

Foster Care Review Inc.



Annual Report 2009

Introduction to FCR's FY 2009 annual report

One of the changes noted in FY 2009 was the overall decrease in the Miami Dade foster care population, also reflected in the FCR caseload. The total number of children reviewed by our citizen review panels decreased by 20%--from 1477 to 1187. This change is attributed, in part, to the Casey Foundation's 2020 Strategy - a national move to reduce the foster care population 50% by the year 2020. Six pilot states were selected to implement this initiative, including Florida--which set an earlier goal of 2012. To that end, Florida has made major efforts in the past 2 years to maintain families intact by providing child abuse prevention services in the home rather than placing children in foster care. Another permanency strategy responsible for a lower caseload is adoption. Most recently, Our Kids of Miami Dade received a national adoption award for exceeding their adoption goals and completing 389 adoptions in FY 2009. ***To ensure that FCR maintains a full caseload in spite of the decrease, one of our main objectives in 2010 is to work with the dependency judges and their judicial staff to encourage as many case referrals as possibly to our citizen review panels.***

In addition to adoptions, we saw other improvements this past year, such as the rate of case continuances and pre-filing of social study reports--both important factors in conducting effective reviews. Provision of independent living services, a focus of the past few years, is also improving, even though the quality of the youths' preparation for adult living is still a concern.

This past year, Foster Care Review completed the implementation of its new database--give or take a few kinks that keep the consultants busy. Staff and volunteers have been trained, new hardware has been installed, and the review process has been enhanced so that each child reviewed is allotted one full hour per review. Data reports are being designed to report on outcomes of child wellbeing, with the goal of tracking agency performance and identifying issues in need of advocacy. Distribution of reports begins at the end of the fiscal year.

For twenty years, FCR volunteers have contributed their time and passion on behalf of Miami-Dade's foster children. We strongly believe that their work is critical in holding foster care agencies accountable and monitoring the children's welfare. From the bottom of our hearts, we thank each and every one of our volunteers for their community service. We also thank the Juvenile Court for their magnificent efforts in looking after the children, and for allowing us to be of service.

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I. VISION AND MISSION

Vision: A community where all children grow up in safe, permanent homes and have the potential for healthy, productive futures.

Mission: Foster Care Review promotes prompt, positive and permanent outcomes for dependent children through case review and advocacy. FCR's mission is achieved by:

- Conducting reviews to monitor the safety and wellbeing of children in the foster care system
- Assisting the Juvenile Court by providing third-party, independent oversight of children under the court's jurisdiction
- Assessing agency compliance with mandated time frames, statutory requirements, and accepted best practice standards in child welfare
- Making recommendations to the judiciary, community based care agencies and other concerned parties
- Facilitating action toward the permanency goal of each child and family
- Engaging the participation of all concerned parties
- Tracking, analyzing and sharing impact and outcome data with our community partners
- Educating the public about the needs of foster children
- Involving the community in the lives of foster children
- Advocating for system change

II. FY 2009 REVIEW STATISTICS

CHILDREN	FY 2007	FY 2008	FY 2009	('09 +/-)
Children (single count)	709	854	649	(-24%)
Children (duplicate ct.)	1293	1477	1187	(-20%)
% of total foster children reviewed	709/3500 (20%)	854/ 4100 (21%)	649/ 3220 (20%)	(-1%)
Resets (by # children)	331/1293 (25.5%)	455/1477 (31%)	224/1187 (19%)	(-12%)
Pre-filed JRSSRs (by # children)	582/1293 (45%)	864/1477 (58%)	746/1187 (63%)	(+5%)
Post JRs (by # children)	N/A	249/1477 (17%)	163/1187 (14%)	(-3%)
Children/youth attendance at reviews (all ages)	196 (28%)	164 (19%)	267 (22%)	(+3%)
Case manager commendations (by # /% children reviewed)	173/709 (24%)	244/854 (28%)	161/649 (25%)	(-3%)
CASES AND REVIEWS	FY 2007	FY 2008	FY 2009	('09 +/-)
Cases reviewed (single count)	461	542	428	(-21%)
Cases reviewed (duplicate count)	1161	969	798	(-18%)
Children per case	854/461 (1.8)	854/542 (1.6)	649/428 (1.5)	
Volunteers/ Vol. hours	119/4916 (41.3 hrs)	120/5762 (48 hrs)	115/5256 (45.7 hrs)	

Review statistics for FY 2009:

- **Caseload (798)/children (1187).** In FY 2009, the FCR caseload decreased by 18%—from 969 to 798—and the number of children by 20%—from 1477 to 1187. For the past 3 years, FCR has reviewed about **20%** of the out-of-home foster child population for Miami Dade.
- **Children reviewed/single count (649).** There were 649 children reviewed. Of these, 538 (83%) were reviewed twice within twelve months.
- **Agencies/Judicial divisions.** The agencies with the largest number of children reviewed were CHARLEE (27%), CFCE (21%), KHU (21%) and CHS (14%). The majority of cases were referred by judicial division 8 (32%),

division 9 (25%) and division 3 (21%). (See Table 1)

- **Youth participation.** Of the 1187 children reviewed, 267 (22%) attended the review. Most were 13+. (See Table 3)
- **Agency commendations.** Case manager commendations (161) were received in the cases of 161 children (25%)—a 3% decrease from FY 2008. Citizen review panels give commendations to case managers for going above and beyond their duties. (See Table 4)
- **Case plan compliance.** There was a decrease of 7% in the agencies' compliance with case plan and reasonable efforts requirements under the Adoption and Safe Families Act (ASFA) –from 93% to 86%. Agencies with the highest case plan compliance rates, per child, were CHS, NTF (no longer in operation) and CFCE. (See Table 5)
- **Noncompliance reasons.** The most frequent reasons for noncompliance included inadequate case management (62 children); no reasonable efforts to permanency (47) and not completing tasks from previous orders (47).
- **JRSSR.** "Judicial review social study reports" are required to be filed with the court 72 hours before the review. In FY 2009, social study reports were pre-filed for 63% of the children reviewed—a 5% improvement from FY 2008. The agencies with the highest rate for pre-filed JRSSRs were FCR and HHCH. *Note: panels will generally accept JRSSRs filed on the same day so that the case does not have to be reset.* (See Table 6)
- **Case resets (or continuances).** In FY 2009, 224 children (19%) had their cases reset—a 12% improvement over last year. The agencies with the highest number of resets/per cases were KHU and CHS. (See Tables 7,8,9)
- **Reasons for resets:**
 - 86 children's cases were reset for failure to file a JRSSR
 - 60 children's cases were reset due to the case manager not appearing at the review
 - 30 children's cases were reset at the request of DCF/the agency
 - 23 children's cases were reset due to improper notice by the Clerk's office

III. STATUS OF CHILDREN REVIEWED

The typical child reviewed by our citizen review panels is an African American male 13 to 17 years of age who has special needs, a history of delinquency and a length of stay in foster care over 3 years.

