

IV. MONTANA'S CITIZEN REVIEW PANEL ~ SFY 2003 ANNUAL REPORT

PANEL STRUCTURE

The State Child and Family Services Advisory Council is acting as the Citizen Review Panel, as required by Section 106(c)(4)(A) of the Child Abuse Prevention and Treatment Act (CAPTA). Presently, the state council is composed of 15 volunteer members who represent a broad spectrum of the communities in which they live and, among other things, have expertise in the prevention and treatment of child abuse and neglect. Members include representatives from the state legislature, the legal community, local government, public health, education, foster care/adoption, mental health, hospital services, prevention services and citizens-at-large. Seven members are appointed by the Administrator of the Child and Family Services division, and seven members are chairs of their local Child and Family Services Advisory Councils. The state and local councils meet quarterly.

Montana's Child and Family Services system is organized into five regions: Western, Southwest, North Central, South Central, and Eastern. Each region has a Local Family Services Advisory Council that represents a diverse constituency. Because Montana's Eastern region is so large geographically, there are three local advisory councils in this area. The local councils meet quarterly to advise and make recommendations to the regions and the state council about child and family services policy, procedures, need for services, gaps in services, the role of local community-based organizations within their communities, and a variety of issues or programming that the division or other human service agencies are involved in.

STAFFING

The State Child and Family Services Advisory Council is staffed by the Division Administrator, the Management Team (which includes managers from the central office and field operations), program officers, and other administrative staff as necessary. In its capacity as the Citizen Review Panel, the council will be staffed by this group and the Basic State Grant manager to assist and guide it in its work.

On the local level, Regional Administrators meet on a regular basis with members of their local councils and attend their meetings regularly to gain further knowledge, advice and recommendations from representatives of their communities and surrounding service areas. Recommendations and feedback from these local council meetings often are presented to the state council for their consideration or action.

Staff regularly attend the quarterly state council meetings to report on special projects/programs and issues in their service area. The state council, in turn, regularly gives advice and recommendations on program areas spanning legislation, budget, and service provision.

PANEL ACTIVITIES FOR STATE FISCAL YEAR 2003

The Citizen Review Panel met three times during SFY 2003: October 24, 2002; January 21, 2003; and May 9, 2003. During SFY 2003, information about the state's child and family services' system was made available to the Citizen Review Panel at their meetings. This information enables them to make informed decisions and recommendations on the state and local level to the Child and Family Services Division regarding budget, legislation, policy, procedures, and programming involved in fulfilling its child protection responsibilities.

Report from the Child and Family Services Division Administrator. The panel heard reports from the Division Administrator at each of their three meetings throughout the program year.

At their October 24, 2002 meeting, the Division Administrator discussed the Division's Legislative Audit. The audit pointed out weaknesses in the system such as better case documentation, improving coordination with the courts, strengthening relationships with the tribes and time line issues, i.e., permanency plan hearings. There were training recommendations for workers and supervisors. The panel received official copies and responses. The audit findings and responses provided excellent system information to the panel members.

Montana had a Federal case review in August 2002. The federal review pointed out weaknesses in several practice areas but particularly in case documentation. However, they found that Montana's array of services was outstanding. The review found that the Division does a good job in complying with ICWA. The panel received a copy of the final report.

The 2003 Legislative Session began January 6, 2003. Because of a legislative session, the panel was engaged primarily in legislative discussions about the division's budget and legislative package. The Division Administrator presented the legislative package/proposals at the October 24 meeting. The Division had three major pieces of legislation: 1) clarifying the role of CASA and adding a definition; 2) cleanup bill for all laws relating to Child Abuse and Neglect; and 3) legislation authorizing the Department to provide voluntary protective services to parents of children who have been alleged to be abused or neglected.

At their January 21, 2003 meeting, the Division Administrator explained a proposed Division restructure plan in order to save general fund dollars in the face of serious budget cuts. The panel heard both sides of the issue. The final decision on the restructure will not occur until after the session adjourns in late April.

