



CHILD WELFARE



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The Child and Family Services Reviews: The Role of State Legislators

All states have systems that assist families in caring for their children, including child welfare agencies. These state child welfare agencies also investigate abuse and neglect allegations and provide alternative care for children when necessary. Most state legislators recognize that child welfare systems require policymakers' sustained attention because child abuse and neglect have lasting human and financial costs, and the consequences of failure can be tragic.

Today, as a result of a new federal monitoring system, the child and family services reviews, state legislators have more information than ever to support them in assessing the performance of state child welfare agencies.

The Child and Family Services Reviews: A Resource for Legislative Oversight

The reviews evaluate whether states actually are improving outcomes for the children and families whom they serve through child welfare agency programs. States then are assisted through training and technical assistance in implementing a Program Improvement Plan.

The first round of reviews took place between October 1, 2000, and early 2004; all states now have undergone a first review and are in various stages of developing or implementing their Program Improvement Plans. The next round of reviews will begin during summer 2005.

As with most new monitoring systems, the child and family services reviews have evolved through pilot testing and an initial round of reviews. Moreover, throughout the development and implementation of the reviews, the federal government has continually sought the input of state child welfare administrators and other experts regarding strategies for enhancing the process. This includes gathering input on how to refine the review data to improve how the reviews measure state performance and support state efforts to promote better outcomes.

Several characteristics of the reviews make them important resources for legislators in overseeing child welfare policy and practice.

- ◆ **National benchmarks:** The reviews offer a set of national standards against which agency performance is assessed.

- ◆ **Comprehensive results:** As part of the reviews, each state analyzes its child welfare data, and an onsite review is conducted by a joint federal and state team. The team examines child welfare case records and interviews children, families and professionals involved in each case under review.
- ◆ **Emphasis on both results and process:** The reviews provide information about both outcomes for children and families and the underlying systems (such as staff training or foster parent licensing and recruitment) that affect those outcomes.
- ◆ **A framework for reform:** States are required to develop a Program Improvement Plan to improve conditions for children and families served by their child welfare systems.
- ◆ **Information on the state's progress in improving conditions for children and families:** The state is required to measure and report quarterly on its progress in achieving the goals outlined in its Program Improvement Plan, which must be completed within two years of the plan's approval. Failure to complete a plan may result in financial penalties against the state.

Approaches to Using the Reviews to Provide Oversight

The following are approaches that state legislators can take to become involved in the reviews to enhance their oversight of the state child welfare system.

- ◆ Become familiar with the outcomes of the state's first review. Final reports on each review are available at <http://www.acf.hhs.gov/programs/cb/cwrp/staterpt/index.htm>; key findings from the reviews are available at <http://www.acf.hhs.gov/programs/cb/cwrp/key/index.htm>
- ◆ Request updates from the state child welfare agency administrator on state progress in making improvements.
- ◆ Attend the statewide exit conference during future reviews. At the exit conference, the federal review team leader briefs the state child welfare agency on its preliminary findings.
- ◆ Participate in the development of future Program Improvement Plans. States conduct program improvement planning in consultation with a broad array of stakeholders, which can include legislators or legislative staff.
- ◆ Ask the state administrator what the agency needs besides resources. This might include support for increased collaboration from other state agencies or more outreach to communities regarding the need for citizen involvement (for example, the need for foster parents).

Such collaboration is critical to successful child welfare reform, especially between child welfare professionals and the state legislators who set public policy and allocate resources. Even in times of diminishing resources, these partnerships can guide innovation in practice and critical resource reallocation.

A longer version of this brief (seven pages) is available at <http://www.ncsl.org/print/cyf/cwsystems.pdf>. In addition, more information about the reviews is available at <http://www.acf.hhs.gov/programs/cb/cwrp/index.htm>.

State Review-Related Initiatives and Funding

States have used the child and family services reviews to refocus their systems reform efforts through a range of methods:

- ◆ **Enhancing child welfare system accountability:** In 2001, the California Legislature enacted the Child Welfare System Improvement and Accountability Act, which redefined how the state Department of Social Services holds the 58 county child welfare agencies accountable for results. The Legislature also created a fund, consisting of private donations, that can be appropriated by the Legislature for implementation of the state's Program Improvement Plan.¹
- ◆ **Addressing practice principles and outcomes:** In 2003, the Iowa General Assembly directed the state Department of Human Services to redesign the state's child welfare and juvenile justice systems based on the child and family services reviews outcomes.²
- ◆ **Investing in program improvement:** In 2002, the New York Legislature established a Quality Enhancement Fund, comprising \$2 million per year in Temporary Assistance for Needy Families funds, to test innovative program models. The state has used much of the fund to provide grants to counties for Program Improvement Plan-related activities, such as permanency mediation, mentoring, and health care coordination.
- ◆ **Focusing on needs assessment:** In 2004, after being briefed by the state agency on the Program Improvement Plan, the Wyoming Legislature appropriated \$200,000 to partially fund a major assessment of the needs of children and families throughout the state and to develop recommendations for legislation and funding. The Legislature also authorized the state child welfare agency to hire 16 new caseworkers and three new supervisors with reallocated funds.

1. Cal. Welfare and Institutions Code, §16524.

2. 2003 Iowa Acts, SF 453, Chap. 178.

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