- **Gender.** There were slightly fewer female (**46%**) than male (**54%**) foster children reviewed.
- **Age.** A majority (**61%**) of the children reviewed fell within the 13 through 17 year age group; **27%** were 6 to 12; and **12%** were 0 to 5. (See Table 10)
- **Race.** The children reviewed were **27%** Hispanic, **63%** Black and **8%** White.
- **Case plan goal.** For **45%** of the children the permanency goal was adoption; for **40%** it was “another planned permanent living arrangement” or APPLA—a goal used specifically for older youth who are likely to age out. Only **11%** had a goal of reunification. Note: many of the younger children are reunified or adopted before they come before the panels. (See Table 10)
- **Length of stay.** 53% of children spent three or more years in the system. Only 2% spent less than 12 months in care; 18% less than 24 months; and 83% more than 2 years. (See Tables 11,12,13)
- **Adoption.** Of the 227 children reviewed who exited the system, **103** were adopted. This was 16% of all the children reviewed (103/650.)—a 9% improvement over FY 2008. (See Table 12)
- **Emancipation.** Of the 227 children reviewed who exited the system, **124** aged out. This was 19% of children reviewed (124/650)—an 8% increase over FY 2008. Eighty percent (80%) of youth who aged out were in foster care for over 3 years. (See Table 13)
- **Delinquency.** There were **138** children with a history of delinquency. For both FY 2008 and FY 2009, **34%** of the youth between the ages of 13 and 17 had a history of delinquency. (See Table 14)
- **Special needs.** Forty percent (**40%**) of the children reviewed have special education needs. Of children over 13 years of age, **80%** have special needs, with the most common disabilities being specific learning disabled, emotional handicaps and severely emotionally disturbed. (See Table 15)
- **Placement.** About 58% of children reviewed are placed in foster homes or other foster care facilities; 20% in specialized therapeutic placements; 11% in relative/non-relative placements; 4% in runaway status; 3% in criminal justice facilities and 4% in pre-adoptive homes. (See Table 17)

- **Concerns regarding placement.** For 75 (**12%**) children, the review panels expressed concerns about the appropriateness of their placements, either because of safety issues such as running away, delinquent behavior or placements that do not lead to permanency. For FY 2008, it was 15%. (See Table 16)
- **Runaways.** In FY 2009 there were **28** children reviewed (4.3%) who were on runaway status – a 2% improvement over last year. (See Table 17)

FY 2008 – FY 2009 Status

	FY 2008	FY 2009	(+/-)
Adoption	62 (7%)	103 (16%)	+9%
Emancipation	95 (11%)	124 (19%)	+8%
Delinquency	175 (34%)	138 (34%)	=
Special needs	346 (41%)	266 (41%)	=
Placement concerns	108 (15%)	75 (12%)	-3%
Runaways	51 (6%)	28 (4%)	-2%
Length of stay: 3yrs+	65%	53%	-12%

IV. INDEPENDENT LIVING REVIEWS

The key to a successful transition to adulthood is ensuring that the youth has an education, housing, health and mental health services, the resources to maintain an adequate lifestyle and a connection to responsible adults who can support them during the transition.

Independent Living Reviews (IL). FCR's ongoing IL reviews were started in 2006 as the result of a recommendation of the Independent Living Task Force convened by Judge Cindy Lederman. FCR's IL reviews involve comprehensive reviews of youth ages 13 to 17, with the goal of ensuring compliance with the IL statute and the youths' preparation for adult living.

Preparation for adult living: Efforts to prepare youth for adult living have significantly improved. The majority of the youth are being referred (78%) and assessed (75%) for IL services. However, to everyone's frustration, only 59% of the youth are receiving IL services and only 47% are participating in their required IL staffings. As reported by case managers and others involved in their lives, the youth are more focused on getting out of the system than in planning for their future. Only 31% of youth ages 16 and 17 had identified housing when they turned 18. While things are improving, it is not enough.

This is a population with multiple issues, including delinquency, mental health problems and a history of academic failure. They need intensive services and these have to be provided at an earlier age. By the time many of these youth start attending IL classes they are almost ready to age out. **One of the most vocalized complaints of FCR volunteers is that too many of our foster youth are leaving the system without being prepared for adult living. (Table 18)**

Profile of IL population:

- **How many:** Of all children reviewed, **402** (62%) were ages 13 to 17.
- **Race:** **274** (68%) were Black, **98** (24%) Hispanic and **24** (6%) White.
- **Case plan goal:** **29%** had a plan of adoption, **63%** APPLA, **3%** reunification.
- **Delinquency:** **34%** had a history of delinquency. **(Table 14)**
- **Special education:** **80%** of children ages 13 to 17 had special needs (211/266). **(Table 15)**

V. ACHIEVEMENTS: PEOPLE, COMMUNITY, RESOURCES

Over the past 20 years, FCR has monitored the safety, wellbeing and permanency of over 42,000 foster children.

- Fifty percent of our volunteers have served over 5 years. Of 115 volunteers, 8 volunteers completed 15+ years of service, 13 completed 10+ years of service and 36 completed 5+ years of service, for a total contribution of 5256 hours of volunteer service.
- Grant funds from the Children's Trust supported FCR's new Early Childhood reviews and training workshops on issues related to children from birth to five years of age.
- Grant funds from the Dade Community Foundation supported volunteer training and a newsletter on issues related to gay, lesbian, bisexual, transsexual and questioning youth (GLBTQ) in foster care.
- FCR's peer advocate program was started with help from the GAP Foundation. Peer advocates are former foster youth who notify youth of their reviews and answer whatever questions they might have.
- FCR's Independent Living reviews were continued with funds from the Joseph H. and Florence A. Roblee Foundation and Dade Community Foundation.
- Judge Cindy Lederman received the 2009 Doug Halsey Award for Community Service at a reception sponsored by Mellon Bank.
- Events planned in FY 2009 included a Mellon Bank reception, a luncheon at Joe's Stone Crabs, a volunteer Holiday party and a Volunteer Recognition.
- The 3-year contract with Chapin Hall Center for Children, University of Chicago, came to an end in June of 2009. The project involved program monitoring of community based care in Miami-Dade and Monroe counties. In its 2009 report, the Office of Program Policy Analysis and Government Accountability (OPPAGA) stated that the pilot project resulted in "improved quality assurance and performance measurement systems for both the Department of Children and Families and the pilot lead agencies."
- Foster Care Review celebrated its 20th Anniversary in 2009. Currently, FCR has 16 staff members and 115 volunteers.
- For FY 2009, FCR's \$2.1 million budget is funded by the State of Florida, The Children's Trust, Dade Community Foundation, United Way of Miami-Dade, and other private foundations and contributions.