The Division Administrator explained in more detail the legislation that the Division was following. Some of this legislation included:

- case entrance and exit standards, the division's court diversion bill - what can be done to prevent court intervention;
- workload reduction proposals that go along with the major clean-up of the child abuse and neglect statute;

- • a proposal to no longer investigate child abuse and neglect in day care facilities;
- a proposed amendment that addresses the process that must be followed for obtaining medical records;
- allow a jury trial for termination of parent-child relationships;
- clarify the time period for termination of parental rights without a treatment plan;
- a requirement to delete unsubstantiated allegations of child abuse from records.

At their May 9, 2003 meeting, the Division Administrator briefed the panel on the final outcomes from the legislature. The division's legislative package was well received and almost everything requested passed.

The Division Administrator also updated the panel on the status of the budget, the Program Improvement Plan, and future training.

At each of the meetings, the division's fiscal bureau chief presented detailed information about the status of the budget.

OCTOBER 24, 2003 MEETING ~ other issues.

The panel had requested more information about the state's Domestic Violence Program. At their October 24 meeting, Bette Hall, DV Grant Manager, gave a presentation on the program. Copies of the presentation were distributed with a list of shelter and safe home program locations statewide.

During SFY 02 and early 03, a substantiation review team was formed to look at how the agency substantiates cases of abuse and neglect and made recommendations for better practice methods. The panel was briefed at each meeting on this process. At the October 24 meeting, a draft of the review team's work was presented to the panel. The draft describes a level system for substantiated reports and includes clearly-defined record retention periods for all child abuse and neglect reports received by the division.

An update on the new Centralized Intake system was given at the October 24 meeting. Centralized Intake developed a survey to see how it is being received statewide. Three hundred survey responses were received. The survey showed a 50/50 response to questions about how efficient and/or effective the new system is working. Mandatory reporters were more positive in their responses about the new system. Centralized Intake has improved record keeping; reports are entered in a more timely manner than previous years, and reports are more consistent statewide.

JANUARY 21, 2003 MEETING ~ other issues.

The Federal Review findings were reported to the panel. Montana will be in the process of developing a Program Improvement Plan that is due in March. States were held to a 90%

compliance rate during the review. In two years, states will be held to a 95% compliance rate at the follow-up audit.

The Centralized Intake Program was discussed with the panel. The division asked members of the panel to go back to their communities and find out more about local concerns and complaints. Customer service is a component that needs to be addressed. Gathering better statistical data is being reviewed more closely. In addition, outcomes as they relate to the original goals are being reviewed.

MAY 9, 2003 MEETING ~ other issues.

The panel was briefed on membership requirements as required by the CAN grant, the grant application process, the allocation to Montana and line items in the budget. The CJA grant was discussed as well.

Day care licensing and investigations was further discussed. The division will continue to do investigations in day care facilities. The panel discussed the levels of substantiation as it relates to the issue.

An overview of the April 2003 Child Abuse and Neglect Conference was given. There were 375 attendees. Those in attendance included: social workers, foster/adoptive parents, kinship care families; CASA members, In-Home Services Providers, CRB and Court Assessment Project staff and other professionals who work with at-risk families. National-level speakers attended the 3-day conference, a Governor's Award breakfast was held, and domestic violence training was featured throughout the conference. It was a major success.

BUDGET

The Citizen Review Panel is a permanent line item in the Basic State Grant budget. For the past two years, Montana has received \$114,385 from this grant. The state uses these funds primarily for training professionals who work with children and families both on and off the reservation. Staff and policy training, and statewide conferences deliver information on a wide variety of subjects to social workers and other professionals involved with children and families. The expenses incurred by the Citizen Review Panel will be funded at approximately \$2,500 per year. The grant will cover meeting expenses, travel and per diem, honoraria, and any miscellaneous expenses associated with supporting the panel.

FUTURE PLANNING

- Schedule of CAPTA Topics for Future Citizen Review Panel Meetings.

The panel will continue to review and examine services for children and families by meeting quarterly at the state and local level. The next quarterly meeting is scheduled for August 15, 2003. At that time, the panel will discuss topics for their upcoming meetings in SFY 2004. In addition to special topics of concern or interest, the panel will continue to receive quarterly information on

budget issues, legislative strategy, and any other pertinent information or projects that are related to the role and responsibility of the panel.