



INVOLVING STATE LEGISLATORS IN THE CHILD AND FAMILY SERVICES REVIEWS



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Collaboration is at the heart of the Children's Bureau Child and Family Services Review (CFSR) process. Through the reviews, federal and state governments work together to assess how effectively child welfare agencies serve children and families. Further, the review process depends on collaboration between child welfare agency leaders and key stakeholders. Among the most critical of these are state legislators.

State legislators are key decision makers in framing the structure of and policy priorities for state child welfare systems and system improvements. As such, they bring a unique perspective to their role of providing oversight for child welfare systems. They are responsible for crafting and funding legislation that supports programs and services to protect children from maltreatment and strengthen families. They work to understand the needs of children and families in their districts who may be involved in the child welfare system. They also often help to ensure that child welfare system stakeholders—such as child welfare, health, mental health and education providers; the judicial system; and private service providers—work together to serve children and families.

State child welfare administrators can use the CFSR process to more broadly engage legislators and legislative staff in child welfare reform. By involving legislators in the CFSRs, child welfare agencies are able to do the following.

- Keep legislators and legislative staff informed about agency progress and issues through routine communication, including informal meetings and regular briefings;
- Proactively address commonly held misconceptions about child welfare operations that can hinder reform efforts;
- Provide an evidence-based analysis of the need for new or revised legislation in response to changing community issues and circumstances and to agency-identified needs; and
- Obtain input from legislators and legislative staff about enhancing the agency's planning and service delivery and learn what the legislature might do to support overall system reform.

This report discusses ideas for involving legislators and legislative staff in the CFSRs and offers examples of how states are promoting this collaboration. The report is based on a survey sent to the CFSR coordinators in 50 states and the District of Columbia. The survey was conducted in June 2009; 13 responses were received, and follow-up telephone interviews were conducted with respondents from whom more information was needed.¹ In addition, state legislators and state legislative staff from these 13 states were contacted to obtain their perspectives on agency efforts to involve legislators and staff.

1. Not all 13 respondents are reflected in the section of this report discussing state examples. This is because a few respondents noted that they had not yet begun reaching out to legislators since they had not yet reached that phase in their CFSR planning, that they had attempted to reach out to legislators but had received no reply, or that they did not intend to reach out to legislators.

The Context for Legislative Engagement in the CFSRs

State agency efforts to involve legislators and legislative staff in their CFSRs are only one part of an agency's overall legislative outreach strategy. That outreach strategy should be organized around the needs and characteristics of the legislators and legislative staff who work most often on child welfare issues in the state, while also ensuring outreach to newer legislators who might serve as child welfare champions in the future. The plan should include, for example, getting to know each key legislator's jurisdiction, including local concerns relevant to child welfare; learning about the other key issues facing legislators and how legislatively supported improvements in child welfare systems might help to address those issues; and proactively sharing information about new and ongoing agency initiatives, trainings and reports with legislators who have oversight responsibility for, or interest in, child welfare.

Both legislative outreach strategies and accompanying efforts to involve legislators and legislative staff in the CFSR also must be tailored to the needs of each state. The circumstances facing state agencies vary considerably, including the quantity and quality of existing relationships between the agency and legislators, the number of child welfare champions in the legislature, how much legislative support exists for the work of the agency, the schedule and priorities of the legislature and the degree of flexibility that the agency has in working directly with legislators and legislative staff. In addition, legislators' willingness to be involved in the CFSRs varies. Some legislators wish to be closely involved in their state's review, while others would like simply to be kept informed of the CFSR results and Program Improvement Plan (PIP) progress.

Agencies therefore can listen to what legislators express regarding their desire and ability to be involved in the CFSR and tailor legislative outreach efforts accordingly. In some states, for example, child welfare agencies focus most legislative outreach on legislative staff because of the limited availability of legislators themselves (such as in states where the legislature meets every other year for only a few months) or because term limits make significant turnover among legislators likely (legislative staff then become the key source of institutional stability).

The Legislative Role in the CFSRs

Legislators are responsible for oversight of state child welfare systems and are key to the crafting and funding of those systems. They can play an important role in the CFSRs and the PIPs by:

- Being champions for reform;
- Funding PIP activities;
- Crafting legislation necessary for PIP implementation;
- Facilitating interagency coordination;
- Providing critical political support; and
- Helping to engage courts, tribes, youth and other stakeholders.

Steps in Involving Legislators in the CFSRs

Successfully involving legislators and legislative staff in the CFSRs is made possible by careful planning and coordinated outreach. To that end, state child welfare agencies may find the following activities helpful in engaging legislators in a review.