VI. CITIZEN REVIEW PANEL RECOMMENDATIONS

Florida law requires Foster Care Review to issue recommendations to the court regarding barriers to children's permanency. The following recommendations are based on specific concerns of our citizen review panels and the data collected at reviews. They involve improvement of children's services, foster parent accountability, permanency efforts for older youth and case managers' preparation for court.

A. BARRIERS TO PERMANENCY: SERVICE PROVISION

Provision of services to foster children and their caretakers, specifically health and mental health services, are essential in ensuring their wellbeing and to give them every opportunity to achieve permanency. To that end, services must be regularly and comprehensively monitored by the agencies, the courts and citizen review panels. Below are some of the most common barriers identified at reviews:

- Children with serious health or mental health issues have difficulty being adopted, yet more than 50% of the children reviewed by FCR citizen review panels have a disability. In these cases, it is critical that the child receive intensive, appropriate and ongoing services.
- Prospective adoptive parents must be assured that services will be ongoing after an adoption and that adoption subsidies will be available to address the child's needs. This would address many of their concerns regarding lack of supports after adoption.
- Children must receive counseling to prepare them for adoption. For some children, the fear of adoption is oftentimes an obstacle to permanency. Others do not want to be adopted for fear of betraying their families. And yet others fear a name change, maintaining contact with siblings, or the disappointment of not finding someone interested in them.
- Older youth have a very difficult time finding permanent homes, especially when they have had multiple placement disruptions that cause them to isolate themselves or withdraw. Intensive services to manage the youth's behavior are essential.
- Many children's lives are disrupted by foster home moves, causing them emotional turmoil, behavioral and academic problems. Requests by foster parents to remove children from their home should be closely scrutinized. This is a frequent occurrence that could be prevented with appropriate intervention services for both the foster parents and the child.
- Out of county or state placements are often delayed due to lack of coordination and oversight of children. The current process involving the Interstate Compact for the Placement of Children (ICPC) must be

improved. In the recent case of a child placed with her maternal aunt in another county, the adoption was delayed for over one year due to case manager not having sufficient information from the host state regarding the aunt. The panel's own efforts and insistence in obtaining information resulted in the finalization of this child's adoption.

- There is often a waiting list for programs that address sexualized behaviors for victims of sexual abuse or for youth identified as offenders. These are critical therapeutic services that must be readily available to avoid children or youth getting into further trouble and to protect other children.

"Tanya, who has a history of sexual abuse, was caught engaging in sexual activities with a young man who resides in another home at the group home campus. During the panel's judicial review it became clear that Tanya had not been provided with the appropriate therapy, as recommended in a psycho-sexual evaluation completed on 1/12/2009 (approximately three months after the incident). The case manager, who at the time, had only had the case for approximately one week, reported that Tanya was on the Kristi House waiting list, but was not referred anywhere else in the meantime. Tanya reported at the review that she would like to participate in therapy to help her process her feelings and the house parent reported that Tanya is in need of therapy immediately. The panel scheduled this case for a post judicial review and the agency reported that they had located a therapist who would begin therapy with Tanya until an opening occurred for her at Kristi House".

B. BARRIERS TO PERMANENCY: FOSTER PARENT ACCOUNTABILITY

Foster parents should also be held accountable for their responsibilities, which include providing children a safe nurturing environment, ensuring their attendance to medical and psychological appointments, and providing transportation to school activities. When foster parents do not help out, these responsibilities fall on the case management agency. Realistically, it is impossible for the agencies to meet every child's needs. This can result in children not getting services or not participating in activities that would be beneficial for their wellbeing and permanency.

- Academic achievement is directly related to parental involvement. For children having trouble in school, foster parent involvement is critical. Yet panels frequently find that there is no foster parent involvement in Individual Educational Plans (IEPs) even though they receive notification letters for such staffings.
- Extra-curricular activities help students gain experience in a variety of areas that will enhance their future. Yet panels often find that children are not participating in these activities for lack of assistance with transportation. Foster parents should be expected to facilitate access to

these activities for their foster children. When they cannot do so, mentors are critical.

- Many youth report that they are not receiving the opportunities to perform daily living skills at their foster home placements and practice what they learn at the IL classes. Although youth may have attended budgeting classes many still do not have a bank account. Foster parents need to help youth with these very basic living skills.

C. BARRIERS TO PERMANENCY: PERMANENCY FOR OLDER YOUTH

- Permanency options for older youth must be fully explored at permanency staffings and at every judicial review. For a goal of APPLA, specifically, there should be compelling, well documented reasons. At reviews, the agency should clearly demonstrate the following: efforts made to identify and recruit a permanent home for the youth; the last time the agency searched for relatives; former or current caregivers willing to commit to the youth, even after turning 18.
- Training for case managers on IL requirements needs to be improved and must be ongoing. Their lack of understanding of IL requirements is often apparent at reviews. For example, one of the reasons often given for changing the permanency goal to APPLA is that the youth will not qualify for RTI benefits unless he has an APPLA goal—an incorrect statement.
- Every effort should be made to give children a positive therapeutic experience, including maintaining the same therapist if possible. Yet many children complain of multiple therapists; this can result in poor participation in therapy and lack of progress in the child's wellbeing.
- There needs to be more consistent application of IL services among agencies. The IL assessments, independent living classes, quality of IL staffings and the reports, the educational/career plan, teen normalcy plan and documentation of completed classes vary depending on the agency. Understanding of the requirements also varies by agency. To ensure effective provision of IL services for all youth, the requirements for independent living services need to be standardized across agencies.
- To ensure accountability for provision of IL services, the roles of the case manager and the IL coordinator need to be better defined. Often at reviews no one is clear about who is responsible for what, including agency staff.
- Panels are concerned that many of the youth are aging out of the foster care system at age 18 without being prepared for adult living and without adult relationships that can give them support. To give foster youth a better chance at permanency, foster care and/or intense independent living services should be extended to age 21 at a minimum.

