

Court Monitor Service Needs Review Methodology

September 19, 2008

I. Service Needs Reviews.

A. Service Needs Reviews: Authority and Purposes

The Service Needs Review process shall be overseen by the DCF Court Monitor.

It is the express intent of the parties that the DCF Court Monitor shall have the authority to modify or substitute alternatives to the processes and procedures outlined in this Section V that serve the purposes of the Service Needs Reviews. The DCF Court Monitor shall provide the parties with proposed Service Needs Review processes and procedures, including any modification or alternatives to be used, by August 15, 2008. The parties shall have 10 days thereafter to provide comment to the DCF Court Monitor. By September 1, 2008, the DCF Court Monitor shall provide the final Service Needs Review processes and procedures to the parties, which shall be binding. The DCF Court Monitor will have the authority to make revisions to the final and binding Service Needs Review processes. The parties will be notified of the reason(s) for the determination that the processes require revision, and will be provided with ample opportunity for review and comment of any proposed changes before they become binding.

The purposes of the Service Needs Reviews are to identify the following for each child in the Target Cohorts: (a) the particular child and family circumstances; (b) the barriers that exist to a permanent exit from DCF custody, placement in an appropriate, least restrictive, most family-like setting while in DCF custody, and meeting any unmet service needs required by Outcome Measure 15; (c) the specific steps that must be taken to remove these barriers and achieve appropriate results for the child; and (d) through periodic follow-up reviews, the degree to which these steps have been implemented and appropriate results for the child have been achieved.

DCF Social Workers and DCF Social Work Supervisors assigned to the cases of children who fall within one or more of the eight Target Cohort

categories listed in Section V.B. below as of July 1, 2008¹, shall conduct the initial Service Needs Reviews, utilizing protocols developed by the Court Monitor.

The completed reviews require the signature of the Social Worker (SW) and Social Work Supervisor (SWS). The Program Supervisor (PS) will consult with the assigned SW and SWS and evaluate each completed review, signing off to indicate their approval of the review protocol. In addition, the Behavioral Health Program Director (BHPD) and/or the Area Resource Group (ARG) staff will evaluate the review protocol for inclusion of appropriate assessments and services necessary to address the needs of the child and will also sign off on the review protocol for children in Cohorts 1, 2, 3, and 4 (mandatory) and as appropriate Cohorts 5, 6, 7, and 8 (discretionary). The Quality Improvement Program Supervisors (QIPS) will be the primary point of contact with the Court Monitor for this review process. The QIPS will assist the Court Monitor in ensuring that the protocols are completed properly, tracking the cohort cases, and forwarding completed protocols to the Court Monitor for review and data entry. In consultation with the Court Monitor, the QIPS will conduct periodic quality assurance reviews on a random sample of the cases within their area office for which initial reviews and follow-up reviews have been conducted. The methodology for these reviews will be set by the Court Monitor and will include protocols developed by the Court Monitor.

The DCF Court Monitor will also select and supervise reviewers, which may include staff from the DCF Court Monitor's office, DCF staff, TAC staff and other consultants hired specifically for the purpose of conducting reviews of a sample of the cases in the Target Cohorts. The Court Monitor will provide training and consultation to Department staff related to the initial service needs reviews, and will conduct reviews of other elements of the Service Review process, as necessary, to report on the Defendants progress under the terms of the stipulation (e.g. case conferencing and Administrative Case Reviews). All of the Court Monitor reviewers shall be trained and supervised by the DCF Court Monitor and shall have appropriate clinical expertise and experience.

B. Target Cohorts

The Target Cohorts shall include the following:

1. All children age 12 and under placed in any non-family congregate care settings (excluding children in SAFE Homes for less than 60 days);

¹ These eight categories will hereinafter be referred to as "Target Cohorts." They shall be identified, for purposes of the Service Needs Reviews, as a specific one-time population or cohort.

2. All children who have remained in any emergency or temporary facility, including STAR homes or SAFE homes, for more than 60 days;
3. All children on discharge delay for more than 30 days in any non-family congregate care setting, with the exception of in-patient psychiatric hospitalization;
4. All children on discharge delay for more than seven days that are placed in an inpatient psychiatric hospital;
5. All children with a permanency goal of Another Planned Permanent Living Arrangement (“APPLA”);
6. All children with a permanency goal of adoption who have been in DCF custody longer than 12 months for whom a petition for termination of parental rights (TPR) for all parents has not been filed, and no compelling reason has been documented for not freeing the child for adoption;
7. All children with a permanency goal of adoption and for whom parental rights have been terminated (except those who are living in an adoptive home with no barrier to adoption and are on a path to finalization); and
8. All children with a permanency goal of reunification who have been in DCF custody longer than 12 months and have not been placed on a trial home reunification, or have not had an approved goal change.