Ask important questions. At least six months before starting the statewide assessment process, ensure that key agency staff meet to answer critical questions regarding engaging legislators and legislative staff. This meeting likely should involve the CFSR coordinator, the agency director or other agency leaders, the agency's legislative liaison and the state team leader. During this meeting, staff should attempt to answer the following questions:

- What are our goals for legislative involvement in the CFSR?
- How does legislative involvement in the CFSR fit with our larger agency goals for legislative outreach?
- What level of legislative involvement in the CFSRs can we realistically anticipate? This might range from ensuring hands-on participation by legislators/legislative staff (such as involvement in review planning and the onsite review) to keeping legislators/legislative staff informed (such as through regular briefings or a CFSR online newsletter).

- How will the activities in which we would like to engage legislators fit within the legislative session schedule?
- What agency commitment in time and resources will be required to engage legislators, and what decisions do we need to make to commit the necessary resources?
- Which agency staff will be involved in the effort to involve legislators and legislative staff?
- What training will legislators and legislative staff need to effectively participate in the reviews, and how can we provide that training? (See “Provide training to legislators and staff on the review process” on the next page.)

Identify key legislators and legislative staff to target. Identify appropriate legislators to engage in agency efforts. Factors to consider should include jurisdiction (committee involvement), personal interests, priorities, other responsibilities, personal experiences, commitment and schedule flexibility. In addition, state child welfare agencies might want to engage legislative appropriations or budget committee members.

Also reach out to legislative staff who work on child welfare issues. Because staff often provide the state legislative body’s longest-term institutional memory and have important roles in decision making, it is critical to include them in outreach efforts. In addition to reaching out to staff who work for specific legislators, state agencies may wish to conduct outreach to policy, fiscal, research, committee and party caucus staff who are responsible for gathering necessary policy information in support of pending legislation.

Develop a plan and method of initial contact. Identify compelling reasons for legislators and legislative staff to be involved in the CFSR process and communicate those through your outreach. Reasons for legislators and legislative staff involvement may include the following:

- Enhancing their ability to provide effective oversight by having the opportunity to interact with key child welfare stakeholders;
- Gaining a case-level perspective on how the state’s child welfare system serves children and families and the key challenges to be addressed in improving services; and
- Helping them inform their constituents about the value of child welfare reform for children and families, including when tragic incidents occur what the state is doing to minimize the potential for such incidents to occur in the future.

When approaching legislators and legislative staff, consider making in-person appeals. Some state agencies have strengthened their relationships with legislators through ongoing face-to-face outreach, such as having child welfare agency leaders personally invite legislators to participate with their staff in state quality assurance reviews so that they can gain an in-depth perspective on the child welfare system. Although this approach can require significant time, legislators and legislative staff are more likely to respond to such efforts. It can help them feel ownership in the child welfare system and make it more likely that they will commit to becoming involved stakeholders.

In addition, as appropriate, have county-level child welfare agency staff reach out to their local legislative counterparts. At least one state has developed special “Legislator Day” programs through which local agency offices invite legislators to tour projects and initiatives for children and families who are local constituents. Agencies also can provide legislators and legislative staff with the results of district- and county-level quality assurance reviews and data, which allows them to better understand the strengths and challenges at the local level and equips them to address constituent concerns.

Start working with legislators well before a new CFSR cycle begins. Before the statewide assessment process begins, set up a meeting with targeted legislators and legislative staff. Discuss the results of the last review and program improvement plans; results the agency expects to see in this round, including both strengths and areas that need improvement; and how they would like to be involved. Also ask them to contact or suggest other legislators and legislative staff who should be engaged as likely future leaders on child welfare issues.

When meeting, you also can address critical planning issues. These include how legislators and legislative staff would like to participate in the CFSR; what information, data and training they will need to prepare for their involvement; the best time frames for their participation; and their major CFSR-related interests and concerns.

Provide training for legislators and staff on the review process. Providing specialized training for legislators and legislative staff on the review process will be especially important if in depth involvement is expected from them, such as participation in the onsite review process. The Children’s Bureau State Team Training Project provides training on the CFSR process, and legislators and legislative staff who will participate in the onsite review should attend that training. However, experience shows that it is helpful to also provide a pre-training briefing tailored to the legislator and staff level of experience and knowledge. This briefing can provide the broader context for the CFSRs, the results of the state’s previous review and PIP, and information about the structure of state child welfare case records and the case-related interview process. The technical assistance to state legislators on the CFSRs project component is available to help with the planning and implementation of these training sessions (see box “Technical Assistance to State Legislators on the CFSRs”).

Engage state legislative committees in every stage of the review process. Set up briefings and meetings with key legislative committees at the beginning of the statewide assessment, following the onsite review and periodically during PIP implementation. Regular briefings throughout the review process are critical to achieving legislative investment in the agency’s program improvement efforts. The Children’s Bureau’s adaptable PIP briefing tool, *Engaging Legislators in the Federal CFSRs: An Information-Sharing Tool for Child Welfare Agency Administrators*, is available for use in PIP briefings (http://www.acf.hhs.gov/programs/cb/cwmonitoring/statelegis_tool/index.htm).

