

COMMISSION ON CHILDREN'S JUSTICE
APRIL 28, 2003
MEETING MINUTES

Members Present: Judges John Holstein, Chair, Susan Block, Thomas Frawley, Glenn Norton, Vice Chair, Roy Richter, and James Welsh; Commissioner John Payne; Senators Pat Dougherty and Bill Foster; Representatives Catherine Hanaway, Bryan Stevenson, and Yvonne Wilson; Julie Cole-Agee, Beth Dessem, Deanna Gallagher, Frank Martin, Steve Renne, Melanie Scheetz, and Betty Sims

Members Not Present: Judge Nancy Rahmeyer; Senator Anita Yeckel; Patrick Lynn and Andrea Whitfield

Commission Staff Present: Norma Rahm and Lynette Ricks

I. WELCOME/WORKGROUP BREAKOUTS & REPORT DISCUSSION

The Commission on Children's Justice was called to order by the Honorable John C. Holstein, Chair, in the Division II Courtroom, Missouri Supreme Court, Jefferson City, Missouri at 10:00 a.m.

The Chair called for approval of the minutes from the meeting of April 14, 2003. The minutes were approved as submitted.

The Commission broke into the workgroups for 30 minutes then reconvened to continue discussion of the Interim Report.

Prevention and Efforts to Prevent Removal

The Chair noted that at the last meeting the Commission agreed to add GALs and CASAs to the list of key stakeholders in the first bullet under recommendation No. 1 on Page 14.

The subcommittee recommended the following revisions:

- ◆ Page 15, Recommendation No. 1, 4th bullet, last line, "font-line" should be corrected to read "front-line".
- ◆ Page 15, Recommendation No. 2, revised to read: DFS shall achieve accreditation from the Council on Accreditation (COA) within five (5) years.

Judge Welsh moved to add to page 15, as bullet No. 6 the motion passed at the April 14th meeting that no new criminal offense be created in the child protection reform efforts. Judge Block seconded the motion. Motion passed.

Senator Sims moved that this section be adopted with all recommended changes. Judge Norton seconded the motion. Motion passed.

Hotline Intake

The Chair noted that the following recommendation adopted at the last meeting would be added to the recommendation section on Page 16: The laws on anonymity of hotline reports should remain as is, with the exception that mandated reporters should be required to report their name when making a hotline report.

The subcommittee recommended the following revisions:

- ◆ Page 16, Multidiscipline Team. Add the following sentence: The multidiscipline team should include the DFS worker, juvenile officer and law enforcement.
- ◆ Page 16, Family Support Team. Add the following sentence: The family support team should include, but not necessarily be limited to, the DFS worker, juvenile officer, GAL if appointed, parents, parents' attorney, and any other persons that the parents might want to include.

Judge Block moved that no new legislation be passed that would seek to prioritize reported incidents of abuse or neglect and that instead, DFS should utilize the Structured Decision-Making (SDM) model to respond to hotline reports. Julie Cole Agee seconded the motion. Motion passed.

Judge Holstein called for a vote on adoption of this section. Commission voted in favor of adoption of this section with all recommended revisions.

Foster and Relative Care, Permanency

Discussion was held on the foster/adopt license issue addressed on Page 18 of the report. The issue is that prospective applicants are forced to choose either a foster care or an adoption license even if they wish to be licensed as both types of provider homes. This is not cost effective and can lead to delays in permanency outcomes for children. However, concerns were expressed that encouraging dual licensure causes conflicts between birth parents and foster parents and that dually licensed parents oftentimes sabotage reunification efforts.

Ms. Scheetz moved that a recommendation be placed on Page 19 under Alternative Care that DFS utilize a dual foster/adopt license. Mr. Renne offered an amendment that this would be required only when the foster or adoptive parent requests the dual licensure. Ms. Scheetz accepted the amendment. Judge Welsh seconded the motion. Motion passed as amended.

Julie Cole Agee moved that the 6th bullet under the recommendation on Page 21 be revised to read that only agencies that are licensed by DFS be awarded contracts. Ms. Scheetz seconded motion. Motion passed.

Judge Frawley moved that another bullet be added to Page 19 under Kinship Care that efforts be made to reduce or eliminate the barriers to relative and kinship care placements, including an examination of financial barriers to placement. Judge Norton seconded the motion. Motion passed.

II. ALABAMA CHILD PROTECTION

Senator Pat Dougherty gave the following report on his trip to Alabama to study that state's child protection system.

