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ISSUE SPOTTING-
PREPARING FOR AN ISSUE
FOCUSED REVIEW



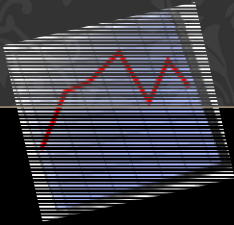
Citizen Review Board
Juvenile & Family Court Programs Division
Oregon Judicial Department



~WELCOME~

- 
- Brief overview of state audits.
 - Purpose of an Issue Focused Review
 - How to maximize prep time.
 - How to identify primary issues relating to finding
 - What factors to consider for each finding.
 - Learn Tips/Suggestions/Questioning Strategies

“When you help a child today, you write the history of tomorrow”.




2016: Federal Child and Family Services Review (CFSR)
Child Safety in Substitute Care Independent Review (PK Report)

2018: Child Welfare in Oregon (Secretary of State, Dennis Richardson)

FINDINGS:

- Significant deficits in the care provided to children
- Insufficient services
- Chronic management failures and poor communication State/Local level
- High caseloads
- Shortage of placements
- Non-compliance with established policies and rules
- Inconsistent efforts to engage parents in case planning
- A lack of systemic response to decades of other reviews and audits



The CRB must better exercise its review and monitoring authority as granted in Oregon statute to ensure that DHS is making appropriate and reasonable/active efforts to safeguard the SAFETY and well-being of children in foster care and that children receive permanency as soon as possible.



WE are Oregon's Foster Care Review Program



PURPOSE of Issue Focused Review:

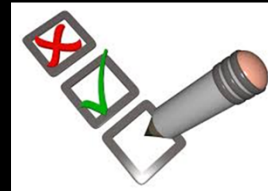
- Maximizes your prep time.
- Allows you to conduct a more efficient review within given time constraints.
- Places emphasis on **key issues** and **missing information**.
- Ensures focus is on what needs to be done to promote child safety, health and well-being.
- Provides documentation and explanation of negative findings.




ISSUE-FOCUSED REVIEW PROCESS

AS YOU ARE PREPARING THE CASE:

- Scan the materials for an overview.
- Make note of any missing documents.
- Identify key issues.
- What information do you need to hear at the review in order to make a “YES” finding?
- If this finding is likely a “NO”, prepare an explanation.
- Place emphasis on Finding #3 and organize your notes by categories.
- Prepare preliminary questions and recommendations.






EFFECTIVE QUESTIONING

EFFECTIVE QUESTIONING:

- Ask questions with respect and openness. The CRB process should not be used to judge or intimidate.
- If the board is disappointed with the way a case has been handled, let the findings and recommendations deliver that message.
- The demeanor of the board affects the level and quality of the participation.
- Do not ask questions that are already answered in the case materials. Instead, ask questions that clarify data, expand on topics, and fill in the gaps of the material you received.
- Plan your questions to reveal as much useful information as possible.
- Ask the correct person the correct questions. (WHO, WHAT, WHEN)
(DIRECT vs. OPEN ENDED)



What to consider:

In order to develop questions and make informed decisions, we have to have an understanding what is required to make each of our findings.

FINDING 1

1. Has DHS made reasonable efforts to prevent or eliminate the need for removal of the child from the home?

Things to consider: BE BRIEF in your summary.

- Did the agency provide services in relation to previous cases or assessments?
- What efforts or services, if any, did DHS make to avoid placement?
- When was placement prevention meeting held and what was outcome?
- Was there an adequate in-home safety plan and/or protective action plan developed?
- Were there resources available to serve as safety service providers?
- Did DHS make efforts to contact each parent?
- If ICWA, did DHS consult with the tribe?

FINDING 1

1. DHS made reasonable efforts to prevent or eliminate the need for removal of the child/children from the home.

Basis for Removal: The children were removed from mother's care due to founded allegations for neglect: lack of supervision/protection pertaining to substance abuse, residential instability and domestic violence by the mother's partner in the children's presence.

Description of Circumstances: The children had only been living in Oregon with their mother for less than a month. They had previously been residing with relatives in CA. The family was homeless and staying in various camps. Police had conducted a raid on the property in which they were living and the family was asked to leave the mission when mother tested positive for methamphetamine. The mother had been hiding in fear of her partner. There were no services that could have prevented placement.

ANY ADDITIONAL QUESTIONS?

WHAT WOULD BE YOUR FINDING?



