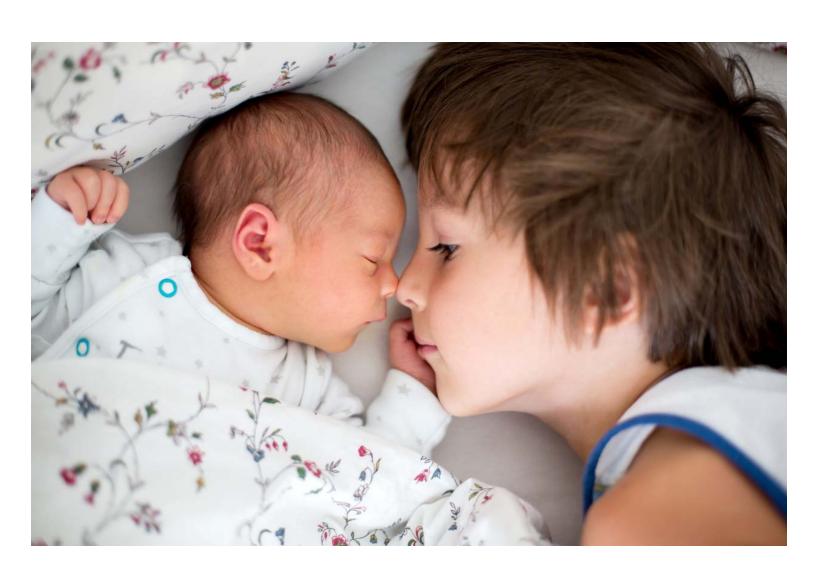


CHILD ABUSE PREVENTION AND TREATMENT ACT

CITIZEN REVIEW PANELS 2019-20 FISCAL YEAR



INTRODUCTION

In 1996, an amendment to the Child Abuse Prevention and Treatment Act (CAPTA) mandated that each state establish at least three Citizen Review Panels composed of members of the community to select and research a systemic issue within child welfare and make recommendations to improve related policies and practices. The Citizen Review Board (CRB), Oregon's citizen foster care review program, has coordinated these panels since 2012.

CRB typically selects three counties each year as panel sites. For the 2019-20 fiscal year (FY), CRB selected two counties—Marion and Multnomah—and then formed a statewide panel for the first time.

Collectively, panels were composed of members representing CRB volunteers and staff, the Department of Human Services (DHS), court appointed special advocates (CASA), parent mentors, judges and court staff, attorneys, and county mental health providers.

Each panel planned to meet at least four times to:

- Select an area of focus and brainstorm ideas for data collection.
- Review policies, procedures, and initiatives related to the area of focus; and finalize the data collection plan.
- Interview subject matter experts.

 Review results of the data collection and draft recommendations.

Both the Marion County and statewide panels met four times. The Multnomah County panel met two times before referring their topic to the statewide panel for the remaining meetings. Multnomah County panel members were kept updated on the statewide panel's work, and invited to the meeting where subject matter experts would be interviewed. Unfortunately, the COVID-19 public health emergency necessitated cancellation of this meeting, and it could not be rescheduled before this report was due.

The panels' findings and draft recommendations were sent to CRB Field Managers throughout the state for review and comment, and the final report was submitted to Oregon's Child Welfare Director on May 15, 2020. Per CAPTA, DHS has six months to respond in writing whether or how they intend to incorporate the panels' recommendations into their improvement efforts. The report and response will also be part of DHS' annual Title IV-B Progress and Service Report to the federal government.

A special thank you is owed to all the panel members who participated in this project. Margaret Mead, an American cultural anthropologist, once said "Never doubt that a small group of thoughtful, committed citizens can change the world; indeed, it's the only thing that ever has."

Past Panel Locations*

2012-13 FY

Deschutes County Lane County Lincoln County

2013-14 FY

Deschutes County Lane County Lincoln County

2014-15 FY

Douglas County Lane County Multnomah County

2015-16 FY

Douglas County
Lane County
Multnomah County

2016-17 FY

Benton County
Multnomah County
Umatilla and Morrow Counties

2017-18 FY

Baker County Linn County Multnomah County

2018-19 FY

Baker County Linn County Multnomah County

2019-20 FY

Marion County
Multnomah County
Statewide

^{*}DHS transferred coordination of the Panels to CRB in 2012.

AREA OF FOCUS

Reasonable efforts findings

PANEL MEMBERS

Multnomah County
Citizen Review Board
Kristin Ellison, Board Member
Tony Richoux, Board Member

Juvenile Court Improvement Program
Shary Mason, Model Court and Training
Analyst

Statewide
Citizen Review Board

Board Members Kent Bailey, Baker County Kathy Cooney, Washington County Jennifer Doerner, Douglas County Lee Graves, Malheur County Kate Kavanagh, Multnomah County Jessica Lloyd-Rogers, Douglas County Tracy Powell, Polk County Dru Powers, Umatilla County Beverly Schenler, Lane County Melinda Stephens-Bukey, Jackson County Danny Stoddard, Coos County Sue Thomas, Jefferson County Bill Wagner, Deschutes County Jeff White, Yamhill County Staff

Leola McKenzie, Juvenile and Family Court Programs Division Director David Smith, Field Manager Tricia Swallow, Field Manager Angela Keffer, Analyst

CASA—Voices For Children Kari Pinard, Executive Director

Department of Human Services

Lacey Andresen, Deputy Director of Child Welfare Practice and Program

PANEL COORDINATOR

Christina Jagernauth, CRB Assistant Director

Reasonable Efforts Findings

(a joint project of the Multnomah County CAPTA Citizen Review Panel and the Statewide CAPTA Citizen Review Panel)

The Adoption Assistance and Child Welfare Act of 1980 set numerous requirements for states to remain eligible for federal reimbursement of foster care related expenses, including a requirement that the case of every child is foster care have a periodic review at least every six months. These periodic reviews are a check and balance on the foster system, and require reviewers to determine whether or not the child welfare agency has made reasonable efforts (or the higher standard of active efforts for cases where the Indian Child Welfare Act applies) to:

- Reunify the family, or
- Place the child in a timely manner in accordance with the plan and to finalize the child's permanent placement (made when the permanent plan is other than reunification).

In Oregon, CRB and the courts share responsibility for conducting periodic reviews. CRB typically conducts the first and second reviews (at 6 and 12 months respectively), the court conducts a permanency hearing at 14 months that also qualifies as a periodic review, and then the CRB and court alternate every six months thereafter until the child leaves foster care.

