



New Mexico Child Abuse and Neglect Citizen Review Board

PREVIEW 2009 Annual Report and Recommendations October 2008



About the New Mexico Child Abuse and Neglect Citizen Review Board

Local Citizen Review Boards meet in the following locations:

Alamogordo

Albuquerque

Bernalillo

Carlsbad

Clovis

Deming

Española

Estancia

Farmington

Gallup

Grants

Hobbs

Las Cruces

Las Vegas

Los Lunas

Portales

Raton

Roswell

Santa Fe

Silver City

Socorro

Taos

*Truth or
Consequences*

Tucumcari

Our vision is a comprehensive child welfare system that protects children, creates permanency, and maximizes well-being; a system in which children receive the best possible services and are promptly placed in loving, nurturing permanent homes.

The New Mexico Child Abuse and Neglect Citizen Review Board (CRB) was legislatively created in 1983 “to provide a permanent system for independent and objective monitoring of children placed in the custody of the Children, Youth, and Families department.” CRB’s mission is to fulfill the directives of the New Mexico Legislature, pursuant to the Citizens Substitute Care Act (Section 32-A-8 NMSA 1978). Specifically, the law requires that CRB:

1. *Make recommendations to the department, the courts, and the legislature regarding statutes, policies and procedures relating to substitute care. (Section 32-8-4 NMSA 1978)*
2. *Prior to any judicial review by the court ... CRB shall review any dispositional order or the continuation of the order and the department’s progress report on the child and submit a report to the court. (Section 32-8-6 NMSA 1978)*

CRB fulfills its mandate through the efforts of more than 190 volunteers in 37 local review boards statewide. These volunteers, with the assistance of staff, review the cases of children in state’s custody and make recommendations to the judge presiding over the case. More than 3,000 reviews take place in any given fiscal year.

Data gathered at these reviews are the basis for CRB’s Annual Report and Recommendations to the legislature, the Children, Youth, and Families Department (CYFD), and the courts. The review’s focus is on the areas that impact children, such as: where they live during foster care (placement), the permanency plan for each child (reunification, adoption, guardianship, or permanent planned living arrangement), mental and behavioral health needs, physical and dental health needs, and educational and developmental needs.

CRB helps illuminate the child welfare system through the reported county and statewide data and the identification of community successes and challenges by the trained local community CRB volunteers.

CRB is an active participant in the federal audit process of the Child and Family Services Review and the resulting Program Improvement Plan.

2009 Annual Report: Recommendations

From January through December 2007, CYFD Protective Services served 4,549 children*. These children came into custody of CYFD due to abuse and neglect. The child protection system's goal is to provide support that will make a safe, quick return home possible for these children, but the severity of the neglect or abuse experienced by the children, the pervasiveness and complexity of the obstacles to reunifying them with their families, and the increasing pressure on community support resources test the limits of the entire system.

Point in Time Calculations of Permanency Plan Goals of Children in Custody* on December 31, 2007:

- **1,196** children had the plan of **Reunification**
- **935** children had the plan of **Adoption**
- **165** children had the plan of **Planned Permanent Living Arrangement**
- **53** children had no plan
- **21** children had the plan of **Permanent Guardianship**
- **11** children had the plan of **Placement with a Fit and Willing Relative**

Total children 2,381

* According to New Mexico's Children, Youth and Family Department's information from the *New Mexico Protective Services Fact Book, Quarter 4 / Annual – Calendar Year 2007*

Until these children are placed in a forever home, CYFD is the child's "parent". As the child's "parent", the department is responsible for taking care of their needs for:

- a home with nurturing foster parents that meets the child's needs
- education
- mental health and behavioral health
- medical and dental health
- preserving connections with their family, community, and culture

It is imperative that New Mexico wisely use its child welfare resources (money and personnel) to appropriately care for foster children, particularly those with acute and chronic needs. This must be accomplished while simultaneously helping the children move quickly to a safe and permanent home - whether it is home with their parents or to another family.

Given this context, and in keeping with the New Mexico Child Abuse and Neglect Citizen Review Board's (CRB) commitment to provide quality recommendations for systemic change in New Mexico's child protection system, CRB presents the follow recommendations:

- Increase and enhance placement resources for the children and youth in foster care.
- Implement Children's Code revisions recommended by the Children's Code Task Force.
- Increase educational support and assure appropriate services to all foster children.
- Increase and enhance behavioral health services for children, youth, and their parents.

Recommendation 1

Increase and enhance placement resources for the children and youth in foster care.

Foster parents must be available 24 hours a day to foster children, many of which have special needs. Included in foster parent reimbursement rates are:

- *room and board;*
- *clothing;*
- *hair care/personal care items;*
- *diapers;*
- *school expenses;*
- *reasonable mileage to meet children's various needs*
- *child's spending allowances*

Context: Highly valued, well trained, and adequately reimbursed foster parents are vital to good outcomes for children in foster care. Increasing the quantity of high quality foster homes and increasing the diversity of foster homes reduces over-placement and placement changes.

Each time a foster child moves, there is more instability in their lives – new homes with new routines and rules, new neighborhoods and friends, often new schools and new service providers. The goal must be fewer placements, which is an outcome measure for the federal Child and Family Services Review (CFSR), a comprehensive audit of CYFD.