Engaging Legislators in the CFSRs: State Examples

Many states use these and other strategies to actively involve legislators and legislative staff in the CFSRs or to keep them informed about the review process. Following are descriptions of specific approaches some states are using.

- The Arizona and Florida child welfare agencies reported providing information on the statewide assessment, onsite review and PIP results to legislators through regular committee hearings, individual meetings with legislators or other briefings on the CFSRs.
- The Arizona, Florida, Idaho and Illinois agencies requested, or planned to request, legislator involvement in planning the statewide assessment and PIP.
- The Idaho child welfare agency developed a quarterly newsletter containing information on CFSR and PIP progress. The state also included CFSR and PIP information in a “Facts, Figures and Trends” report required by the Legislature. The agency uses CFSR data in all legislative hearings and committee sessions, believing that the data “tell the story” of the child welfare system’s efforts.
- The Illinois and Nevada child welfare agencies involved legislators in the review’s stakeholder interview process.
- The Missouri child welfare agency’s CFSR Advisory Committee includes a legislative liaison who represents the voice of legislators in the review process.

- The Nebraska child welfare agency held periodic meetings with legislators to explain the CFSR and the need for legislator involvement in the review. In response, legislators, the governor and the Chief Justice attended the state-wide assessment kickoff meeting. In addition, a state Senator who was a former social worker recruited one of her staff to serve as an onsite CFSR reviewer. The staff person expressed her willingness to be involved in the review because she thought it would better equip her to help the legislator on child welfare and other issues related to the CFSR process. She also wanted to learn more about the child welfare system so she could better respond to constituent concerns.
- The Nevada child welfare agency identified legislators who were foster parents or court-appointed special advocates (CASAs), then approached them about becoming involved in the CFSR. They also invited these and other legislators to participate in the stakeholder interview process and attend the review exit conference.
- The North Dakota child welfare agency invited lawmakers to participate in stakeholder meetings during the review, which they did. At the invitation of the state agency, legislators also joined review-related workgroups and attended community stakeholder meetings.
- The Texas child welfare agency specifically targeted legislative staff in their outreach efforts during both rounds of the CFSRs. Because the Texas Legislature meets for only five months every two years, the state agency considers legislative staff to be a critical bridge to legislators and key stakeholders in agency reform efforts. The agency also developed a series of short briefing papers about the reviews that they issued every two months during the review process. The agency reported that these easy-to-read updates helped legislators and legislative staff better understand the review process by presenting it in “bite-sized pieces.” Further, the agency provided information on the statewide assessment, onsite review and PIP results to legislators through regular committee hearings and individual meetings with legislators.

Checklist for Involving Legislators in the CFSRs

Critical steps

- Ask important questions.
- Identify key legislators and legislative staff.
- Develop a plan and method of initial contact.
- Start working with legislators early—before the new CFSR cycle.
- Provide training to legislators and staff on the review process.
- Keep state legislative committees engaged in every stage of the review process.

Present information during . . .

- Regular briefings;
- Committee hearings; and/or
- Special meetings for legislators and staff.

Ask legislators and legislative staff to participate in . . .

- Planning the statewide assessment or PIP;
- Stakeholder meetings and workgroups;
- Stakeholder interviews;
- Statewide assessment kickoffs;
- The onsite review; and/or
- The onsite review exit conference.

These efforts indicate that many state child welfare agencies are actively seeking legislative involvement in the CFSR process. Agencies have long known that they do not serve children and families in isolation, but need strong partnerships with state legislators and legislative staff and other stakeholders to improve outcomes for children and families in their states. By engaging legislators and legislative staff early and meaningfully in the reviews, agencies are ensuring that they have a key role in making child welfare transformation a goal shared by citizens, communities and state leaders.

Technical Assistance to State Legislators on the CFSRs

The technical assistance to state legislators on the CFSRs project component, funded by the Children's Bureau, U.S. Department of Health and Human Services, can help state child welfare agencies in their efforts to engage lawmakers in the CFSRs and long-term child welfare reform efforts. Technical assistance can include, for example:

- Offering help to develop strategies for involving legislators in the CFSRs or for improving the agency-legislature working relationship;
- Providing training to state legislators and legislative staff on the CFSR process;
- Preparing presentations, legislative briefings and written summaries that offer background information about promising practices and legislative approaches used in other states;
- Preparing briefings for new state legislators that describe how the state child welfare system and CFSRs work ("Child Welfare 101"); and
- Disseminating publications that educate legislators and legislative staff about the CFSRs and child welfare reform and that provide information to state agencies about how to improve working relationships with state legislators. A full list of these reports is available at <http://www.acf.hhs.gov/programs/cb/tta/reports.htm>.

If you are interested in arranging technical assistance, please contact us at legta@jbsinternational.com or cyf-info@ncsl.org.



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