Area of Focus

The project to look at reasonable efforts findings began with the Multnomah County CAPTA Citizen Review Panel. Multnomah County is Oregon's most populous county. While it spans just 466 square miles, it is home to 735,334 people. The county seat is in Portland, the state's largest city.

The Multnomah County CAPTA Citizen Review Panel included two members of Multnomah County's CRB and the Juvenile Court Improvement Program (JCIP) Model Court and Training Analyst. Two additional people—a Program Manager for CASA for Children and another member of Multnomah County's CRB—planned to join the Panel but this was disrupted due to scheduling conflicts and the COVID-19 public health emergency.

The Panel held its first meeting on October 25, 2019 where members reviewed a collection of new statistical reports published by CRB showing how many negative findings boards are making about the services DHS is providing to children and families, and the reasons behind those negative findings. For example, in the 3rd quarter of

2019 (7/1/20—9/30/20), boards statewide reviewed 1,297 children and found for 138 of them (11%) that DHS had not ensured appropriate services were in place to safeguard the child's safety, health, and wellbeing. The most common reason for these negative findings was a problem with the timeliness of a mental health service (36%).

The Panel discussed that the reports have a large hole because CRB does few reviews in Multnomah County. In the 3rd quarter of 2019, the Multnomah County CRB reviewed only 20 children while the Multnomah County Circuit Court reviewed 1,128 children. The Panel decided its area of focus for this year would be to look at the findings the Multnomah County Circuit Court is making to get a more complete picture of DHS efforts in the county.

Data Collection

The Panel looked at all dependency complete judicial review and permanency orders and judgments in Multnomah County with an event date in the 3rd quarter of 2019. During that time period, the Multnomah County Circuit Court reviewed 1,128 children and made one negative reasonable efforts findings. The negative finding was due to DHS not following court orders and not completing various steps in the adoption process in a timely manner. There were also 21 instances where the court deferred the reasonable/active efforts finding to the next hearing to give DHS time to fix an issue, and 60 instances where the finding was not marked on the order/judgment.

State law also requires courts to find whether or not DHS is in compliance with the case plan. During the same time period, the court made six negative compliance findings for the following reasons:

- Not completing various steps in the adoption process in a timely manner (4 orders),
- Youth not being in agreement with the plan (2),
- Failure to follow recommendations in an assessment (1), and
- Failure to comply with the Indian Child Welfare Act (ICWA) (1).

There were 9 instances where the compliance finding was deferred to the next hearing, and 119 instances where the finding was not marked on the order/judgment.

The Panel was curious whether the results reflected a larger trend, and referred the project to the Statewide CAPTA Citizen Review Panel to look at the rest of the state. Just like in Multnomah County, the Statewide Panel looked at all dependency complete judicial review and permanency orders and judgments for the rest of the state in the same time period. They found that Oregon courts (including Multnomah County) reviewed 3,189 children and made 20 negative reasonable/active efforts findings—7 in Clackamas County, 3 in Lane County, 3 in Malheur County, 3 in Marion County, 1 in Douglas County, 1 in Lincoln County, 1 in Lincoln County, 1 in Lincoln County. The negative findings were made for the following reasons:

- Not providing a service to a parent or child e.g., visitation, drug and alcohol treatment, batterer's intervention, establishing/engaging father, CARES evaluation, and comprehensive transition planning (8 orders/judgments),
- Not completing various steps in the adoption process in a timely manner (4),
- Not communicating with a parent (4),
- Length of time the child had been in substitute care (3),
- Late report to the court (2),
- Not following court orders (1),
- Change of plan was needed and parties stipulated to the change (1),
- DHS was relieved (3), and
- No reason included on order/judgment (2).

There were 27 instances where the courts deferred or pended the reasonable/active efforts finding to the next hearing, and 104 instances where the finding was not marked on the order/judgment.

Courts made 23 negative findings for DHS' compliance with the case plan—7 in Clackamas County, 1 in Clatsop County, 2 in Douglas County, 3 in Lane County, and 6 in Multnomah County. There were 10 instances where the compliance finding was deferred or pended, 14 instances where the finding was not clear (either because there was a single checked box in between the positive and negative or because both the positive and negative boxes were checked), and 191 instances where the finding was not marked on the order/judgment.

Subject Matter Expert Interviews

Both the Multnomah County and Statewide CAPTA Citizen Review Panels planned to interview three subject matter experts at a meeting in Salem on March 27, 2020. They included:

- A Marion County Circuit Court judge who recently attended a national judicial academy on reasonable efforts;
- The Executive Director of Youth, Rights & Justice who was part of the faculty for a recent judicial training on reasonable efforts; and
- A managing attorney from the Oregon Department of Justice.

Unfortunately, the COVID-19 public health emergency necessitated cancellation of this meeting, and it could not be rescheduled before this report was due. As an alternative, the Panels offer the following case study into how the Citizen Review Board responded to similar numbers.

Case Study: Citizen Review Board

Five years ago, the Citizen Review Board (CRB) found itself in similar circumstances. At the time, news had just broken that youth were being abused and neglected in two Oregon residential foster care programs (Give Us This Day and Youth Villages). It seemed everyone who worked within and alongside the foster system was asking themselves how this could happen on our watch, and how can we ensure this never happens again.

CRB was established with two legislative mandates:

- 1. To review the cases of children in substitute care (ORS 419A.106), and
- 2. To advocate for effective policies, procedures and laws in the child welfare and juvenile justice systems (ORS 419A.124)

CRB reviews are conducted by boards of volunteers who are appointed by the Chief Justice of the Oregon Supreme Court. There are 63 boards statewide and almost 300 volunteers serving on them.

In late 2015, as the state was trying to process the events at Give Us This Day and Youth Villages, CRB took a look at the findings boards were making. In the 3rd quarter of 2015, boards statewide reviewed 1,293 children and made:

- 29 negative findings about DHS ensuring appropriate services were in place to safeguard the child's safety, health, and well-being;
- 40 negative reasonable/active efforts findings; and
- 80 negative findings about DHS' compliance with the case plan and court orders.

There was a general sense amongst those who saw these numbers that they did not accurately reflect what was currently happening within the foster system, and CRB started to investigate why.

The Investigation

CRB has an Advisory Committee made up of about 15 volunteer board members from different counties across the state. CRB started by asking them why board members are hesitant to make negative findings. They said:

- Lack of understanding of the impact of a negative finding.
- Fear of looking the caseworker in the eye and making a negative finding.

