

WHAT ARE THE STRATEGIES, IF ANY, THAT STATES ACROSS THE NATION EMPLOY WITH THEIR RESPECTIVE FAMILY COURTS TO WORK COLLABORATIVELY ON BEHALF OF CHILDREN IN CARE?

STATE SUMMARY: MINNESOTA

State CFSR

A court representative was included on the CFSR team in 2001. This individual contributed to all the discussions on the CFSR, and helped choose sites for the federal review. The statewide assessment team was invited to participate in the on site review. Minnesota passed all of the systemic factors, but failed all seven outcomes, including, among others, safety standards and the timeliness of adoption.

The PIP plan was drafted when state agency employees were on strike. Despite this barrier, there were a series of meetings with county partners regarding direct practice issues. (Minnesota is a state supervised, county administered child welfare system.) In addition, there was a single meeting to which all the stakeholders, including the courts, were invited. The time period while the PIP was being drafted was a stressful time and the PIP was rushed. Therefore, the agency was not as inclusive as it would have liked to be.

Collaboration Following the Release of the PIP

The PIP did make reference to the major court-agency initiative in Minnesota, the Children's Justice Initiative (CJI). The PIP contemplates that CJI will be the instrument of court related reforms that support the PIP, such as initiatives to shorten the average length of time for the adoption of children in foster care.

Ongoing Collaboration

Children's Justice Initiative. The Children's Justice Initiative is a partnership between the Minnesota Supreme Court and the Department of Human Services. The partnership involves facilitating training and processes for locally-based reforms. With the assistance of Minnesota's Court Improvement Program (CIP), there is an assessment of court-agency practice in selected counties. Following the assessment, the local CJI partners develop and implement a plan to improve practices identified in the assessment. The CJI key partners are the judge and county director. The judge is in a significant leadership role and convenes a local CJI committee that is comprised of all major stakeholders.

The CJI assessment in each county primarily focuses on court-related improvements, including agency involvement in the court process. The outcome goals for CJI include meaningful permanency decisions in a reasonable amount of time (which is defined as within a year; less for children under eight, except where parents are making a good faith effort towards reunification). The CJI process began with 27 counties in 2001-2002. The remaining 60 counties began

participation in Fall 2003. CJI is linked to the PIP in that timely permanency decision-making is a goal in the PIP.

CJI has sponsored centralized training to help launch the county initiatives. The first such court-agency sponsored training occurred in 1999, and another training took place in 2002. The Chief Justice has been a champion of CJI, both in principle and through court resources.

The agency also supports CJI both in principle and through agency resources, primarily through Title IV-B, Subpart 2 funds. These funds have helped to add new staff to work on CJI, including a county attorney and a social services administrator to help organize activities.

Concurrent permanency planning. This initiative started in 1999, before the CFSR. There had been a statutory change calling for six-month permanency hearings for children under eight years old. The agency contracted with a former county attorney and a social worker to develop guidelines and provide training. The agency also included in this work the Chief Justice and the CIP. These later were key participants in CJI and, later, the CFSR.

Measurement of outcomes. The agency is trying to link their quality assurance process with the progress evaluation and CJI measurements. Eventually, they want to coordinate court and agency outcomes.

Another planned permanent living arrangement. The agency is trying to reduce their use of this, including LTFC (long term foster care). This may eventually involve work with judges.

Public/private adoption initiative. Eight private adoption agencies work with the county child welfare agencies to improve the timeliness of adoption. The courts are not directly involved, but the agency has shared information with the courts. It has done this through sending bulletins, fact sheets, and press releases to CIP. In addition, some courts involved in this initiative monitor state wards (post-TPR children) and generate state ward reports every 90 days. If there isn't any movement, a judge can hold the agency accountable.

Alternative response program. With federal money and a foundation grant, Minnesota's alternative response program has been piloted in 20 counties for four years. In these counties, some cases receive early services and assessments, while others get investigations. For example, when there is a report of egregious harm, there will be an investigation, but eventually for over 50% of cases, there will be an assessment rather than a traditional investigation.

In pilot counties, these programs are discussed with judges, who mostly view alternative response as a way to help families resolve their problems and prevent the need for court involvement. The agency plans to request statewide legislation to authorize a continuum of responses and interventions when there is a report. Responses depend on the severity of safety and risk issues.

Conclusion

Court and agency collaboration to implement Minnesota's PIP has been successful for the most part. There are some areas where the court system was not as involved as they could be, but much of the cooperation is quite substantial and encouraging. This will help the state improve its' performance at its next federal review in 2004.

APPENDIX A: MINNESOTA'S PIP EXTRACT

PERMANENCY OUTCOMES

PERMANENCY OUTCOME 1

Children have permanency and stability in their living situations.

INDICATORS

Minnesota met one of the four national standards included in permanency outcome 1.

Minnesota's percentage for length of time to reunification, 80.3 percent, exceeded the national standard of 76.2 percent. Minnesota did not meet the national standards for:

- length of time to achieve adoption (27.5 percent with a national standard of 32.0 percent)
- stability of foster care placements (82.3 percent with a national standard of 86.7 percent)
- foster care reentries (22.7 percent with a national standard of 8.6 percent).