- To assess whether permanency efforts for older youth are effective, Florida needs to hold administrative hearings to review the status of youth after age 18. Once a youth reaches 18, however, they are outside the jurisdiction of the Juvenile Court unless jurisdiction has been extended for one year. Consequently, there is very little data available regarding the effectiveness of the independent living program. Administrative reviews of this population were a practice in the Miami foster care system that was stopped in the year 2001 and needs to be restarted.

D. BARRIERS TO PERMANENCY: PREPARATION FOR COURT

Judicial reviews are critical in monitoring the quality of case management, provision of services to the child and progress to permanency. To that end, foster care agencies are responsible for ensuring that case managers provide accurate and complete information at every review. When case managers are unable to provide the information, their supervisors or other agency staff with knowledge of the case should come to reviews or provide testimony by phone. Lack of preparation for reviews can result in the reset of cases, agencies found in noncompliance, and children who stay in care longer than necessary. The panels have identified the following barriers in conducting effective citizen reviews:

- Many case managers wait until the week before the review to start preparing for the review or implementing the panels' recommendations. Supervisors should track timely compliance with court orders.
- Many case managers fail to bring school, health or mental health reports or other documentation verifying services. Where lack of documentation is the issue, case managers should be able to access the documents online through their current technology.
- Case managers with new cases are often unprepared. It is important to have an effective transition so that the new person has the information needed to provide services and to be prepared at court.

"In one of the cases reviewed by the panel, the new case manager was unaware that the child's neurologist had ordered that he have a MRI of the brain, and a court order had been granted for the procedure approximately six months earlier. The case manager reported that a brain MRI was not needed as the child only complained of back aches and had visited his doctor who determined the back aches were minor and prescribed over the counter medication. The new case manager was unaware of the previous concern and the court order indicating the child needed a MRI of the brain until the case came before CRP".

- Judicial Review Social Study Reports (JRSSRs) are often inaccurate, incomplete, and/or not filed within the statutory time period. Panel members often find discrepancies in the JRSSR—such as wrong name or sex of child, incorrect information about the parent and/or incomplete information regarding services. For 2009, JRSSRS were timely filed for only 63% of the children reviewed. Additionally, 86 children had cases rescheduled due to failure to file a JRSSR or due to lack of sufficient documentation. Supervisor should thoroughly review the JRSSR prior to filing.
- Case resets, although improved, continue to be an issue. For 2009, 86 children had their cases rescheduled due to failure to file a social study report, 60 children because of the case manager's failure to appear and 23 children due to a notification problem. Agencies need to have a system for tracking court hearings and making sure the case managers or supervisors show up at the hearing. They also need to work with the clerk's office to ensure that they have the correct address for the parties.
- Some case managers are not familiar with policies, procedures and practices, specifically IL or APD services. They themselves complain that they have no time to attend training and that they do not know what is expected at reviews. There needs to be standardized, on-going training for case managers.

"I learned more about how to prepare for a judicial review from the CLS attorney than from my supervisor."

"I was not aware he needed a biannual staffing."

VII. FOSTER CARE REVIEW DATA

Children reviewed – by agency and judicial division * (Table 1)

Children Reviewed (by agency and division) – single count							
	001	002	003	008	009	Total	%
CFCE	7	31	35	21	40	134	21%
CHARLEE	15	15	40	65	39	174	27%
CHS	6	12	16	43	16	93	14%
FRC	6	17	11	17	22	73	11%
HHCH	0	0	3	14	7	24	4%
KHU	7	20	29	46	32	134	21%
NTF	3	4	0	4	6	17	2%
Total	44	99	134	210	162	649	
	7%	15%	21%	32%	25%		

❖ Juvenile divisions

01 – Jeri Cohen
 02 – Cindy Lederman
 03 – Maria Sampedro- Iglesia
 08 – George Sarduy
 09 – Marcia Caballero

❖ Community based care agencies

CFCE Center for Family and Child Enrichment
 CHARLEE Children have all rights, legal, educational and emotional
 CHS Children's Home Society
 FCR Family Resource Center
 HHCH His House Children's Home
 KHU Kids Hope United
 NTF Neighbor to Family

Age and race of children reviewed

(Table 2)

Age Range	0-5	6-12	13-17+	Total	
Non-Hispanic Black	43	92	274	409	63%
Hispanic	21	56	98	175	27%
Multi-Racial	1	6	6	13	02%
Native American	1	0	0	1	0%
Non-Hispanic White	9	16	24	49	7.5%
Unknown	0	2	0	2	0%
Total	75	172	402	649	
	12%	27%	61%		

Participation at reviews (n=1187)**(Table 3)**

Participants at reviews	Total
Atty. for child	30
Atty. for DCF/Case Mgmt. Agency	1183
Atty. for parent - father	11
Atty. for parent - mother	34
Case Mgr. - private agency	1175
Case Mgr. - Rep. /Substitute	12
Child	267
Foster parent	72
Guardian ad Litem	553
Guardian ad Litem Rep.	79
Other - therapists, etc.	193
Parent - Father	24
Parent - mother	72
Supervisor of Case Mgr.	9
Total	3714

Case management commendations**(Table 4)**

Case management commendations (by # children)			
	# children reviewed	Commendations	
CFCE	134	4	3%
CHARLEE	174	69	40%
CHS	93	23	25%
FRC	73	19	26%
HHCH	24	4	17%
KHU	134	42	31%
NTF	17	0	0
Total	649	161	25%

Non-compliance with case plan requirements under the Adoption and Safe Families Act (ASFA)

(Table 5)

Case plan noncompliance (n=649)			
Agency	Children reviewed	Non Compliance	
			%
CFCE	134	23	17%
CHARLEE	174	18	10%
CHS	193	25	27%
FRC	73	2	3%
HHCH	24	2	8%
KHU	134	17	13%
NTF	17	4	24%
Total/Ave.	649	91	14%

Reasons for noncompliance:

- No case plan was in effect (10);
- Tasks from previous orders were not completed (47);
- No reasonable efforts were made to reunify the family (8);
- No reasonable efforts to place the child into a permanent placement (47);
- Did not make reasonable efforts to assure all court order visitation occurs (8);
- Case management was inadequate (62);
- Case manager did not perform tasks as stated in the case plan (29).