- Each finding covers a broad area with some things going well and some not. How do you choose?
- Not knowing if the board is looking at the 6 month review period or the case right now.

(Board members know the period under review is the last 6 months, but it's uncomfortable making a negative finding if things are fixed at the time of the review but there were problems for the majority of the period under review, especially if the caseworker at the review is the newly assigned worker who fixed everything.)

- What's the point if the agency isn't held accountable to negative findings? They have no meaning without accountability.
- CRB Field Managers won't let them make negative findings.
- Myth that negative findings will make DHS lose funding.
- While the Advisory Committee didn't say it, another very common reason staff hear is that sometimes a worker is doing everything they can but there is an issue beyond their control.

The Advisory Committee brainstormed ideas for how the program could change practice to empower board members to make negative findings when they felt it was warranted.

The Response

Over the next several years, CRB implemented almost all the Advisory Committee's ideas, but those described below were the most impactful.

Developing an Issue-Focused Approach

With guidance from Advisory Committee members, CRB developed what it coined an Issue-Focused Approach to conducting CRB reviews. The basic idea is that board members identify the major issues of cases, and if DHS isn't adequately addressing them, the applicable finding is negative. This approach was intended to help board members develop skill and confidence in decision-making.

Holding Mock Reviews

Each year, CRB holds a 2-day training conference for volunteer board members that usually draws about 200 attendees. CRB started incorporating mock reviews into these conferences. They are pretend cases based on actual cases with facts that would typically cause a board to make a "Yes, but..." finding. That means the board would make a positive finding because the caseworker was trying hard, but then in the narrative explain why the service could not be provided due to something beyond the worker's control. CRB presented the scenarios, had tables vote on the findings using electronic polling equipment, and then had tables report out on why they made a positive or negative finding. The mock reviews were about board members listening and learning from each other. CRB consciously avoided identification of a "right" and "wrong" finding.

Challenging the "Yes, but..."

CRB challenged staff and volunteers to consider whether the "Yes, but..." finding should be a negative. CRB pointed out that the findings specifically say DHS efforts, not worker efforts. It's an important distinction because one looks just at what the worker is doing and the other considers how rules, procedures, service contracts, money, and other resources impact the child welfare agency's ability to reasonably serve a family.

Discussion: What circumstances would support a negative finding?

CRB had many discussions with both the Advisory Committee and staff about what concrete circumstances they think would support a negative finding.

Local Training

CRB Field Managers provided training to board members at the local level in the form of brown bag trainings and technical assistance before, during, and after reviews. For example, during a review, a Field Manager might challenge a board on the cusp of making a "Yes, but..." finding. Sometimes this resulted in the board changing the finding to a negative. Other

times, the board reaffirmed why they thought the finding should be positive.

Changing the Culture

Over time, all of these efforts culminated in a culture change within CRB. Boards began making their findings based on agency efforts rather than just caseworker efforts. For example:

- If a child is moved to another county and there is substantial delay in a service because of problems transferring the Oregon Health Plan,
- If there is substantial delay in a service because of a waitlist or the service not being available in the community,
- If there is a policy getting in the way of something all or most agree would be very good for the child,
- If a child is placed in an out-of-state facility because the Coordinated Care Organization won't cover an in-state program that all or most agree would likely be good for the child,
- If monthly face-to-face contacts are not occurring because the child is placed in an outof-state facility,
- If an infant is not getting enough visits with a parent due to staff shortages,
- If a child was expelled from school and there is no plan in place or being developed for that child's education, and
- If steps in an adoption process are delayed due to an issue in central office.

The Result

In the 3rd quarter of 2019, boards statewide reviewed 1,297 children and made:

- 138 negative findings about DHS ensuring appropriate services were in place to safeguard the child's safety, health, and well-being;
- 91 negative reasonable/active efforts findings;
 and

• 203 negative findings about DHS' compliance with the case plan and court orders.

The CRB Findings Reports that show why the boards made these findings are included in Appendix A.

Panel Recommendations

- DHS have conversations with managers, supervisors, caseworkers, and stakeholders about what constitutes reasonable/active efforts and what it means for caseworkers.
- The Juvenile Court Improvement Program (JCIP) convene a team of judges to look systemically at reasonable/active efforts findings and how they can be leveraged to promote better outcomes for children and families.
- 3. JCIP develop statistical reports on reasonable/ active efforts findings made by courts.

AREA OF FOCUS

Concurrent Planning

PANEL MEMBERS

Citizen Review Board

Board Members Kent Bailey, Baker County Kathy Cooney, Washington County Jennifer Doerner, Douglas County Lee Graves, Malheur County Kate Kavanagh, Multnomah County Jessica Lloyd-Rogers, Douglas County Tracy Powell, Polk County Dru Powers, Umatilla County Beverly Schenler, Lane County Melinda Stephens-Bukey, Jackson County Danny Stoddard, Coos County Sue Thomas, Jefferson County Bill Wagner, Deschutes County Jeff White, Yamhill County Staff

Leola McKenzie, Juvenile and Family Court Programs Division Director David Smith, Field Manager Tricia Swallow, Field Manager Angela Keffer, Analyst

CASA—Voices For Children

Kari Pinard, Executive Director

Department of Human Services

Lacey Andresen, Deputy Director of Child Welfare Practice and Program

PANEL COORDINATOR

Christina Jagernauth, CRB Assistant Director

Statewide CAPTA Citizen Review Panel

CRB typically selects three counties each year to host a Citizen Review Panel. This year, for the first time, CRB convened a statewide panel to select a systemic issue within child welfare and research it on a statewide scale.

The Statewide CAPTA Citizen Review Panel included 20 members: a representative from DHS, a representative from CASA, four CRB staff, and 14 volunteer CRB members from 13 different counties across Oregon. The CRB staff and volunteers on the panel were already familiar with working together as they also serve on the CRB Advisory Committee, which has been meeting every other month in Salem since 2016.

Area of Focus

The Panel held its first meeting on July 19, 2019 where members selected concurrent planning as their area of focus. They brainstormed questions, which were organized into categories based on how they could best be answered—through a review of related literature, a data collection, or subject matter expert interviews.

Literature Review

During its second meeting on September 21, 2019, the Panel reviewed related laws, appellate decisions, child welfare rules and procedures, history, efforts in other states, and federal and state statistics. They discussed the specific concurrent planning tasks that DHS is supposed to complete by 6 months and 12 months after a child enters foster care. These time periods correspond with the first and second federally required periodic review.