FINDING 2

2. DHS has made diligent efforts to place the child/children with a relative or a person who has a caregiver relationship.

Things to consider:

- What TYPE of care are the children placed? (relative, kith, community family foster care).
- Have they been in this home since entry?
- Are siblings placed together?
- Does a caregiver relationship exist per definition?
- If not already in a relative home, what is the status of the relative search?
- Has a search been done for both paternal and maternal relatives, including caregivers of other children?



FINDING 2

2. DHS has made diligent efforts to place the child/children with a relative or a person who has a caregiver relationship.

Placement: The girls are placed in a non-relative foster home due to a lack of available local relative resources and have had multiple placements since entry. They are currently in separate placements. Destiny is in a community foster home. Tamia was placed in the same home as her sister but is currently at a youth shelter for stabilization.

Relative Search: DHS has obtained relative questionnaires. Extended family resides in CA. A referral has been made to Reconnecting Families. An ICPC for the paternal aunt was denied due to lack of follow through. Maternal grandparents are interested, but cannot be certified.

Siblings: The girls have two maternal siblings. A brother who resides in CA with his father and a sister who resides in CA with a aunt. The father of Tamia has five biological (ages 2 mos., 1, 2, 4, 5).

ANY ADDITIONAL QUESTIONS?

WHAT WOULD BE YOUR FINDING?

FINDING 3



3. DHS has ensured that appropriate services are in place to safeguard the child/children's safety, health and well being.

Tips and Suggestions

- Ask questions in hierarchy of importance.
"I'm most concerned about..."
- Prioritize your time.
- Focus on what you do not already know.
"In order to make a "YES"..."
- What information is really needed to make this finding?
"When was the mental health assessment and what were the recommendations; we did not receive a copy."
- Separate information into categories during prep.
- Stick to topic areas and categorize your questions.
"Does anyone else have questions about education?"



FINDING 3

3. DHS has ensured that appropriate services are in place to safeguard the child/children's safety, health and well being.

- Placement/Safety
- Face to Face
- Child Description
- Community Engagement/Cultural Exposure
- Assessments
- Mental Health/Therapeutic/Support Services
- Education
- ILP/Vocational (if applicable)
- Health/Medical/Medications
- Parenting Time/Visitation/Family Contact

FINDING 3

3. DHS has ensured that appropriate services are in place to safeguard the child/children's safety, health and well being.

Placement/Safety:

Things to consider: *type, appropriateness and stability*****

How many placements, transitions in caregivers?
 What TYPE of care, placed with whom? For how long?
 Has the number of placements been in the child(ren)'s best interests?
 How does this placement meet the child(ren)'s needs? (ex. Developmental Disabilities, DDS certified; medically trained, grandma, neighbor)
 Is the placement the most appropriate and least restrictive?
 Have there been any certification concerns?

Face to Face contact with caseworker/location:

Things to consider:

Have visits have occurred every month and at least every other month in the foster home per policy.
 Are the dates and locations documented?
 If there is a courtesy worker, is DHS receiving quarterly reports?

QUESTIONS

- Who all resides in the home?
- How many other children in the home? Ages? Sleeping arrangements?
- Fully vs. provisionally certified (if relative). WHEN?
- Is the Foster Care Bill of Rights posted and reviewed?
- Does the child's attorney and CASA support placement?
- When is the last time you visited and what did you observe?

GROUP DISCUSSION

TAMIA

Placement/Safety:

Face to Face Contact:

FINDING 3

3. DHS has ensured that appropriate services are in place to safeguard the child/children's safety, health and well being.

Child Functioning/Description of Needs:

(Child 1) NAME, AGE: is described as a....

He/she enjoys...

Additional description and interests?

Ask parents to describe their child.

Community Engagement/Cultural Exposure:

WHAT ACTIVITIES?

Things to consider: Is the foster parent following the prudent parent standard? Does the child have regular opportunity to engage in age appropriate activities?

GROUP DISCUSSION

DESTINY

Child Functioning/Description of Needs:

Community Engagement:

FINDING 3

3A. DHS has ensured that appropriate services are in place to safeguard the child/children's safety, health and well being.

Assessments: (completed within policy?)