The reform effort was initiated as a result of a court case related to the provision of mental health services. The state decided to go forward on its own with a system-wide reform; however, they are doing so county by county, and the changes are not statewide at this time.

Each county takes apart its system and then puts it back together. They began by listing preferred outcomes which were individualized to each county and then rebuilt the system in order to achieve these outcomes. The system was changed over a two-year period from a deficit model focused on problem solving to a resource and competency based system. Each county re-assessed every case to evaluate if the disposition of the case should be changed. The re-assessment assisted the counties in determining the amount of staff necessary for the caseload. Consultants were placed in each county to analyze the child's needs. Title IV-E monies were used to provide 8 weeks of training to staff on the new system.

Each case has a local performance assessment group to review outcomes of the cases. The group works with the county to determine if the new system is achieving the goals. The state agency concluded that the most important person is the intake worker and this should be the most qualified and experienced workers in the agency. The state also reports that the strength of the program is in the delivery of up-front services to families.

Alabama also performed a resource audit of each county to see what agencies would be available to work with them. Resources from larger counties were brought to the rural counties. Alabama utilizes very little privatization. They contract out for some in-home services but do not use private providers for foster care case management.

III. SENATE BILL 609

Woody Cozad and David Melton appeared on behalf of Heartland Christian Academy. Mr. Melton stated that there are systemic problems with both DFS and Juvenile Officers and stated that he supports the changes in Senate Bill 609. In particular, he supports the change from probable cause to preponderance of evidence and clearer definitions of circumstances that warrant emergency removals. He also supports that interrogations or interviews of children taken into protective custody shall be either videotape or audiotape recorded. He also expressed concerns about improper ex-parte communication between the Juvenile Officer and the Judge.

IV. DSS RESPONSE TO FOSTER CARE AUDIT

Denise Cross reviewed the findings in the performance audit. DSS will be overlaying the key recommendations received from the performance audit with the recommendations from the Commission. All recommendations will then be prioritized and short- and long-term goals will be set.

Current goals of DSS are safety of children, permanent, stable homes for children, and quality service for children, their families and foster parents.

V. COMMITTEES TO MONITOR AND REPORT ON COMMISSION RECOMMENDATIONS

The Chair noted that at the last Commission meeting, Mr. Renne was asked to provide a recommendation to the Commission on a possible committee or task force that could monitor and report on the status of the implementation of the Commission's recommendations. In response to this request, Mr. Renne stated that DSS recommends that the Children's Justice Task Force be charged with this responsibility. The Task Force is multi-disciplinary and is listed in federal statutes. The Department also recommends the Task Force issue a progress report and that these reports be submitted not only to the Chief Justice and the Director of Social Services but also be submitted to the Budget Chairs of the House and the Senate.

Mr. Renne moved that the Children's Justice Task Force monitor the implementation of the Commission recommendations. Judge Richter seconded the motion. Motion passed.

Mr. Renne moved to that Children's Justice Task Force issue a progress report on the status of the Commission's recommendations to the Director of Social Services, the Chief Justice, and the House and Senate Budget Chairs. The motion was amended by Senator Sims that the report also be issued to the Children's Services Commission. Mr. Renne accepted the amendment. The motion with amendment passed.

The Chair noted that this recommendation would be added to the Prevention and Efforts to Prevent Removal section of the report.

VI. DFS ACCREDITATION

Richard Klarberg with the Council on Accreditation of Services for Families and Children, Inc. (COA) participated in the meeting by conference call. Mr. Klarberg stated that COA is a not-for-profit organization. COA's mission is to strengthen and actively promote the quality of social and mental health services that support and improve the lives of families and children and the well being of society.

COA has accredited 42 private agencies in Missouri. DFS started the accreditation process but had to suspend it due to financial constraints. Kentucky and Illinois are accredited and they are currently working with 8 other states on accreditation of their public child welfare agencies. Accreditation is a strength-based model designed to improve the child's safety and to restore or improve public trust and confidence. Accreditation puts in place a process to evaluate the organization's performance. Mr. Klarberg reported that Illinois found that it reduces staff turnover and improves moral. During the accreditation process, unannounced, random visits of the agencies or facilities are conducted.

VII. NEXT MEETING/ADJOURNMENT

The next meeting of the Commission will be May 12, 2003, at 10:00 a.m. in the Division II Courtroom of the Missouri Supreme Court.