Concurrent planning tasks to complete by 6 months:

- Identify all legal parties,
- Absent parent search (if applicable),
- Relative search,
- ICWA inquiry,
- · Obtain birth certificate,
- Obtain genetic and medical history,
- Identify concurrent plan,
- Engage relatives (if applicable), and
- Request ICPC home study (if applicable).

Tasks to complete by 12 months if ADOPTION is the concurrent plan:

- Hold LAS/AG staffing, and
- Send adoption referral packet to central office.

Tasks to complete by 12 months if GUARDIANSHIP is the concurrent plan:

- Consult with child,
- Assess parents' acceptance,
- Hold permanency committee, and
- Update home study.

The Panel discussed the federal time frames for achieving the goals—which is 18 months for guardianships and 24 months for adoptions—and looked at two statistical reports pulled from Oregon's Child Welfare Data Set. The first report showed that in the 2018 calendar year, only 52% of guardianships were achieved in less that 24 months (the federal time frame is 18 months). The second report showed only 20% of adoptions were achieved in less than 24 months for the same time period.

Data Collection

The Panel decided to conduct file reviews to explore where delays might be occurring in concurrent planning. They developed a plan to look at specific documents from the 6, 12, and 18 to 20-month periodic reviews for all children who left care in March 2019 by adoption or guardianship.

The time span of 18 to 20 months comes from when courts typically hold permanency hearings, which also qualify as periodic reviews. Most permanency hearings are held 12 to 14 months after a child enters foster care, which makes the next periodic review due at 18 to 20 months.

The specific documents looked at for the file reviews depended on the type of proceedings held. For CRB reviews, the documents included the Child Specific Case Plan, Child Welfare or Family Support Services Case Plan, and the CRB Findings and Recommendations document. For complete judicial reviews and permanency hearings, the documents included the Court Report submitted by DHS and the court order or judgment from the hearing.

Panel members conducted the file reviews during a 5-hour meeting on November 15, 2019. Results showed that in March 2019, 48 children in Oregon left foster care through an adoption after spending an average of 2.9 years in foster care.

Panel members could confirm from the documents that by the **6-month review**:

- 90% (38 of 42) had a concurrent plan identified,
- 86% (36 of 42) had a completed ICWA inquiry,
- 83% (35 of 42) had all legal parties identified,
- 81% (34 of 42) had a completed relative search,
- 77% (30 of 39) had relatives engaged,
- 41% (7 of 17) finished the absent parent search,
- 25% (5 of 20) had ICPC home study requested,
- 17% (7 of 42) had genetic & medical history, and
- 14% (6 of 42) had the birth certificate.

Panel members could confirm from the documents that by the **12-month review**:

- 39% (16 of 41) had the LAS/AG staffing, and
- 20% (8 of 41) had the adoption referral packet sent to central office.

Panel members could confirm from the documents that by the **18 to 20--month review**:

- 89% (33 of 37) had the concurrent plan implemented,
- 30% (11 of 37) had the permanency committee or staffing,
- 61% of mothers (22 of 36) had either signed a release/surrender or had termination of parental rights (TPR) petition(s) filed,
- 48% of fathers (15 of 31) had either signed a release/surrender or had TPR petition(s) filed,
- 73% (27 of 37) had an adoptive resource identified but only 56% of those (15 of 27) had started the adoption home study, and
- 27% (10 of 37) did not have an adoptive resource identified but only 20% of those (2 of 10) had started an adoption recruitment.

The percentages exclude 6 children adopted in Multnomah County because their cases weren't viewable in Odyssey.

In March 2019, 20 children in Oregon left foster care through a guardianship after spending an average of 1.9 years in foster care. Panel members could confirm from the documents that by the **6-month review**:

- 100% (20 of 20) had all legal parties identified,
- 100% (20 of 20) had a concurrent plan identified,
- 85% (17 of 20) had a completed relative search,
- 75% (15 of 20) had a completed ICWA inquiry,
- 40% (4 of 10) finished the absent parent search,
- 35% (7 of 20) had the birth certificate,
- 35% (7 of 20) had relatives engaged,
- 30% (3 of 10) had ICPC home study requested,
- 0% (0 of 20) had genetic and medical history.

Due to an error in the logic of the data collection instrument, data collected for guardianships at the 12 and 18 to 20--month reviews was not valid and, therefore, is not reported here.

It is important to keep in mind that the percentages reflect how frequently concurrent planning activities are documented, not whether or not they actually occurred. Results show some activities are frequently documented while others are rarely documented.

During periodic reviews, CRB and courts are required to make a finding about whether DHS has made sufficient efforts to develop the concurrent permanency plan. In all 169 proceedings (counted per child) panel members looked at during the file reviews, there was only one negative finding for concurrent planning.

Subject Matter Expert Interviews

The Panel intended to interview two subject matter experts at a meeting on March 27, 2020. They included:

- The Deputy Director of Child Welfare Practice and Program, and
- A supervisor from Marion County DHS' adoption unit.

Unfortunately, the COVID-19 public health emergency necessitated cancellation of this meeting, and it could not be rescheduled before this report was due.

Panel Recommendations

- DHS add prompts to the concurrent planning section of the new Family Report (which will replace the case plan and court report in June 2020) for workers to indicate whether or not they have completed the specific concurrent planning activities expected based on the age of the case.
- DHS partner with CRB and JCIP to develop a technical assistance guide for volunteer board members and judges that provides timelines for key concurrent planning activities. Format the guide for easy use during CRB reviews and court hearings.
- At the 12-month review when the concurrent plan is adoption, CRBs make sure to inquire about the LAS/AG staffing and submission of the adoption referral packet to central office.

AREA OF FOCUS

Parent-Child Visitation

PANEL MEMBERS

County Health and Human Services

Phillip Blea, Program Manager Mechelle Millmaker, Clinical Supervisor Jason Tate, Program Supervisor

Court Appointed Special Advocates Shaney Starr, Executive Director

Defense Attorney

Amy Hall

Department of Human Services

Dawn Hunter, Program Manager Todd Kwapisz, Program Manager Jacob Potter, Visitation Supervisor

Oregon Judicial Department

Robin de Alicante, Citizen Review Board Field Manager Susan Hurt, Juvenile Supervisor Manual Perez, Circuit Court Judge Heidi Strauch, Circuit Court Judge Pro Tem

Parent Mentor Program

Kimberly Macklin, Program Supervisor Michael Simmons, Program Coordinator

PANEL COORDINATOR

Christina Jagernauth, CRB Assistant Director

Marion County Visitation Practices Workgroup

With a population of 315,335, Marion County is Oregon's fifth-most populous county. The county seat is in Salem, which is also the state capital. Marion County is the leader in agricultural production among all other Oregon counties.