Note: More than one reason may be selected for each child.

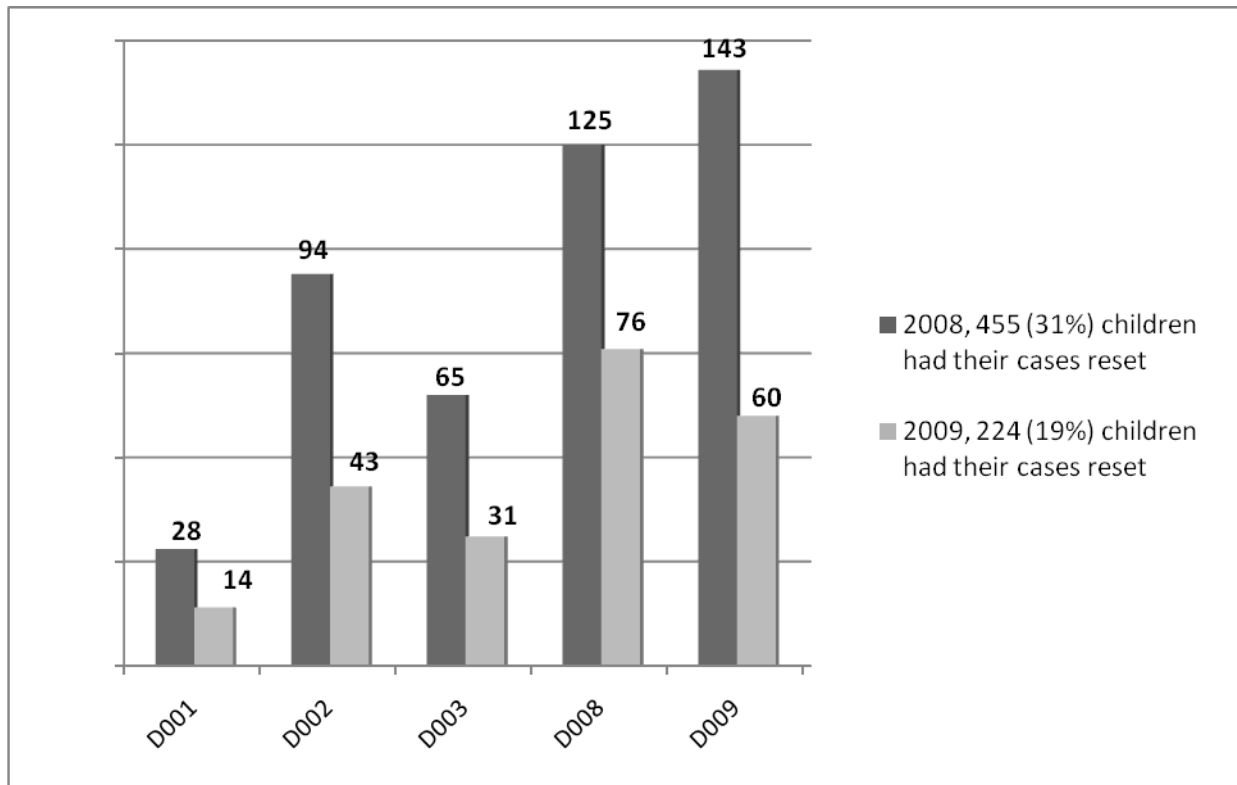
Compliance with JRSSRs (Judicial Review social study reports)

(Table 6)

Compliance with JRSSR Pre-filing (by # children)						
	2008			2009		
	# Child rev'd	# JRSSR Pre-filed	%	# Child rev/d	# JRSSR Pre-filed	%
CFCE	268	165	62%	238	168	70%
CHARLEE	382	242	63%	331	211	64%
CHS	177	92	52%	182	116	64%
FRC	94	92	98%	131	100	76%
HHCH	57	38	67%	40	23	58%
KHU	294	119	40%	242	113	47%
NTF	205	116	57%	23	15	65%
Total/Ave.	1477	864	58%	1187	746	63%

Case continuances (resets) by judicial division

(Table 7)



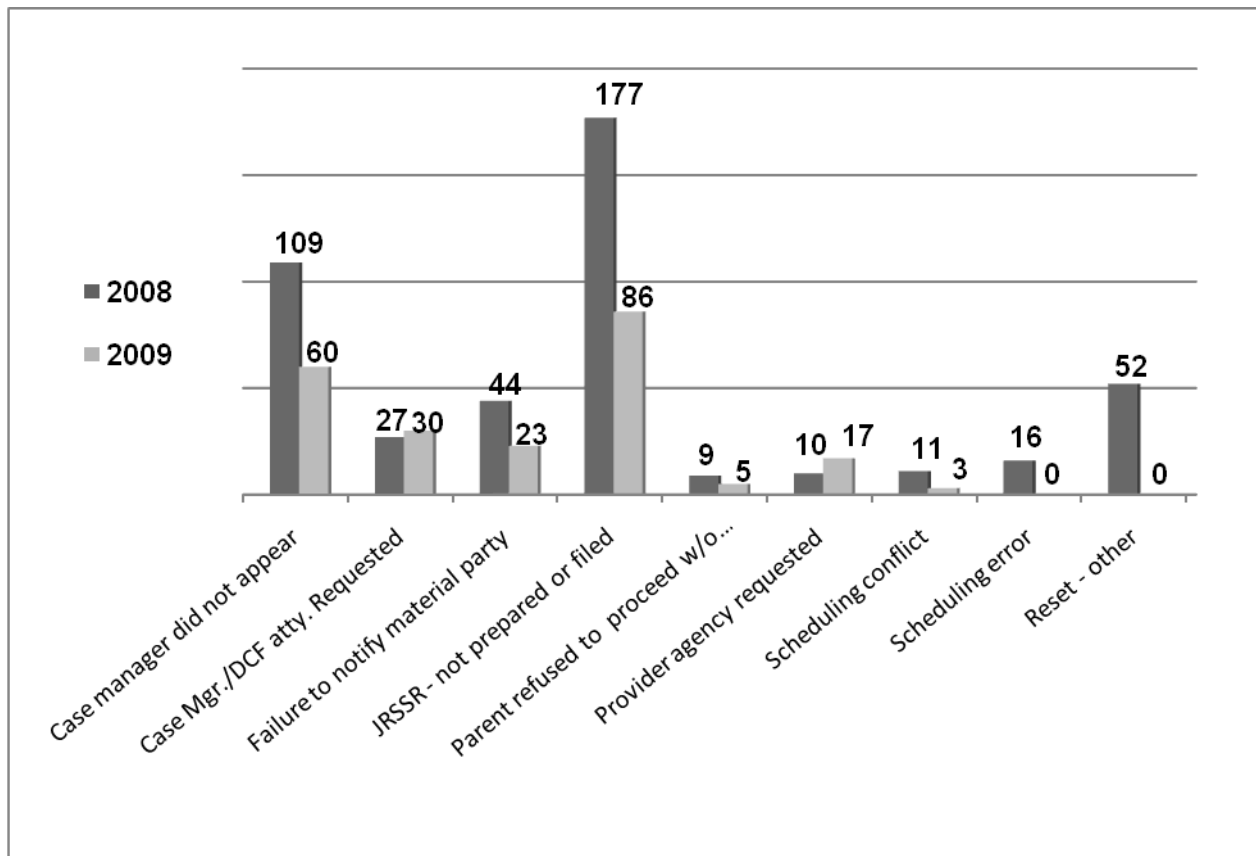
Agency resets (percentage by # of children)

