staff to access education records. This action increases the information available to Child Welfare caseworkers as they make decisions regarding child safety.

Status: This objective was initiated in April 2018 and will take statutory changes to complete.

- *Objective:* Implement a tracking system for cases identified within the Child Death Serious Injury Policy to inform trends and develop a trend report. This report will guide review of cases and make recommendations for improvement in Child Welfare practice.

Status: This objective was implemented in March 2018 and is still in the process of being completed.

- *Objective:* Change Expungement Practice to increase robustness of Child Welfare records. This action increases the information available to Child Welfare caseworkers as they make decisions regarding child safety.

Status: This objective was initiated in March 2018 and is in the process of being completed.

Initiative 5: Increase Efficiency and Effectiveness of Casework Practice

- *Objective:* Increase efficiency and effectiveness of the Electronic Data System by implementing a Comprehensive Child Welfare Information System (CCWIS). This action increases the efficiency of documentation and increases thorough oversight and supervision, as well as improves the quality reports and data.

Status: This objective was initiated in fall 2017 and will continue to be an ongoing focus of OCFS work.

- *Objective:* Implement efficiencies for casework practice by instituting Court Workers for Child Welfare caseworkers. These individuals will be DHHS staff assigned to assist in the preparation of child welfare court cases to increase the efficiency of Child Welfare casework related to court activities.

Status: This objective was initiated in March 2018 and will continue to be an ongoing focus of OCFS work.

Initiative 6: Strengthen Overall System of Child Welfare Practice

Implementation of New Practices Objectives

- *Objective:* Create and implement a SWOT Team for review of OCFS Child Welfare Practices and Procedures to identify System Strengths and Areas of Need. The SWOT Team will be charged with making recommendations for additional improvements in Child Welfare practice.

Status: This initiative was implemented in March 2018 and is still in the process of being completed.

- *Objective:* Implement the Community Intervention Program (CIP) to increase services available for families at-risk of child abuse by providing these families assistance in identifying risks and successfully obtaining informal and formal supports aimed at reducing those factors.

Status: This objective was initiated in summer 2017 and will continue to be an ongoing focus of OCFS work.

- *Objective:* Complete review of Children's Behavioral Health System to improve Child Welfare practice and the availability of Children's Behavioral Health services to meet the needs of children involved with Child Welfare interventions.

Status: This objective was initiated in March 2018 and will continue to be an ongoing focus of OCFS work.

Implementation of Practices for Populations with Specific Risk Factors

- *Objective:* Implement Plan of Safe Care procedures and policy to ensure that the needs of children who are exposed to substances are addressed appropriately.

Status: This objective was initiated in April 2018 and will continue to be an ongoing focus of OCFS work.

- *Objective:* Complete review of Child Welfare practice and implement practice changes for cases involving self-injury and medical neglect.

Status: This objective was initiated in May 2018 and will continue to be an ongoing focus of OCFS work.

- *Objective:* Complete review of Child Welfare practice and implement practice changes for cases involving unexplained injury to children under the age of five. Review of cases by a Child Abuse Physician Expert improves Child Welfare practice.

Status: This objective was initiated in May 2018 and will continue to be an ongoing focus of OCFS work.

- *Objective:* Complete review of Child Welfare practice and implement practice changes for cases involving children with disabilities.

Status: This objective was initiated in May 2018 and will continue to be an ongoing focus of OCFS work.

- *Objective:* Complete review of Child Welfare practice and implement practice changes for cases involving parents with disabilities.

Status: This objective was initiated in May 2018 and will continue to be an ongoing focus of OCFS work.

Conclusion

The Department has undertaken a significant review of the internal child welfare process. Although many of the reforms mentioned herein are in response to recent incidents, several were previously initiated and have been in the process of development and implementation. The Department has been in contact with corresponding agencies in other states to identify best practices for implementation in Maine.

This list of reforms is not exhaustive of all reforms that may be undertaken. Further reforms may be recommended or implemented upon the completion of additional, upcoming reviews. However, the Department can assure the public that these reforms have resulted in a more responsive and protective system. The public should have confidence that the Child Protective Service system can and will take action where appropriate to protect a child in a potentially abusive situation.