The Visitation Practices Workgroup began meeting in 2012 with a goal to improve visitation between parents and children in foster care in Marion County. In June 2019, the CAPTA Citizen Review Panel Coordinator began coordinating a refresh of this workgroup. It now includes 14 members representing county mental health providers, CASA, attorneys, DHS, the courts, CRB, and parent mentors.

Subject Matter Expert Interviews

The workgroup already started its refresh with a general area of focus—parent-child visitation. To move forward, however, they really needed to narrow that focus to a specific project or need. On July 23, 2019, the workgroup interviewed two subject matter experts: a DHS Visitation Supervisor and a Program Coordinator from the Parent Mentor Program. Below is a summary of those interviews.

In Marion County, what do supervised visits in the DHS office typically look like? What do supervised visits in the community typically look like?

(Visitation Supervisor) When children are placed in care or moved, the caseworker submits a visitation request to a scheduler. The DHS Visitation Supervisor also gets an email from Shelter Hearings. DHS tries to schedule the first visit the day after the Shelter Hearing. Newborns are typically set up with 2 or 3 one-hour visits per week. Older children get 1 visit per week.

When children don't have a stable foster placement identified quickly, it can slow down the scheduling of visits. Incarcerated or unknown parents can also present barriers.

When scheduling visits, the first person you call is the foster parent. This shows respect. Then you look at the availability of staff and parents. Mothers and fathers get equal visitation time. If there is a cancellation, it isn't practical to try to squeeze another parent and child into that slot at the last minute. There could be a staff person absent that day who also needs coverage. The Visitation Supervisor goes through staff schedules every morning.

Marion County DHS has 14 great visitation rooms that were decorated by members of the community. It is ideal when foster $_{11}$

parents can transport children to visits. Kids often have anxiety going to and leaving visits. If the foster parent is transporting the child, the foster parent can help the child deal with those feelings during the ride.

Parents enter through the front lobby and foster parents enter through the back lobby with the child. Staff then bring the child to the parent. Some of the rooms are situated around an observation room with mirrors. Other rooms don't have a mirror, so everyone goes in. There is an outside play area and a kitchen.

During visits, staff can see and hear what is happening. If there is a problem, staff can quickly interrupt over a speaker, but whenever possible, staff are encouraged to go into the room and pull the parent aside instead. This can happen when the parent is talking about the case or making promises that can't be kept. If there are no contact orders between parents, visits can be done on separate days or on the same day with different times.

How do parents usually feel going into their first visit? Do parent mentors get to talk to them before this first visit? What advice to parent mentors give about visits both initially and then as the case progresses? Are there additional ways parent mentors provide support to parents around visitation?

(Parent Mentor) On their first visit, parents feel fear, anger, and a little lost because they don't know what's going on. They know people are judging them and that it's their worst time. Currently, parent mentors in Marion County don't usually talk to parents before the first visit.

I like to recommend that parents start a journal with foster parents about the child. The parent can start it and then the caseworker looks at it. The parent can write about behavior during the visits, techniques used to help de-escalate the child, etc. The foster parent can then add to the journal with similar information and pass it back to the parent. The journal helps the parent feel some control and develop a relationship with the foster parent, which could turn into respite later. Sometimes the foster parent or caseworker initiates the journal.

(Visitation Supervisor) At the first visit, if the foster parent agrees to it, DHS will conduct an icebreaker between the parent and foster parent either in person or by phone. DHS tries to conduct icebreakers with each placement move.

What aspects of visitation do you think Marion County does particularly well? What aspects could be improved? Which do you think are the most urgent?

(Visitation Supervisor) Marion County does a lot of great things with visitation. We use a strength-based approach. Other strengths include the number of visits given the number of staff and foster parents, documentation, safety, staff are kind and treat parents with dignity and respect, staff are sensitive to the needs of children while being transported, we are good at getting the first visit the day after the Shelter Hearing, and good at arranging visits after school for school-aged children. There is also room for improvement in all these areas.

(Parent Mentor) A lot depends on the parents' attitude. The visit rooms are good and there are options for activities. There could always be more time for visits — perhaps looking to other programs/ options for more visits in the community. Marion County is good at getting visits right after the Shelter Hearing. An improvement would be to have parent mentors talk to parents about what the first visit will look like - what to expect, what snacks to bring, what resources are available, and how to end the visit.

Are there any projects/initiatives happening related to visitation statewide? Are there any happening in Marion County? Have you heard about any projects/initiatives (either in-state or out-of-state) related to visitation that you thought were particularly innovation?

(Visitation Supervisor) There are no statewide projects/initiatives happening right now related to visitation. DHS does partner with community providers such as Family Building Blocks, Options, Every Child, etc.

(Parent Mentor) There is a pilot called Safe Families happening that basically is a network of informal foster care using volunteers willing to help overstressed parents by taking in their children for a few days, months, or years. The Host Families have had background checks and do not receive any

compensation. The parents to not lose custody of their children. It was suggested this could be a resource to help with visitation but then it was clarified that Safe Families is a prevention effort to keep children out of foster care, not to help those already in foster care.

Jackson and Josephine counties have a house they do visitation at that is set up like a regular home. There used to be a similar place in Marion County off of "D" street but it was closed during budget cuts. Salem Alliance Church offers visitation for smaller kiddos.

Does Oregon have standards for what visitation should look like (either in quality or frequency)? If not, has there been any discussions about developing standards? Does DHS collect any statistics around visitation?

(Visitation Supervisor) DHS has no formal statewide standards for frequency of visits. It would be great if they did, and for the state to fund the staff/resources necessary to meet those standards. Linn County had a model for frequency of visits that the Visitation Practices Workgroup used as a basis for a model in Marion County at one point. For a long time, Marion County DHS workers were asked to go back and hand count visits for all their clients three times per year. The results were reported to the Visitation Practices Workgroup. This method of data collection was super labor intensive. Unfortunately, OR-Kids doesn't have any automated reports around visitation.

Caseworkers can get approval for enhanced supplemental visits such as a parent attending the child's medical appointments. Community partnerships would be needed to achieve substantial increases in frequency and quality of visits. It's not possible with current Social Service Assistant (SSA levels. It also is difficult for DHS to create a family like setting for visits. A lot falls on foster parents now.

If you could wave a magic wand to change or improve upon one thing related to visitation in Marion County, what would it be?