(Table 8)

Resets (by # children)			
	Children Reviewed	# Resets	% Resets per agency cases
CFCE	134	55	41%
CHARLEE	174	28	16%
CHS	93	48	52%
FRC	73	32	44%
HHCH	24	0	0%
KHU	134	59	44%
NTF	17	2	12%
Total	649	224	

Reasons for Resets (n=224)

(Table 9)



Children reviewed by case plan goal and age group (Table 10)

Case plan goals	# children by goal/age range				
	0-5	6-12	13-17+	Total	%
Adoption	57	114	118	289	45%
Another Planned Perm Living Arrangement	0	7	255	262	40%
Reunification	16	41	12	69	11%
Permanent Guardianship w/Fit & Willing Relative	0	1	3	4	0%
Permanent Guardianship	2	9	14	25	4%
Total	75	172	402	649	
	(12%)	(27%)	(61%)		

Children reviewed by case plan goal and length-of-stay (Table 11)

Length of Stay (LOS) (by # months)	#children by goal/LOS					
	0-12	13-24	25-36	37+	Total	%
Case plan goals						
Adoption	7	40	100	142	289	45%
Another Planned Perm Living Arrangement	3	19	58	182	262	40%
Reunification	0	36	27	6	69	11%
Permanent Guardianship w/Fit & Willing Relative	0	0	2	2	4	0%
Permanent Guardianship	0	7	9	9	25	4%
Total	10	102	196	341	649	
	2%	16%	30%	53%		

Children adopted: 103 (by gender and LOS)

(Table 12)

Gender	Length of stay (in months)				
	0-12	13-24	25-36	37+	Total
Female	1	3	18	34	56
Male	0	4	7	36	47
Total	1	7	25	70	103

Emancipation: 124 (by gender and LOS)

(Table 13)

Gender	Length of stay (by # months)			
	13-24	25-36	37+	Total
Female	4	9	50	63
Male	2	10	49	61
Total	6	19	99	124

Delinquency history (by race and gender)**(Table 14)**

Children with history of delinquency (ages 13 - 17)	GENDER		
RACE	F	M	Total
Multi Racial	2	2	4
Black Hispanic	1	3	4
Non-Hispanic Black	40	57	97
Non-Hispanic White	5	4	9
White Hispanic	6	18	24
Total	54	84	138

Exceptional Student Education (ESE) classifications (Table 15)

ESE classification	0 to 5	6 to 12	13 to 15	16+	Total
Autistic	0	3	1	2	6
Deaf	0	0	1	0	1
Developmentally delayed	1	5	0	0	6
Dual sensory impaired	0	0	0	1	1
Educable mentally handicapped	0	4	6	5	15
Emotionally handicapped	0	8	16	31	55
Gifted	0	1	0	1	2
Health impaired	0	1	3	2	6
Hospital / homebound	0	1	2	2	5
Language impaired	0	0	1	0	1
Orthopedically impaired	0	0	1	2	3
Other	0	2	2	0	4
Profoundly mentally handicapped	0	3	2	8	13
Severely emotionally disturbed	0	5	19	18	42
Specific learning disabled	0	12	14	31	57
Speech therapy	0	1	0	0	1
Trainable mentally handicapped	0	0	1	2	3
Unknown	0	8	13	24	45
Total	1	54	82	129	266

Placement concerns

(Table 16)

AGENCY	Placement Not Appropriate			
	(n = 854)		(n=649)	
	2008	%	2009	%
CFCE	22	(3%)	26	(4%)
CHARLEE	27	(3%)	16	(2%)
CHS	12	(1%)	9	(1%)
FRC	11	(1%)	8	(1%)
HHCH	9	(1%)	4	(1%)
KHU	12	(1%)	11	(2%)
NTF	13	(2%)	1	0
TOTAL	106	(12%)	75	(12%)

Placement concerns

- Safety of child cannot be assured (includes runaway children) **(28 children)**
- Placement is not a step towards permanency **(34 children)**
- Placement does not meet emotional needs **(15 children)**
- Placement does not meet educational needs **(4 children)**
- Placement does not meet physical needs **(1 child)**
- Placement is interfering with permanency **(34 children)**
- Child is subject to abuse by another child in the placement **(0 children)**

Child Placement

(Table 17)

PLACEMENT	0-5	6-12	13-15	16+	Total
Adult jail	0	0	0	2	2
Detention	0	0	0	1	1
Developmental Group Home	0	4	2	8	14
Foster Home	33	87	53	101	274
Group home (non-therapeutic)	0	0	13	52	65
Juvenile Justice Facility	0	0	0	14	14
Medical Foster Home	11	14	6	9	40
Non-relative (not licensed)	4	7	3	1	15
Other	0	0	0	0	0
Parent	0	5	1	0	6
Preadoptive Parent	8	13	4	3	28
Psych Residential Treatment Facility	0	0	1	10	11
Relative (not licensed)	15	17	6	11	49
Relative Caregiver Program	0	2	0	0	2
Relative -Licensed Foster Home	2	3	2	1	8
Residential Group Facility	0	0	0	12	13
Runaway Status	0	0	3	25	28
Shelter	2	7	3	12	24
Subsidized IL Program	0	0	0	2	2
Therapeutic Foster Home	0	12	18	16	46
Therapeutic Group Home	0	0	3	4	7
Total	75	172	118	284	649

Services to transitioning youth

(Table 18)