Although Minnesota's statewide data indicated a rate of reentry not in conformity with the national standard, all of the cases during the on-site review were rated as "strength," not needing improvement.

The case review indicated that 62.5 percent of the cases (15 cases) were given a rating of substantially achieved with 29.17 percent (seven cases) partially achieved and 8.33 percent (two cases) not achieved. The result from the case reviews indicates a number of concerns.

- Placement stability was rated as a strength in 75 percent of the cases. Twenty five percent (six cases) were rated needing improvement.
- "Permanency Goal for Children" was rated as a strength in 69.57 percent of cases reviewed for that item, while 30.43 percent (seven cases) were rated as needing improvement.
- The item "Adoption" was rated as a strength in 75 percent of the cases reviewed for that item. One case, or 25 percent, was rated as needing improvement.
- The item "Permanency Goal or Other Planned Living Arrangement" was rated as a strength in 66.67 percent of the cases appropriate for review of that item, with five cases, or 33.33 percent, needing improvement.
- In contrast, the item "Independent Living Services" was rated as a strength.

GOAL

Minnesota will continue its efforts to achieve permanency for children through the efforts of the public/private adoption initiative, the development of concurrent permanency planning, provision of training and collaboration with the courts. The performance of Minnesota on the national standard for time to adoption will improve to 30.5 percent, i.e., of the children adopted in a one-year period, 30.5 percent will be adopted within 24 months of the date they entered foster care.

Minnesota will improve its performance on the measure of stability of foster care placement by 2 percent, from 82.3 percent (as measured at the federal review) to 84.3 percent. As of January 2002, we estimate that for calendar year 2000, 79.4 percent of the 12,150 children in care less

than 12 months had no more than two placement settings. Therefore, the actual improvement necessary may be closer to 5 percent.

Minnesota will improve the performance on the measurement of foster care re-entries by 2 percent, from 22.7 percent (as measured at the federal review) to 20.7 percent. As of February 2002, we estimate that for calendar year 2000, 31.1 percent of the children who entered care in CY 2000 had a previous placement episode within the 12 months prior to the placement episode beginning in 2000. Considering that level of performance, the actual improvement needed may be approximately 10 percent.

Minnesota will further assess its reentry and placement stability data. We remain concerned about possible errors or idiosyncrasies in our data. However, we also recognize that many of the placement reentries may be appropriate. Minnesota's child welfare system includes many children who receive services due to their own behavior. Some children receive time-limited services away from their family as a consequence of their behavior. We do not want to discourage appropriate use of time-limited interventions that contribute to better outcomes for children.

It is important to take note of the recent change in federal policy affecting IV-E reimbursement for children in placements with emergency licensure. This policy may result in additional placements for children at risk.

Finally, we remain concerned that the discrepancy between the on-site review data and the data profile regarding foster care could not be resolved in a way that gave credit to the on-site findings. The approach used did not reflect the commitment noted on page 4025 of the January 25, 2000 Federal Register: "We will resolve any discrepancies between the statewide data and the on-site review findings so that substantial conformity does not rely totally on one or the other information source."

EVALUATION PROCESS

Data from the Social Services Information System will be used to evaluate Minnesota's progress against the national standards. Minnesota's progress toward substantial conformity on this permanency outcome will be evaluated using data from the department's quality assurance reviews of county case practice.

STRATEGIES

The following strategies will be employed to address this outcome.

1. Policy clarification and guidance:

Family and Children's Services staff will work with the Social Services Information System to clarify to counties that respite care should not be coded as a placement.

This error may be affecting both reentry and placement stability rate.

Time Frame	Action Steps	Lead Staff
June 2002	Family and Children's Services staff will clarify respite care by means of a policy bulletin.	Kris Johnson

Benchmark:

- Issuance of bulletin. (June 2002)

Quality Practices. This strategy will support supervisors in promoting improved practice in permanency planning and will provide all parties with objective assessments of case practice in out-of-home placement and permanency planning. See page 19 for further details about this action plan and benchmarks.

Assessment of factors related to Minnesota's rates of reentry into foster care and placement stability. This effort is focused on developing a better understanding of the factors affecting placement instability and re-entries into care. See page 21 for further details about this action plan and benchmarks.

- ### 4. Reduction in the use of long-term foster care.
- Efforts identified in this strategy will help to improve permanency planning, thereby reducing the time required to finalize an adoption.

REDUCTION IN THE USE OF LONG-TERM FOSTER CARE AS A PERMANENCY PLAN

A number of collaborative efforts have supported the movement of Minnesota children into permanent families. These include the public/private adoption initiative, concurrent permanency planning efforts and the work of the Children's Justice Initiative with Minnesota courts. A study of the rate disparity issue has been completed, and proposals for change have been made to the legislature. Assessments of this issue have suggested a number of areas of need. There is a need to improve understanding and skill in the adoption process and in case practice, especially in regard to decision making regarding permanency. Consolidation of home study requirements would be helpful in reducing the time to adoption and implementing concurrent permanency planning. This strategy will help Minnesota improve permanency outcome 1.