(Parent Mentor) More staff and more visits at locations other than DHS. Parents getting more information about the first visit. Parents getting better communication from DHS staff when a visit is cancelled and when a makeup visit can occur. Being

mindful about scheduling visits around CRBs and court hearings. SSAs not forgetting to pick up children.

(Visitation Supervisor) More foster parents to reduce the number of placement moves. This will improve communication with SSAs. Foster parents able and willing to transport children to visits. More staff and more of a community model of visitation. More volunteers to transport and sit with kids.

(Parent Mentor) It can sometimes be a month before a parent signs the release of information to enable the parent mentor to work with them. There has been some discussion about asking parents to arrive 30 minutes before the Shelter Hearing to sit down with a parent mentor and sign the release. The parent mentor can then begin working with them immediately.

Narrowing the Area of Focus

During a meeting on September 24, 2019, the workgroup narrowed its focus to two areas:

- 1. Improving the quality of first visits, and
- 2. A time-limited data collection of the current state of visitation in Marion County.

Workgroup members discussed trying to get parent mentors and parents together prior to Shelter Hearings as a means to improve the quality of first visits, which usually occur within 24 hours after the Shelter Hearing. This would provide parent mentors an opportunity to give parents tips on what to expect at the first visit.

At the workgroup's next meeting on November 19, 2019, members learned about Multnomah County's Parent Mentor Court Orientation. In Multnomah County, parent mentors meet with parents shortly before Shelter Hearings to tell them what to expect, provide emotional support, and help them fill out some paperwork (like the application for court-appointed counsel). The mentor explains that the parent has one chance to make a good first impression with the judge and goes over courtroom etiquette. The mentor walks the parent over to meet with their attorney and provides the parent a flier for local Parents Anonymous support groups.

Data Collection

During a meeting on January 21, 2020, the workgroup finalized a data collection instrument intended to provide a snapshot of what visitation looks like in Marion County for children who have been in foster care for six months or more. The instrument would be completed by the CRB Field Manager for each child reviewed by CRB in Marion County in February and March 2020. A copy of the instrument is provided in Appendix B.

CRB began collecting the data during reviews in February, but collection was disrupted in March when CRB reviews statewide halted due to the COVID-19 public health emergency.

Next Steps

The CAPTA Citizen Review Panel Coordinator will look into re-starting meetings of the Visitation Practices Workgroup in July 2020. At that time, workgroup members will discuss when and how they would like to resume the data collection. A lot has changed with visitation since COVID-19.

During the workgroup's last meeting (in January), the Parent Mentor Program provided a description of what it could look like if Marion County started having mentors meet with parents prior to Shelter Hearings. A discussion about piloting this will be added to the agenda for the workgroup's next meeting.

Appendix A

Citizen Review BoardFindings Report (Statewide)

Time Period: 7/1/2019—9/30/2019

Reviews	
CRB reviews:	957
Children reviewed:	1297
Average duration (in minutes):	38

Attendees	
Average attendees:	6
% with all attorneys present:	57%
% with legal assistant present for at least one attorney:	30%

Negative Findings	Count	%
Finding 1	2	0%
Finding 2	9	1%
Finding 3a	138	11%
Finding 3b	5	4%
Finding 4	65	10%
Finding 5	26	4%
Finding 6 (mother)	439	68%
Finding 6 (father)	405	73%
Finding 7	18	3%
Finding 8	203	16%
Finding 9	206	16%
Finding 10	10	1%

Reasons for Negative Finding 4	Count	%
Service not offered	26	40%
Referral not timely	15	23%
Delay despite timely referral	6	9%
No current Action Agreement or Letter of Expectation	21	32%
No family decision meeting	15	23%
Other	19	29%

Count	%
88	43%
110	54%
31	15%
23	11%
42	21%
	88 110 31 23



Indian Child Welfare Act	
% of children ICWA applies:	4%
% of children ICWA is pending:	8%

	Partially	Completely
At the time of the CRB review, had DHS implemented the court orders?	13%	85%
Did DHS implement the recommendations from the last CRB review?	24%	74%

Reasons for Negative Finding 3a	Count	%
Placement(s)	21	15%
Number	4	3%
Appropriateness	19	14%
Safety	61	44%
Face-to-face contacts	43	31%
Child on the run	15	11%
Family contact	18	13%
with parent(s)	7	5%
because incarcerated	1	1%
with sibling(s)	11	8%
with extended family		
Assessment(s)	31	22%
Timeliness	16	12%
Not following recs in assessment	22	16%
Mental health/therapeutic support	63	46%
Timeliness of service (excluding assessments)	49	36%
Therapist transitions	5	4%
Psychotropic medications	1	1%
Education	10	7%
Physical health	33	24%
Medical	16	12%
Dental	15	11%
Vision	11	8%
Social/extracurricular activities	3	2%
Youth transition planning (14+)	18	13%
Cultural considerations	3	2%
Other	33	24%

Background

The Citizen Review Board (CRB) is a program within the Oregon Judicial Department that reviews the cases of children in foster care. The reviews are conducted by boards composed of volunteers from the community who are appointed by the Chief Justices of the Oregon Supreme Court. Currently, there are 63 boards in 33 of Oregon's 36 counties and about 300 volunteers serving on them statewide.

During CRB reviews, boards make a series of legal findings about the services the Department of Human Services (DHS) is providing to the child and family, the progress of the parents, and the appropriateness of the permanency plan. The Findings Report is a compilation of the reasons boards are making negative findings. The statistics are calculated per child reviewed, and the calculations for percentages exclude cases in which the finding doesn't apply.

To learn more about CRB, please visit our website at www.courts.oregon.gov/programs/crb.

Legal Findings

- 1. Has DHS made reasonable/active efforts to prevent or eliminate the need for removal of the child from the home?
- 2. Has DHS made diligent efforts to place the child with a relative or person who has a caregiver relationship?
- 3a. Has DHS ensured that appropriate services are in place to safeguard the child's safety, health, and well-being?
- 3b. Has DHS taken appropriate steps to ensure that 1) the substitute care provider is following the reasonable and prudent parent standard, and 2) the child(ren) has/have regular, ongoing opportunities to engage in age appropriate or developmentally appropriate activities?
- 4. Has DHS made reasonable/active efforts to provide services to make it possible for the child to safely return home?
- 5. Has DHS made reasonable efforts in accordance with the case plan to place the child in a timely manner, and to complete the steps necessary to finalize the permanent placement, including an interstate placement if appropriate?
- 6. Have the parents made sufficient progress to make it possible for the child to safely return home (finding made separately for each parent)?
- 7. Has DHS made sufficient efforts in developing the concurrent permanency plan?
- 8. Is DHS in compliance with the case plan and court orders?
- 9. Is the permanency plan the most appropriate plan for the child?
- 10. Is there a continuing need for placement?