Compliance requirements w/statutory for youth ages 16 and 17	FY 2008		FY 2009	
	315		237	
Independent Living (IL) Services		%		%
Youth referred for Independent Living	240	76%	184	78%
Youth assessed for Independent Living	228	72%	178	75%
IL assessment filed with the court	195	62%	155	65%
Required Staffing held	223	71%	201	85%
Youth participates in the Staffing	148	47%	188	79%
IL transitional case Plan filed with court	89	28%	126	53%
IL Services provided as per case plan	41	13%	141	59%
90-day JR for 17 yr/old has taken place	44	14%	27	11%
Post 18 placement identified	38	12%	73	31%
Informed on extended jurisdiction	85	27%	68	29%
Received completed Needs Assessment	11	3%	7	3%
Has Medicaid	126	40%	147	62%
Has Social Security	253	80%	177	75%
Has Birth Certificate	275	87%	186	78%
Has a Florida ID	188	60%	141	59%
Transitional (IEP)	29	9%	62	26%
DS Client	6	2%	5	2%

VIII. HISTORY AND PROGRAM DESCRIPTION

Our History

Foster Care Review (FCR) was created by United Way of Miami in 1988 as the result of a citizen initiative designed to address the problems in the foster care system. After researching other states' efforts to improve the foster care system, a task force of 150 community leaders recommended the implementation of citizen review of foster care cases—a program in which citizens are trained to serve as independent, third-party reviewers and advocates for youth in the foster care system. The concept is one of private-public collaboration and merges the State's responsibility for the care of foster children with community involvement. The Florida Legislature enacted legislation in 1989 that authorized citizen review panels to participate in the judicial review process. FCR is one of three existing programs in the State.

Statutory authority

In 1980, Congress enacted Public Law 96-272, the Adoption Assistance and Child Welfare Act. This landmark legislation, the foundation for the current child welfare system, placed significant responsibility on the courts to review child welfare cases on a regular basis, and required States to make reasonable efforts towards permanency. Since then, many States have elected to implement citizen review panels to assist the courts with the increasing demands in monitoring of children.

The Adoption and Safe Families Act (ASFA), as amended in 1999, shortened timeframes for permanency and focused on safety, wellbeing of the child and adoption. ASFA also established performance standards and a state accountability system whereby states face financial penalties for failure to demonstrate improvements in child outcomes. FCR assists the State's compliance with these federal mandates by conducting case reviews of children, making judicial determinations of reasonable efforts, and by tracking compliance with ASFA.

The Florida citizen review enabling legislation is found at F.S. 39.701 and 39.702. Section 701 provides the requirements for conducting a judicial review by a court or citizen review panel, and section 702 outlines the requirements for administering the program.

Judicial Reviews of Children by Citizen Review Panels

F.S. 39.701 requires a judicial review at least every six months for each child in the dependency system. The purpose of the review is to monitor the child's safety, wellbeing and progress towards permanency. After each review, the panels make recommendations to the Juvenile Court based on the information provided at the review. Any party objecting to the panel's findings and recommended orders may request an exception hearing before the court.

Review hearings are set by the Clerk of the 11th Judicial Circuit Court on the fifth and tenth month after the child enters foster care. A permanency hearing is scheduled on the twelfth month before the Court. Each of FCR's 15 citizen review panels meets one day per month to conduct 6 to 8 reviews, which generally take one hour depending on the number of children in a case. Hearings are held 15 days out of the month at the Citizen Review Courtroom located on the grounds of the Juvenile Justice Center. Staff support is provided by FCR review specialists, who facilitate the review process, collect data and prepare the findings and recommendations submitted to the Court for approval.

In 2004, FCR initiated a pilot project to conduct special reviews of youth ages 16 and 17 to ensure their preparation for independent living. Funding was received in 2006 allowing us to continue these reviews as part of our regular program. In 2008, independent living reviews were expanded to hear children ages 13 and over.

The review serves as a barometer of case management, continually stimulating progress and improvements to ensure that needed services are provided, that the child is appropriately and safely placed and that the tasks identified in the case plan are being performed. Upon suspicion of risk to a child, or in the event of serious noncompliance with orders, the citizen review panels request a post-judicial review before the Court for immediate judicial action.

Data Collection and Reporting

FCR's database was designed in 1999 and developed with input from child welfare system partners. It serves multiple functions: the tracking of individual case information, the production of reports and recommended orders on each case, and the production of summary reports with aggregate data. With support from the Children's Trust, FCR's database was upgraded in 2008. The new database is web-based and allows for more effective reporting of child outcomes.

The review process provides a unique source for quantitative and qualitative information regarding children in foster care—information not readily available through any other mechanism. Review data can assist in identifying the needs of children as well as critical information in making sound policy, funding, and planning decisions for individual children and groups of children.

Once customized to perform system level tracking, FCR's reports can be used as quality assurance tools by public and private child welfare agencies, the Juvenile Courts, the Legislature and others to improve practice and develop responsive policies and budgets. The results are better decisions, better compliance with federal and state laws and improved outcomes for children in the foster care system. FCR data reports can:

- Monitor the extent to which policy and practice are being implemented according to laws, regulations and expectations in a timely fashion;
- Determine compliance with the requirements of the Adoption and Safe Families Act (ASFA), monitoring case by case the safety and well being of children in care, their progress toward permanency, and timeframes for permanency decision-making;
- Monitor casework performance to determine if reasonable efforts and critical casework activities are occurring timely and in accordance with federal and state laws and local standards and expectations;
- Inform decision-makers about potential case and systemic problems; and
- Hold agencies and professionals accountable for the care and treatment of children by monitoring quality and delivery of services.

Volunteer Training

Quality citizen reviews depend on having volunteers that are highly knowledgeable of the foster care system and statutory requirements, including areas of child development, substance abuse, mental health, case management, the court process, and community resources. Volunteers must also be culturally responsive during their work at review hearings, and must know how to build trust and engage the meaningful participation of foster children and their families.

FCR volunteers are required to attend 25 hours of pre-service training before they can participate in a citizen review panel. In addition, all volunteers must attend a minimum of 10 hours of continuing education. Training of volunteers is a collaborative effort that involves FCR staff, local child abuse experts, foster parents, DCF, the Guardian ad Litem Program, and private child welfare agencies.

Community-based care monitoring pilot project

In 2006 the Florida Legislature created a 3-year pilot project to monitor the effectiveness of community based care in the counties of Miami-Dade, Monroe and Broward. The Department of Children and Families contracted with Chapin Hall Center for Children, University of Chicago, to conduct the program monitoring activities. In turn, Chapin Hall contracted with FCR to assist with data collection and analysis and data reporting. This project ended in June 2009.