C. Service Needs Review Process.

The Service Needs Review process described below shall be carried out for each child in the Target Cohorts, and all processes below shall be subject to the DCF Court Monitor’s final Service Needs Review processes and procedures as set forth in Section V.A. above.

1. Initial Service Needs Review. An Initial Service Needs Review of all children in the Target Cohorts shall be completed by January 31, 2009. By September 1, 2008, the DCF Court Monitor shall develop a protocol to be used in each Initial Service Needs Review with input from DCF, Plaintiffs and the TAC.
 - a. This Initial Service Needs Review shall include a complete file review by the DCF SW and DCF SWS, in consultation with the DCF PS and the DCF BHPD and/or the DCF ARG staff, and the convening of a Case Conference for each child in the Target

Cohorts except those that have been documented as fully addressing the child's needs. If the review team conducting an Initial Service Needs Review determines that a child's needs are adequately addressed, and no case conference is needed, they will document the details of the review team's findings. All such cases shall be referred to the Court Monitor who shall evaluate the review team's findings and either validates the decision that a Case Conference is not necessary, or direct that a Case Conference be held. The Court Monitor will validate all cases where a case conference is not deemed necessary. The Case Conference will be scheduled within 45 days of the completion of the Initial Service Needs Review (case file review) and will be chaired by the DCF BHPD. Notification and invitation to the case conference should be made to all relevant stakeholders in the case including; parents, child (age permitting), relatives, service providers, educational surrogates and attorneys. The Case Conference must include the documentation of existing barriers to a permanent exit from DCF custody; placement in an appropriate, least restrictive, most family-like setting while in DCF custody; meeting any unmet service needs as required by Outcome Measure 15; and the identification of strategies to address these specific barriers. A summary of the case conference will be entered into the case record (LINK) and any changes to the existing treatment plan will be documented and shared with all the relevant parties involved with the case. These revisions will not alter the scheduling for the ACR which will proceed routinely on a six-month basis.

- b. The Initial Service Needs Review shall include a determination by the Area Office staff of whether the case conference should include Central Office staff associated with the Bureaus/Divisions of Behavioral Health and Medicine, Fiscal, Child Welfare, Foster Care, Adoption, Juvenile Justice, Education or any other division deemed necessary by the Area Office.
- c. In the event that any unmet needs are identified as required by Outcome Measure 15, the results of the Initial Service Needs Reviews shall be promptly shared with the child's guardian(s) and any attorney assigned to the child and any attorney assigned to the child's parent(s).

2. 90-Day Follow-Up Reviews.

- a. 90-Day Follow-Up Reviews led by the DCF BHPD shall be conducted every 90 days after the date of the child's Initial Service Needs Review to assess and discuss case progress, determine needed next steps, and record case status for entry into the data

collection database described in Section V.C.5. below. These Reviews shall consist of an in-person meeting attended by the DCF SW, the DCF SWS, and/or the DCF PS. If another case conference is deemed necessary, a determination shall be made whether there is a need for Central Office attendance at the case conference and/or whether a direct request regarding approval of a specific service should be made to the Bureau Chief of Child Welfare or the Commissioner. The DCF QIPS will conduct quality assurance reviews on a random sample of cases within their area office for which 90-Day Follow-up Reviews have been conducted. The Court Monitor will conduct a review of a sample of the cases reviewed.