Citizen Review Board

Time Period: 7/1/2019—9/30/2019



Supplemental County Findings Report: County breakdown of total negative findings for each of the ten CRB findings.

County Children ICWA ICWA Total Negative Findings															
	Reviewed	Eligible	Pending	#1	#2	#3a	#3b	#4	#5	#6 (mother)	#6 (father)	#7	#8	#9	#10
Baker	8		2							5	3			3	
Benton	14					1		1		2	9	1	2	2	
Clackamas	71	2	2	1		6	1	5	3	18	15	1	11	12	
Clatsop	22		1			1				3	1		1		
Columbia	18				1	2				4	2		2	2	1
Coos	45	1				7	2		3	5	1		10	2	3
Crook	16									9	11			4	
Curry	6	2				1				1	1		1		
Deschutes	45		10						2	11	12		3	4	
Douglas	93	6	6		1	18		15	3	36	29		33	15	2
Harney/Grant	12	2	3							3	6			2	
Hood River	10									7	7			2	
Jackson	99		3	1	3	20		6	3	33	27	4	26	27	
Jefferson	22	3	6							16	16		4	7	
Josephine	27					6		2		5	12	2	10	12	
Klamath	44	9	1			2				13	18		2	6	
Lake	6		2							4	3			3	
Lane	255	13				25	1	7	4	87	69	1	31	22	2
Lincoln	31	1				3		4		5	3		3	3	
Linn	43					2	1	5	2	14	13	1	6	10	1
Malheur	38		6		1	2				26	25		1	4	
Marion	123	6	4			6			2	43	37		10	15	1
Multnomah	20		13			4		3	1	10	6		4	5	
Polk	25					2				9	8		1	6	
Tillamook	10	1								1	3			2	
Umatilla/Morrow	54	1	11			1		1		31	32		6	15	
Union/Wallowa	2									1	1		1	1	
Wasco	12		2							4	5			3	
Washington	98	4	27		3	29		16	3	28	24	8	33	15	
Yamhill	28		5							5	6		2	2	
TOTAL	1297	51	104	2	9	138	5	65	26	439	405	18	203	206	10

This report is supplemental to the CRB Findings Report. It provides a county breakdown of total negative findings for each of the 10 CRB findings. Counts are per child reviewed (not per review).

The 10 CRB Findings

- 1. Has DHS made reasonable/active efforts to prevent or eliminate the need for removal of the child from the home?
- 2. Has DHS made diligent efforts to place the child with a relative or person who has a caregiver relationship?
- 3a. Has DHS ensured that appropriate services are in place to safeguard the child's safety, health, and well-being?
- 3b. Has DHS taken appropriate steps to ensure that 1) the substitute care provider is following the reasonable and prudent parent standard, and 2) the child (ren) has/have regular, ongoing opportunities to engage in age appropriate or developmentally appropriate activities?
- 4. Has DHS made reasonable/active efforts to provide services to make it possible for the child to safely return home?
- 5. Has DHS made reasonable efforts in accordance with the case plan to place the child in a timely manner, and to complete the steps necessary to finalize the permanent placement, including an interstate placement if appropriate?
- 6. Have the parents made sufficient progress to make it possible for the child to safely return home (finding made separately for each parent)?
- 7. Has DHS made sufficient efforts in developing the concurrent permanency plan?
- 8. Is DHS in compliance with the case plan and court orders?
- 9. Is the permanency plan the most appropriate plan for the child?
- 10. Is there a continuing need for placement?

Citizen Review Board

Time Period: 7/1/2019—9/30/2019

Supplemental Finding 3a Report: County breakdown of reasons CRBs found DHS had <u>not</u> ensured appropriate services were in place to safeguard children's safety, health, and well-being.

County	Negative													Rea	ason Co	ode												
	Findings	Α	В	С	D	E	F	G	н	1	J	К	L	М	N	0	Р	Q	R	s	т	U	V	w	Х	Υ	Z	AA
Baker																												
Benton	1	1											1	1		1	1			1								1
Clackamas	6	1		1	4	3	1	1	1				1		1	2	2				2		2			1		2
Clatsop	1	1	1	1												1												
Columbia	2	2	1	2												1	1											
Coos	7	1		1	7	6	2									2	1			1								1
Crook																												
Curry	1				1	1																						
Deschutes																												
Douglas	18				7	7		1	1				4	1	3	8	5				3	2	1	1		2		
Harney/Grant																												
Hood River																												
Jackson	20	5		5	7	1	3	7			7		4		4	11	4	4			1	1		1	3	3		6
Jefferson																												
Josephine	6	1		1	2	1							2		2													2
Klamath	2															2	2											
Lake																												
Lane	25	4	1	4	4	4	1						10	5	9	15	15			3	14	9	4	4		6		5
Lincoln	3				3	3	1									1				1	1							1
Linn	2	1		1	2		2														1							
Malheur	2				2		2																					
Marion	6				5	4	1									3	3				3		3					1
Multnomah	4				4	3		1	1							1		1	1		1	1	1	1			3	1
Polk	2	1		1	2		1																					
Tillamook																												
Umatilla/Morrow	1	1	1	1																								
Union/Wallowa																												
Wasco																												
Washington	29	2		1	11	10	1	8	4	1	4		9	9	3	15	15			4	7	3	4	4		6		13
Yamhill																												
TOTAL	138	21	4	19	61	43	15	18	7	1	11		31	16	22	63	49	5	1	10	33	16	15	11	3	18	3	33

Code	Reason
А	Placement(s)
В	Number
С	Appropriateness
D	Safety
E	Face-to-face contacts
F	Child on the run
G	Family contact
Н	with parent(s)
I	because incarcerated
J	with sibling(s)
K	with extended family
L	Assessment(s)
М	Timeliness
N	Not following recs in assessment
0	Mental health/therapeutic support
Р	Timeliness of service (excluding assessments)
Q	Therapist transitions
R	Psychotropic medications
S	Education
Т	Physical health
U	Medical
V	Dental
W	Vision
Х	Social/extracurricular activities
Υ	Youth transition planning (14+)
Z	Cultural considerations
AA	Other

This report is supplemental to the CRB Findings Report. It provides a county breakdown of the reasons boards across the state made negative findings for CRB Findings 3a, which asks "Has DHS ensured that appropriate services are in place to safeguard the child's safety, health, and well-being." A negative finding can be based on multiple reasons, and counts are per child reviewed (not per review).