IX. CRP STATUTES

F.S. 39.701 Judicial reviews (selected statutes)

(2)(a) The court shall review the status of the child and shall hold a hearing as provided in this part at least every 6 months until the child reaches permanency status. The court may dispense with the attendance of the child at the hearing, but may not dispense with the hearing or the presence of other parties to the review unless before the review a hearing is held before a **citizen review panel**.

(b) **Citizen review panels** may conduct hearings to review the status of a child. The court shall select the cases appropriate for referral to the **citizen review panels** and may order the attendance of the parties at the review panel hearings. However, any party may object to the referral of a case to a **citizen review panel**. Whenever such an objection has been filed with the court, the court shall review the substance of the objection and may conduct the review itself or refer the review to a **citizen review panel**. All parties retain the right to take exception to the findings or recommended orders of a **citizen review panel** in accordance with Rule 1.490(h), Florida Rules of Civil Procedure.

(c) Notice of a hearing by a **citizen review panel** must be provided as set forth in subsection (5). At the conclusion of a **citizen review panel** hearing, each party may propose a recommended order to the chairperson of the panel. Thereafter, the **citizen review panel** shall submit its report, copies of the proposed recommended orders, and a copy of the panel's recommended order to the court. The **citizen review panel's** recommended order must be limited to the dispositional options available to the court in subsection (9). Each party may file exceptions to the report and recommended order of the **citizen review panel** in accordance with Rule 1.490, Florida Rules of Civil Procedure.

(3)(a) The initial judicial review hearing must be held no later than 90 days after the date of the disposition hearing or after the date of the hearing at which the court approves the case plan, whichever comes first, but in no event shall the review be held later than 6 months after the date the child was removed from the home. **Citizen review panels** shall not conduct more than two consecutive reviews without the child and the parties coming before the court for a judicial review.

F.S. 39.702 Citizen review panels.

(1) **Citizen review panels** may be established in each judicial circuit and shall be authorized by an administrative order executed by the chief judge of each circuit. The court shall administer an oath of office to each **citizen review panel** member which shall authorize the panel member to participate in **citizen review panels** and make recommendations to the court pursuant to the provisions of this section.

(2) **Citizen review panels** shall be administered by an independent not-for-profit agency.... All independent not-for-profit agencies conducting citizen reviews must submit citizen review annual reports to the court.

(3) For the purpose of this section, a **citizen review panel** shall be composed of five volunteer members and shall conform with the requirements of this chapter. The presence of three members at a panel hearing shall constitute a quorum. Panel members shall serve without compensation.

(4) Based on the information provided to each **citizen review panel** pursuant to s. 39.701, each **citizen review panel** shall provide the court with a report and recommendations regarding the placement and dispositional alternatives the court shall consider before issuing a judicial review order.

(5) The independent not-for-profit agency authorized to administer each **citizen review panel** shall:

(a) In collaboration with the department, develop policies to assure that **citizen review panels** comply with all applicable state and federal laws.

(b) Establish policies for the recruitment, selection, retention, and terms of volunteer panel members. Final selection of **citizen review panel** members shall, to the extent possible, reflect the multicultural composition of the community which they serve. A criminal background check and personal reference check shall be conducted on each **citizen review panel** member prior to the member serving on a **citizen review panel**.

(c) In collaboration with the department, develop, implement, and maintain a training program for citizen review volunteers and provide training for each panel member prior to that member serving on a review panel. Such training may include, but shall not be limited to, instruction on dependency laws, departmental policies, and judicial procedures.

(d) Ensure that all **citizen review panel** members have read, understood, and signed an oath of confidentiality relating to written or verbal information provided to the panel members for review hearings.

(e) Establish policies to avoid actual or perceived conflicts of interest by panel members during the review process and to ensure accurate, fair reviews of each child dependency case.

(f) Establish policies to ensure ongoing communication with the department and the court.

(g) Establish policies to ensure adequate communication with the parent, the foster parent or legal custodian, the guardian ad litem, and any other person deemed appropriate.

(h) Establish procedures that encourage attendance and participation of interested persons and parties, including the parents, foster parents, or legal custodian with whom the child is placed, at citizen review hearings.

(i) Coordinate with existing **citizen review panels** to ensure consistency of operating procedures, data collection, analysis, and report generation.

(j) Make recommendations as necessary to the court concerning attendance of essential persons at the review and other issues pertinent to an effective review process.

(k) Ensure consistent methods of identifying barriers to the permanent placement of the child and delineation of findings and recommendations to the court.

(6) The department and agents of the department shall submit information to the **citizen review panel** when requested and shall address questions asked by the **citizen review panel** to identify barriers to the permanent placement of each child.

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Not shown on photo: Dilma Monteiro, Cristina Varga, David Sharfman

WE PRAY FOR CHILDREN

We pray for children
who sneak popsicles before supper,
who erase holes in math workbooks,
who can never find their shoes.

And we pray for those
who stare at photographers from behind
barbed wire, who can't bounce down the
street in a new pair of sneakers, who never
"counted potatoes,"
who are born in places we wouldn't be
caught dead, who never go to the circus,
who live in an X-rated world.

We pray for children
who bring us sticky kisses and fistfuls of
dandelions, who hug us in a hurry and
forget their lunch money.

And we pray for those who never get
dessert, who have no safe blanket to drag
behind them, who watch their parents
watch them die, who can't find any bread
to steal, who don't have any rooms to clean
up, whose pictures aren't on anybody's
dresser, whose monsters are real.

We pray for children
who spend all their allowance before
Tuesday, who throw tantrums in the
grocery store and pick at their food, who
like ghost stories, who shove dirty clothes
under the bed, and never rinse out the tub,
who get visits from the tooth fairy, who
don't like to be kissed in front of the
carpool, who squirm in church and scream
in the phone, whose tears we sometimes
laugh at and whose smiles can make us
cry.

And we pray for those
whose nightmares come in the daytime,
who will eat anything,
who have never seen a dentist,
who aren't spoiled by anybody,
who go to bed hungry and cry themselves
to sleep, who live and move, but have no
being.

We pray for children who want to be
carried and for those who must, for those
we never give up on and for those who
don't get a second chance.

For those we smother with love,
and for those who will grab the hand of
anybody kind enough to offer it.

(Anonymous)

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