



**Child Protective Services
Performance Audit**

Requested by the 2001 Legislature (HJR 32)
Audit Focused On:

- Uniformity of Child Protective Services
- Compliance with State and Federal Laws
- Application of the Indian Child Welfare Act

Audit results:

- 17 recommendations with 30 recommended actions for improvement

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**Were Statewide CPS Practices
Uniform?**

- ✓ Non-uniformity existed
 - Several entities involved in process
 - CFSD, County Attorneys, District Courts
- ✓ Did not have negative impact

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CPS Process Review Activities

- Reviewed decisions by CFSD, county attorneys, & judges
- Case file review examined 5 general topic areas:
 - ✓ Statutory compliance
 - ✓ Case file documentation
 - ✓ Services provided to children and families
 - ✓ Foster care placements
 - ✓ Supervisory review

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Compliance With Statutes?

- CFSD complied with most federal/state regulations
- Inconsistencies and instances of non-compliance, such as:
 - Language in petitions
 - Parental statements in court records
 - Untimely show cause hearings
 - Extension of court orders beyond statutory timelines

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Why Did Inconsistencies & Non-Compliance Exist?

- Lapses in communication
- County attorney caseloads
- District court caseloads
- Competing legal priorities (i.e., criminal prosecutions, other civil litigation)
- Uncontrollable factors (ex: parents leaving state)

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Recommended increased emphasis on communication and coordination between CFSD, the Department of Justice, and the Supreme Court.

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Case File Documentation

- Documentation generally supported case activities
- Inconsistencies in how evidence was documented
 - Documentation decisions up to social workers and supervisors

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Recommended CFSD establish specific case file documentation policies and procedures to better support social worker actions and decisions.

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Services Provided to Children and Families

Statute requires CFSD to make "reasonable efforts" to prevent removing a child or to reunify families when a removal is necessary.

- ✓ CFSD provided services to families in all cases reviewed.
- ✓ CFSD appears to make reasonable efforts to prevent removals and reunify families.

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Foster Care Placements

- Place children with extended family whenever possible.
- Most foster care placements met policy expectations.
- Placement decisions seldom documented

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Recommended CFSD ensure all foster care placement actions are supported and clearly documented in case files.

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Supervisory Reviews

- Critical for CPS case management
 - ✓ First level of CPS system checks and balances
 - ✓ Approximately 40% of social workers had three or less years experience
- Supervision is limited & informal

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Reasons for limited/informal supervision included:

- Unclear policies
 - No standardized review process
 - Supervisors carry caseloads
 - No performance appraisal system for social workers or supervisors
- Recommended increased CFSD emphasis on supervision

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Indian Child Welfare Act (ICWA)

Created to help prevent the breakup of Native American Families

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ICWA Requirements

- ✓ Qualified expert witness
- ✓ Foster care placements
- ✓ Evidentiary standards
- ✓ Efforts to provide remedial and rehabilitative services.

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ICWA Findings

- Case management of ICWA and non-ICWA cases similar
 - State must respect Native American culture/customs
- Previous recommendations discussed also apply to ICWA cases

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ICWA Recommendations

- ✓ Assure qualified expert witness testifies
- ✓ CFSD should increase efforts to coordinate case management activities with tribes
- ✓ Improve documentation demonstrating efforts to comply with all ICWA mandates
- ✓ Clarify policy on extent/frequency of supervisory reviews

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Other CPS Issues

- Adopt ARM's for substantiation fair hearings
- Inconsistent legal representation for indigent parents
- CFSD seek legislation to clarify authority to maintain some CPS information
- CFSD establish a workload/caseload tracking system
- Encourage/expand training for legal professionals

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Follow-up Results

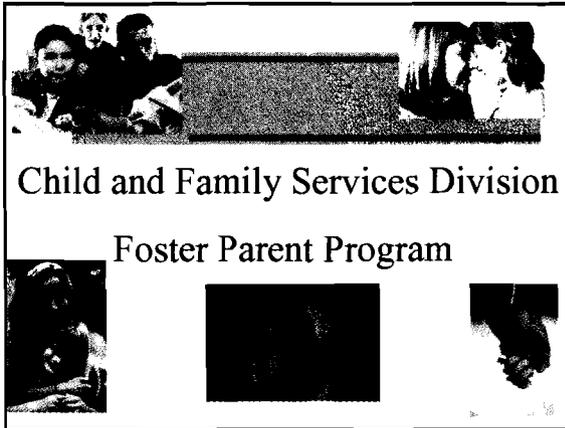
- Follow-up completed in November 2004
- Agencies accomplished the following:
 - ✓ 23 action implemented
 - ✓ 4 are being implemented
 - ✓ 3 partially implemented