Citizen Review Board

Time Period: 7/1/2019—9/30/2019



Supplemental Finding 4 Report: County breakdown of reasons CRBs found DHS had <u>not</u> made reasonable efforts to provide services to make it possible for the children to return home.

County	Negative	Reason No. 2007 A 2007													
	Findings	Service not offered	Referral not timely	Delay in service despite timely referral	No current Action Agreement or Letter of Expectation	No family decision meeting	Other								
Baker					·										
Benton	1	1		1											
Clackamas	5	3	1	1			1								
Clatsop															
Columbia															
Coos															
Crook															
Curry															
Deschutes															
Douglas	15	4			4	6	3								
Harney/Grant															
Hood River															
Jackson	6	2		1	5	2	2								
Jefferson															
Josephine	2				1	1	1								
Klamath															
Lake															
Lane	7	4	3	2	3		1								
Lincoln	4														
Linn	5	1			4		4								
Malheur															
Marion															
Multnomah	3	3	3		3	3									
Polk															
Tillamook															
Umatilla/Morrow	1					1									
Union/Wallowa															
Wasco															
Washington	16	8	8	1	1	2	7								
Yamhill															
TOTAL	65	26	15	6	21	15	19								

This report is supplemental to the CRB Findings Report. It provides a county breakdown of the reasons boards across the state made negative findings for CRB Finding 4, which asks "Has DHS made reasonable/active efforts to provide services to make it possible for the child to safely return home?." A negative finding can be based on multiple reasons, and counts are per child reviewed (not per review).

Citizen Review Board

Time Period: 7/1/2019—9/30/2019



Supplemental Finding 8 Report: County breakdown of reasons CRBs found DHS is <u>not</u> in compliance with the case plan and court orders.

County	Negative Findings	Reason						
		Face-to-face contacts	Other negative finding	Not implementing previous CRB recommendations	Not implementing court order	Other		
Baker								
Benton	2		2					
Clackamas	11	3	7	2	4	3		
Clatsop	1		1					
Columbia	2		2					
Coos	10	6	6	1		1		
Crook	1	1						
Curry								
Deschutes	3	3		1		1		
Douglas	33	6	25	9	1	4		
Harney/Grant								
Hood River								
Jackson	26	2	18	5	7	7		
Jefferson	4			4		4		
Josephine	10	4	5	4		5		
Klamath	2					2		
Lake								
Lane	31	17	27	1	1	3		
Lincoln	3	3		1		2		
Linn	6		6		1			
Malheur	1	1						
Marion	10	7	3		1	2		
Multnomah	4	4			3			
Polk	1		1					
Tillamook								
Umatilla/Morrow	6	5	1	1				
Union/Wallowa	1	1						
Wasco								
Washington	33	25	6	2	5	6		
Yamhill	2					2		
TOTAL	203	88	110	31	23	42		

This report is supplemental to the CRB Findings Report. It provides a county breakdown of the reasons boards across the state made negative findings for CRB Finding 8, which is compliance with the case plan and court orders?." A negative finding can be based on multiple reasons, and counts are per child reviewed (not per review).	:h

Appendix B

Marion County Visitation Practices Workgroup Data Collection Instrument

The Visitation Practices Workgroup is a multi-disciplinary group in Marion County focused on improving visitation between children in foster care and their parents. It is composed of representatives from the Court, DHS, Defense Bar, CASA, MCHHS, Parent Mentor Program, and CRB. The workgroup is doing a time-limited data collection to get a snapshot of what visitation looks like in Marion County for children who have been in foster care for six months or more. The below instrument will be completed by the CRB Field Manager for each child reviewed by CRB in Marion County in February and March 2020.

1. Child's Name:				2. DOB:	3. Court #	: 4. DHS #:
5. Dt Entered Care: 6. Dt of Review:			f Review:	7. Per	manency Plan:	8. Concurrent Plan:
9.	s there a legal MOTHEF	R? Yes No	10. Is there	a legal FATHER?	Yes No	
11.	What is the current vis	sitation plan betwe	en the child an	d parent(s)?		
	Parent	Frequency	Length	Location	Level of Supervision	Additional Questions
	Mother (only) Father (only) Both (together)	Per Wk mo	hrs	DHS Office Community Foster Hm Parent Hm	None Monitored Supervised Intense Supervision IF mon/sup, by whom?	Do sibs in custody participate? Yes (all sibs in custody participate) Yes (some but not all) No N/A Are therapeutic services provided during visits? Yes No
	Mother (only) Father (only) Both (together)	Per Wk mo	hrs	DHS Office Community Foster Hm Parent Hm	None Monitored Supervised Intense Sup IF mon/sup, by whom?	Do sibs in custody participate? Yes (all sibs in custody participate) Yes (some but not all) No N/A Are therapeutic services provided during visits? Yes No
	Mother (only) Father (only) Both (together)	Per Wk mo	hrs	DHS Office Community Foster Hm Parent Hm	None Monitored Supervised Intense Sup IF mon/sup, by whom?	Do sibs in custody participate? Yes (all sibs in custody participate) Yes (some but not all) No N/A Are therapeutic services provided during

12. <u>ABOUT</u> how long has the current visitation plan been in effect (in months)? MOTHER → FATHER →
13. In the caseworker's ESTIMATION, has the parent attended 75% or more of visits within the last 2 months?
MOTHER \rightarrow \square Yes \square No \square N/A FATHER \rightarrow \square Yes \square No \square N/A
14. If there is a pattern of non-attendance, what is the reason for it?
MOTHER →
FATHER →
15. Has DHS or the Court approved other forms of supplemental visitation (e.g., phone contact, attending medical appts, sports events)?
15b. If yes, please describe?
16. What are the barriers (if any) to enhancing visitation (i.e., increasing the frequency, lowering supervision level, etc.)?
Answer questions 17 and 18 AFTER the CRB review.
17. What was the board's finding for parental progress?
MOTHER → ☐ Yes ☐ No ☐ N/A FATHER → ☐ Yes ☐ No ☐ N/A
18. Did the board make a recommendation about visitation?
18b. If yes, what was the recommendation?

Citizen Review Board

Oregon Judicial Department 1163 State Street Salem, OR 97301

Phone: (503) 986-5861 Fax: (503) 986-5859 Toll Free: 1-888-530-8999 Oregon Relay Service-711

Website: www.courts.oregon.gov/crb