Specific CRB Recommendations / Endorsements:

- CRB endorses legislative budget requests by CYFD to increase monthly foster care rates by \$50.00 per child. With this increase, CYFD will be more able to adequately compensate foster parents who are experiencing rising costs in utilities, food, and transportation. This increase will help to retain and recruit foster parents to provide placement stability for the children. This increase will also help New Mexico develop a larger pool of foster homes to make appropriate placement matches for children.
- CRB endorses placement stability strategies that have emerged with New Mexico's CSFR Program Improvement Plan, such as:
 - Redesigning the process for foster parent recruitment to increase the number and types of placement resources
 - Increasing and improving on-going support and crisis support to foster parents to reduce placement changes; this includes providing more experienced foster parents as mentors to foster parents, increasing assistance to foster parent liaisons and providing support groups for foster parents.
 - Improving case worker and provider training in the areas of assessment, support, and monitoring of placements. Improve assessment and planning that addresses the needs of children
 - Improving foster parent training to better care for children who have many needs

For additional background, data, and CRB perspective related to each recommendation, view the CRB's 2009 Annual Report and Recommendations available January 2009 at www.nmcrb.org.

Recommendation 2

Implement Children's Code revisions recommended by the Children's Code Taskforce

Context: The Children's Code Task Force was given the job of updating and revising parts of the Children's Code in the areas of: Abuse and Neglect (Children's Code Article 4), Delinquency (Children's Code Article 2), and Families in Need of Court Ordered Services (Children's Code Article 3B). The revisions are intended to more fully comply with state and federal laws and to reflect best practices in these areas.

Specific CRB Recommendations / Endorsements:

- CRB endorses recommended revisions to the Children's Code submitted by the Children's Code Taskforce. CRB particularly endorses:
 - Changes in how children come into CYFD custody. Implementing on-site safety assessments and planning done by CYFD workers to determine whether it is appropriate to remove the child or take the child into custody will lessen the trauma for children and ease demands on foster homes and the foster care system.
 - Implementing transition planning for foster youth and the process for reviewing the plan at court hearings before the youth turns 18.
 - Changes that assure children's cases will move timely to adjudication so treatment plans can be put in place.

Recommendation 3

Increase educational support and assure appropriate services to all foster children.

Context: All children need support and advocacy to ensure educational success which leads to successful adult lives. Foster children face unique challenges such as: the consequences of their abuse and neglect, consequences they experience as they change foster homes which may mean a change in schools, and delayed academic progress and loss of credits due to school disruptions.

Specific CRB Recommendations / Endorsements:

- Institute educational advocacy training for foster parents and foster youth to help each child / youth receive the appropriate education and support services in regular and special education.
- Add an education and special education component to CYFD core training for case workers. This training should include information to help workers engage biological and foster parents in advocating for the foster child's education and to assure that workers are taking the necessary steps to see that foster children are receiving the appropriate education and support services.
- Create an MOU between CYFD and the Public Education Department that would facilitate sharing information through the Educational Star System. This system provides all New Mexico students with one identification number to track their progress through all school districts that they might attend in the state.
- Identify an educational liaison in each county office to be the point person on educational issues.
- Encourage the enrollment of foster children in pre-kindergarten giving them the head start that they need for educational success.

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Recommendation 4

Increase and enhance behavioral health services for children, youth, and their parents.

Context: Foster children and their families often have chronic or acute behavioral health needs that are made more complex by issues relating to separation from parents and foster care. Adequate resources are needed to develop a service array for the whole state so that communities can provide necessary services to children and families. Federal directives include such things as wrap-around services and greater family involvement with developing treatment plans. Plans should not only include treatment but basic needs such as housing and employment.

Specific CRB Recommendations / Endorsements:

- Comprehensively and strategically plan with people knowledgeable in the child protection field, providers, consumers, parents, Statewide Entity and the appropriate state agencies before implementing services. The system of care needs to be integrated, statewide, efficient, and effective with funding prioritized to care for foster children and their parents. Clear and consistent service definitions and regulations are needed. Training on these items is needed for all involved.
- Explore ways to develop a funding stream for mental and behavioral health services for parents whose children are in foster care due to abuse and neglect. Consider increasing family stabilization dollars and family preservation dollars. For a real chance to reunify as a family in a timely manner, children and parents need timely access to appropriate services.
- Train all providers on the unique circumstances and needs of foster children, wrap-around services, family-based treatment and services, and other appropriate issues. Consider cross-training for the other players in the foster care system such as: case workers, foster parents, attorneys, judges, CASA volunteers, and CRB members.
- Explore ways to provide foster children with the level of care they need while maintaining placement stability.

For additional background, data, and CRB perspective related to each recommendation, view the CRB's 2009 Annual Report and Recommendations available January 2009 at www.nmcrb.org.

About this Preview Report

In an effort to increase the likelihood of implementing its systemic recommendations, CRB regularly participates in a variety of collaborative task forces and workgroups to understand federal and state mandates, best practices, and upcoming initiatives to better the lives of abused and neglected children. For this report, CRB staff interviewed key stakeholders to enrich the background and systemic perspectives of CRB's recommendations to better promote systemic change for children and youth in foster care.

On behalf of the Statewide Advisory Committee of the CRB, the Board of Directors of New Mexico Child Advocacy Networks, and all of the dedicated professionals and lay volunteers committing their time and energy to the children and youth in our state's custody, we thank the following individuals who contributed their expertise and understanding of the current child welfare system and of promising best practices to better outcomes for children and youth.

Angela Adams, Protective Services Director, Children, Youth, and Families Department

Denise Balderas, Education Program Manager, Children, Youth, and Families Department

Maryellen Bearzi, Administrative Deputy Director, Children, Youth, and Families Department

Deborah Dungan, Child Welfare and Juvenile Justice Attorney, Administrative Office of the Courts

Judy Flynn – O'Brien, Director, Corinne Wolfe Children's Law Center

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Beverly Nomberg, CEO, La Familia

Mary Ann Shaening, Shaening and Associates

Pat Briggs, Project Director, New Mexico Child Abuse and Neglect Citizen Review Board

Brian O'Connell, Executive Director, New Mexico Child Advocacy Networks

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