- Nursing assessment at intake. **Any concerns?**
- Received a CANS screening on **WHEN** (within 60 days?) with a Level **WHAT?** **Any enhanced rate of supervision? If so, has a supervision plan been developed? Recommendations?**
- Mental health assessment on **WHEN** (within 60 days?): **Recommendations?**
- Developmental assessment or Ages and Stages (if under 3) on **WHEN?** **Any developmental delays? Eligible for services?**

Mental Health/Therapeutic/Support Services:

He/she is receiving individual counseling? What services? Frequency? Treatment goals? Progress? Concerns?

GROUP DISCUSSION

TAMIA
Assessments:

Mental Health/Support Services:

FINDING 3

3A. DHS has ensured that appropriate services are in place to safeguard the child/children's safety, health and well being.

Education: What grade?
IEP yes/no, last updated? Able to remain in the same school? Academic progress? Does he/she need any other academic supports?

Independent Living/Vocational: IF OVER 14
When was the comprehensive transition plan was developed? Reviewed every 6 months, progress toward identified goals?
If 16, enrolled ILP program?

Health/Medical/Medications: Has the child received routine exams (DATE), dental exams (DATE) within this review period? Or within 60 days of entering care? Current on immunizations?
Annual Eye Exam? Updates or concerns?
Any specialized medical services?

GROUP DISCUSSION

TAMIA

Education:

FINDING 3

3A. DHS has ensured that appropriate services are in place to safeguard the child/children's safety, health and well being.

Parenting Time/ Visitation/Family Contact:

He/she receives parenting time.... how often and where?

What is the current visitation plan? Frequency and location of contact? Level of supervision? Each parent, siblings, other family members?
How are visits going?

GROUP DISCUSSION

Parenting Time/Visitation/Family Contact

3A. DHS has ensured that appropriate services are in place to safeguard the child/children's safety, health and well being.

Prior to making finding #3a

CASA, ATTORNEY – Any other input?

Foster parent – Anything else we need to know? Is there anything else you need, etc.

Board members - Any other questions? Are we prepared to make a finding? Restate the finding. "Has DHS ensured that appropriate services are in place to safeguard the children's health, safety and well-being."

IF "NO", clearly articulate your basis for a NO.

WHAT WOULD BE YOUR FINDING?

PRESENTING A NEGATIVE FINDING ON DHS EFFORTS

- More appropriate placements could prevent abuse of children and youth in foster care (PK Report)
- If a caseworker has exhausted current available resources trying to find an appropriate placement match, indicate that the negative Finding is reflective of a resource issue, not a lack of effort by the caseworker.



Mock Case Example Finding #3A: "Despite DHS' best efforts, the agency has been unable to provide stability of placement. The girls have experienced multiple transitions, including two brief respite homes. Destiny has had 5 placements and Tamia has had 6 placements since entry on 8/15/17. The girls have experienced multiple disruptions and have not received adequate educational supports. For these reasons, the Board will be making a "NO" Finding."

Example: "We understand that you have made significant efforts in making referrals for an appropriate placement but her behaviors led to disruption. We are finding No for Finding 3A as to the agency's lack of appropriate placement resources and not due to the caseworker's efforts."

RECOMMENDATIONS

1. DHS continue the current placement for Destiny with no further moves.
2. DHS develop a transition plan to return Tamia to the community foster placement home.
3. DHS complete a thorough relative search to identify a stable relative resource.
4. DHS/WRAP team ensure the children receive educational testing and adequate therapeutic/academic supports.
5. DHS establish visitation and family contact with extended family members.
6. DHS staff this case with the AAG within the next 60 days to develop a viable permanency plan.

FINDING 3B

3B. DHS has 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.

Things to consider:

- This finding only applies if the permanency plan is APPLA and the child is 16 years of age.
- Is the child/youth attending or interested in attending any activities?
- When did DHS last consult the provider/child to discuss and encourage appropriate activities?
- Does the child/youth have opportunity for extracurricular activities of his/her choice?

FINDING 4

4. DHS made reasonable efforts to provide services to make it possible for the child/children to safely return home.

(A few) Things to consider:

- This finding relates only to what has been OFFERED, not parental progress.
- What services or referrals have been provided to EACH parent, including sufficient opportunity for parenting time/contact.
- Do the services bear a rational relationship to jurisdiction and what was court ordered?
- Appropriate services if reunification is dependent on child's emotional/behavioral needs?
- Has jurisdiction/disposition been established for all parents?
- Absent parents? Have paternity issues been resolved?
- Has DHS made reasonable efforts to an incarcerated parent?
- Action Agreements/Letters of Expectation (updated every 90 days)
- Child Safety Meeting (CSM) and Family Decision Meetings (FDM's)?
- Ask attorneys - Any concerns about the services offered to your client?