- b. 90-Day Follow-Up Reviews shall be conducted every 90 days until the child's needs, as required by Outcome Measure 15, are met.
 - c. In the event that any unmet needs are identified as required by Outcome Measure 15, the results of any 90-Day Follow-Up Reviews shall be promptly shared with any attorney assigned to the child and any attorney assigned to the child's parent(s).
 - d. Through a process approved and overseen by the DCF Court Monitor, the 90-Day Follow-Up Reviews shall not be necessary for any of those children in the Target Cohorts set forth in Section V.A. for whom the completed Initial Service Needs Review did not document any unmet needs as required by Outcome Measure 15. A sample of such cases will be reviewed by both the DCF QIPS and the Court Monitor.
3. Area Office Management Team and designated Area Office Managers. The Area Office Management Team, with support as requested from Central Office staff, shall ensure that the recommendations of the Service Needs Review are implemented and that in cases where heightened implementation support is determined to be necessary by the Service Needs Review or 90-Day Follow-Up Review, that appropriate resources are brought to bear to address the needs of children in an expeditious manner. This will be accomplished in part by the designation of a specific Area Office manager (or another staff member with commensurate authority, experience and expertise, upon approval of the Court Monitor) to oversee each of the children described above, to ensure that all appropriate and necessary steps are taken to meet the child's needs. The Court Monitor will oversee and ensure that a reasonable case workload exists with respect to the number of cohort children that are assigned to a designated Area Office Manager.

Each of the designated Area Office managers shall engage in leading a “teaming” approach including the DCF SW, DCF SWS, DCF PS, DCF PD, DCF BHPD, DCF ARG staff, DCF QIPS and other relevant stakeholders concerning the child, including, but not limited to, the child’s/parents’ attorney(s), the child (if of appropriate age), and the child’s educational surrogate (if applicable). In teaming the case and implementing the recommendations of the Service Needs Review, the designated Area Office Manager shall have the authority to ensure that the following activities occur as appropriate for each child:

- a. Convene meetings, access funding and make decisions in order:
 - (i) To determine the continuing appropriateness and effectiveness of the child’s permanency goal and to seek court-approved change of the goal, if appropriate; and
 - (ii) To determine the continuing appropriateness and effectiveness of the services being provided to the child; whether new or different services are necessary for the child; and, if so, by whom and when they will be provided;
 - b. Partner with the area/statewide Independent Living staff and Central Office Adolescent Service staff to determine whether adequate independent living services and plans are being provided for all children age 14 and older;
 - c. Evaluate the continuing appropriateness and effectiveness of services to biological parents and relatives, and determine whether new or different services are necessary to assist the biological parents and relatives in achieving the child’s permanency goal;
 - d. Consult with public and private professionals and take all steps necessary to ensure the provision of services for achieving permanency, achieving placement in the least restrictive, most family-like placement, and addressing any identified unmet needs as required by Outcome Measure 15; and
 - e. No sooner than 60 days prior to discharge, regardless of the discharge destination, convene a special discharge planning meeting that shall be held to ensure that appropriate services and plans are in place to ensure a successful discharge.
4. Administrative Case Review (ACR) process. The ACR process will continue to independently determine; whether the designated permanency goal for the child is appropriate, whether the steps being proposed and taken by the DCF will result in a timely achievement of permanency, whether the child is placed in the least restrictive setting,

as well as whether any other need is not being met as defined by Outcome Measure 15. The ACR process will utilize the automated data outlined in Section II of this Stipulation to inform DCF, Plaintiffs and the Court Monitor of the Department's progress in meeting the needs of the established cohort children detailed in Section V.B. Revisions being made to the summary form (553) as part of the initiative to automate ACR data will include data elements to track the cohorts on a semi-annual basis, and will assist in determining whether the needs of the cohort children as outlined in this stipulation and in the review protocols developed by the Court Monitor for the Service Needs Review Process, are being adequately addressed.

5. DCF may contract out any or all of the duties and functions contained in the Service Needs process to one or more private providers which have the demonstrated capacity to perform the specific duties and functions, and which have a proven track record of achieving positive permanency, placement and service delivery outcomes for children. However, any such contracts shall not alter any of the legal obligations of the Defendants under this Stipulation, the revised Exit Plan of July 1, 2004 (as modified July 11, 2006), or other governing orders in this action.
6. Service Needs Review Data Collection and Analysis. The DCF Court Monitor shall develop a data collection tool with input from DCF, Plaintiffs and the TAC, which shall be utilized by the DCF SW, DCF SWS, DCF PS, DCF BHPD, DCF PD, DCF ARG staff, DCF QIPS, and the Court Monitor reviewer (if assigned) to systematically collect and document for each child's case and for aggregate reporting and analysis: (a) the identified barriers to moving out of the corrective action category; (b) the Service Needs Reviewer's specific recommendations to address the barriers; and (c) the implementation status of the recommendations.