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Child Protective



Services



Audit Objectives

- ✓ Recruitment
- ✓ Training
- ✓ Retention

Division Accomplishments

- ✓ Training Program for Montana (KCS)
- ✓ Dispute Resolution Process
- ✓ Cooperation with Foster Parent Groups
- ✓ Statewide Awareness Campaign

Audit Conclusions

- ✓ Background checks are completed
- ✓ Division personnel viewed positively
- ✓ Foster parents leave for personal reasons

Placement Objectives

- ◆ Improve placement matches
 - Foster child needs and interests
 - Location of child's family
 - School location
 - Foster parent abilities and lifestyle

Difficulty Meeting Placement Objectives

Fewer licensed foster homes reduces placement options

Audit Conclusion

Division Must Increase the Number of Foster Homes to Meet Placement Objectives

Need For A State Plan

The Division Needs a Comprehensive State Plan for Foster Parent Program Activities

Increased Division Oversight and Direction Needed

- ✓ Improve local, regional, and statewide coordination
- ✓ Improve consistency in program activities

Foster Parent Recruitment

- ◆ Limited access to program information
- ◆ Limited recruitment in some rural areas
- ◆ Limited coordination of recruitment efforts

Enhanced Local and Regional Recruiting Efforts

- ✓ Regional Recruiting Plan and Objectives
- ✓ Expanded Public Visibility
- ✓ Contact Information Widely Publicized
- ✓ Increased Visibility in Rural Communities
- ✓ Direct Contact with Recruiting Personnel

Improving Foster Parent Recruitment

- ◆ Increase public access to program information
- ◆ Coordinate statewide recruitment efforts

Foster Parent Training (KCS)

- ◆ Limited training in some areas
- ◆ Limited evaluation of KCS training
- ◆ Training curriculum varied

Enhanced Local and Regional Training Activities

- ✓ More Frequent Training
- ✓ Varied Training Formats (Seminars)
- ✓ Training Offered in Rural Communities

Improving KCS Training

- ✓ Establish standards for offering KCS training
- ✓ Increase training opportunities in rural areas
- ✓ Enhance the KCS training evaluation system
- ✓ Develop a structured curriculum development process

Foster Parent Retention

- ◆ Improving communication with foster parents
 - ✓ Foster child case status
 - ✓ Child information
 - ✓ Responding to requests for assistance
 - ✓ Information about supplemental support services

Enhanced Local and Regional Retention Activities

- ✓ Expanded Use of E-mail
- ✓ Information Cards
- ✓ Thank You Cards
- ✓ Exit Interviews and Questionnaires
- ✓ Town Meetings

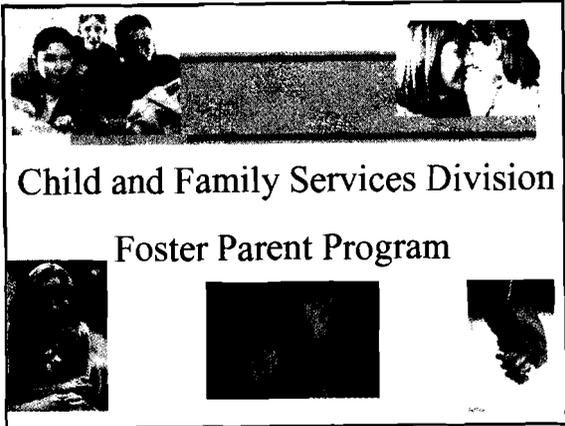
Improving Foster Family Retention

Develop and implement a comprehensive plan for improving foster family retention.

**Division Concurred with
Recommendations**

Division Efforts Include:

- ✓ Expanded Website
- ✓ Statewide Recruiting Theme
- ✓ Formalizing Curriculum Development
- ✓ Coordinating with Foster Parent Association



Child and Family Services Division

Foster Parent Program