FINDING 4

4. DHS made reasonable efforts to provide services to make it possible for the child/children to safely return home.

DHS has offered/provided the mother: assistance of the Addiction Recovery Team (ART); UA's; substance abuse assessment and treatment; parenting services; domestic violence treatment/Women's Crisis; gas cards; phone minutes; transportation assistance; supervised visits and ongoing case planning.

Any other services or referrals offered to the mother? Action Agreement?

DHS has been in contact with Tania's father. DHS requested a safety check of his home and initiated an ICPC home study which was denied for lack of response. **Has DHS offered the father phone/supervised visits? Anything else for the father? Level of contact?**

Paternity for Destiny's father? Father's questionnaires or a Randolph Jones letter sent to Destiny's father or not required? Putative?

A Child Safety Meeting (CSM) was held on 9/19/17.
Attorneys, any concerns about services to your client?

ANY ADDITIONAL QUESTIONS?

WHAT WOULD BE YOUR FINDING?

FINDING 5

5. DHS made reasonable efforts in accordance with the case plan to place the child/children in a timely manner, and complete the steps necessary to finalize the permanent placement, including an interstate placement if appropriate.

The permanency plan remains return to parent.

FINDING 6

6. The parents have made sufficient progress to make it possible for the child/children to safely return home.

Things to consider:

- Is the parent making progress on the issues for which jurisdiction was established? (NOTE: progress is measured 1) within ASFA timelines, court imposed extension and/or 2) within what is reasonable period for that child)?
- At this rate of progress, can reunification be achieved?
- What are the remaining barriers and safety issues?
- Has the parent made measurable change?
- Is the parent able to verbalize what they need to do or stop doing to have their child returned?

Potential topics/questions:

What progress has been made toward the items on Action Agreement?
 Status of services? When did services begin? Service provider reports? Clean date, recovery? Visitation, frequency and consistency? Living arrangements, safe/stable housing?
 Relationship status? Any criminal charges?

FINDING 7

7. DHS has made sufficient efforts in developing the concurrent permanency plan.

Things to consider: remind parents a "back up" plan is required

- What is the (court ordered) concurrent plan?
- What resources have been identified? Current provider?
- What is the status of ongoing relative search?
- Has an ICPC request been made for out of state resources?
- Have financial and legal considerations been discussed with identified resource?
- Has an OFDM been held?
- Have the parents been advised of the ASFA timelines?
- Has the caseworker consulted with the child's team (parent, attorneys, CASA, tribe, age appropriate child)?
- If the parents aren't progressing, have the birth, medical, and genetic records been requested

FINDING 7

7. DHS has made sufficient efforts in developing the concurrent permanency plan.

The concurrent plan is guardianship.

DHS has conducted a relative search for both paternal and maternal relatives. DHS has identified both maternal grandparents and a paternal aunt in CA as resource.

?’s: Confirm who has been identified. Will an ICPC be initiated? What efforts have been made? There are lots of relatives in CA. Has an OFDM been held? With whom do the girls want to reside? Will this case be staffed?

FINDING 8

8. DHS is in compliance with the case plan and court orders.

Things to consider:

- If you made a “NO” finding on a prior finding, this finding is also a “NO”.
- Have face to face visits been conducted per policy?
- Did DHS comply with directives of the court?
- Have services been provided in accordance with the permanency plan?
- Did DHS comply with prior CRB recommendations?



FINDING 9

9. The permanency plan is the most appropriate plan for the child/children.

Things to consider:

- If reunification, can this plan be achieved within a reasonable period of time for the children? Are the parents making progress toward conditions for return?
- What plan best meets the child's needs?
- Is there a higher form of permanency or more appropriate plan better suited to the child's health, safety and attachment needs?



FINDING 10

10. There is a continuing need for placement.

Things to consider:

- If reunification, have safety threats been ameliorated?
- Are there still remaining barriers and safety issues preventing the child from returning home? What else needs to be achieved?
- If concurrent plan has been implemented, when will the plan be finalized?



THANK YOU!

Thank you for your volunteer work!
We hope you enjoy the rest of the conference.

It is our collective and individual
responsibility to protect and
nurture the global family.

- Dalai Lama

