

Arizona Department of Child Safety Permanency Practices

Department should improve its provision of information to the juvenile courts and Foster Care Review Board and implement its plans to further improve other permanency practices and outcomes

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Auditor General





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September 30, 2016

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Arizona Department of Child Safety

Transmitted herewith is a report of the Auditor General, *A Special Report of the Arizona Department of Child Safety—Permanency Practices*. This report is in response to Laws 2015, Ch. 18, §6, and was conducted under the authority vested in the Auditor General by Arizona Revised Statutes §41-1279.03. I am also transmitting within this report a copy of the Report Highlights for this audit to provide a quick summary for your convenience.

As outlined in its response, the Arizona Department of Child Safety agrees with some of the findings and plans to implement some of the recommendations.

My staff and I will be pleased to discuss or clarify items in the report.

Sincerely,

Debbie Davenport
Auditor General

Attachment



Arizona Department of Child Safety Permanency Practices

CONCLUSION: The Arizona Department of Child Safety (Department) is responsible for helping to ensure that children who have been removed from the home achieve a safe and stable permanent home. Permanency can include safely placing a child back with his/her parents, in the care of a relative, and adoption. Although the majority of Arizona children exiting out-of-home care achieve permanency in a family setting, we found that the Department can improve its permanency efforts. Specifically, the Department has not consistently submitted timely and detailed reports about the status of a child's case to the juvenile courts, and caseworkers are frequently absent from Foster Care Review Board (FCRB) reviews. We also found that although the Department places more children with kin than the national average, staff have not always adequately documented their kin-search efforts. Further, previous reviews found that the Department has needed to improve other permanency practices and outcomes, including ensuring that children achieve permanency in a timely manner; filing petitions in a timely manner to terminate parental rights so that a child can be adopted; recruiting and retaining foster homes, which can become permanent placements; and preserving a child's connections to his/her family and community.

Department should improve provision of information to courts and FCRB

Department has not consistently provided timely and detailed court reports—Juvenile court judges are responsible for making permanent placement decisions for children in out-of-home care during court hearings. To assist the juvenile courts in making these decisions, the Department is required to provide written court reports and in-person information at court hearings regarding case plan goals that must be achieved before the child can be reunified with his/her parents. However, we found that the Department has not always provided required court reports to juvenile court judges in a timely manner, consistently included sufficient detail in its court reports, or clearly presented progress toward goals in updated court reports. Without timely and adequate case information, court hearing decisions may be postponed.

Department caseworkers have not always attended required FCRB reviews—The Department also provides case information to the FCRB, which comprises independent review boards that review individual children's cases and provide recommendations to the juvenile courts about these cases. Department policy requires caseworkers to attend FCRB reviews either in person or through teleconference to answer questions and provide updated information. However, according to a 2015 Auditor General's report, between November 2014 and May 2015, caseworkers attended about 65 percent of FCRB reviews each month, either in person or by telephone. More recent analysis performed during this audit found that caseworker attendance at FCRB reviews had not improved. The Department has collaborated with the FCRB to address caseworker attendance, but reported that staff are not able to consistently attend these reviews because of high caseloads.

Recommendations

The Department should:

- Track court report submission timeliness, and using this information, identify and address causes of late submissions;
- Develop and implement guidance directing the supervisory review of court reports; and
- Formalize its process for reviewing caseworker FCRB review attendance reports and using report information to improve attendance.

Department should improve kin-search documentation and timeliness

Kin placement refers to the placement of a child in out-of-home care with blood relatives, or those related to the child by marriage, adoption, or through another form of significant relationship and is generally preferred to other non-kin placements. Although the Department placed more children with kin than the national average for federal fiscal years 2010 through 2014, the Department has not always adequately documented kin searches, which could lead to inefficiencies in performing these searches. In May 2016, the Department directed all staff to begin documenting all kin-search efforts

in a “Locate Efforts” case note within its CHILDS case management system. However, the Department reported that it does not have a formal process for ensuring that staff comply with this directive. Additionally, the Department’s family locate unit, a specialized unit tasked with finding specific kin, has not been able to complete all caseworker-referred kin searches in a timely manner. Specifically, as of September 2016, the family locate unit had 452 caseworker requests to locate kin that had not been completed within the expected 45-business day time frame.

Recommendations

The Department should:

- Establish a monitoring process to ensure all staff involved in kin searches are documenting these searches in the newly established “Locate Efforts” case note; and
- Identify and implement methods to ensure caseworker kin-search requests are processed in a timely manner.

Reviews have found deficiencies in Department’s permanency practices

Several reviews of the Department have identified various deficiencies in the Department’s permanency practices. Specifically, auditors reviewed multiple Auditor General reports, an independent review conducted by the Chapin Hall Center for Children (Chapin Hall) in 2015, and multiple Arizona Child and Family Services Reviews (CFSRs), which are periodic reviews of state child welfare agencies administered by the U.S. Department of Health and Human Services. The Department has taken steps to address the deficiencies noted in these previous reviews and should implement its plans to further improve its permanency practices and outcomes in the following areas:

Permanency timeliness—Previous reports have found that the Department has performed well at achieving permanency for children who have been in out-of-home care longer than 12 months, but has not always achieved timely permanency for all children in out-of-home care. For example, the 2015 CFRS found that the Department did not meet the national standard of achieving permanency for children within 12 months of entering foster care. Specifically, of all children who entered out-of-home care in a 12-month period in Arizona, 28.5 percent achieved permanency within 12 months, which was below the national standard of 40.5 percent. Earlier CFRSs and Chapin Hall’s independent review found similar problems with the timeliness of achieving permanency.

In addition, the 2015 CFRS identified deficiencies with aspects of the Department’s case-planning process, finding that the Department did not always establish permanency goals in a timely manner, involve all parents and children in the case-planning process, and ensure that children and families received frequent and quality visits with caseworkers.

Timeliness of termination of parental rights (TPR)—In order for a child to be adopted, a TPR petition has to be filed and approved. Federal law requires that the Department file a TPR petition or document a compelling reason why it will not file a petition when a child has been in out-of-home care for 15 of the last 22 months. However, the CFRS reviews found that the Department did not consistently meet this requirement.

Foster home recruitment—Although placement in a foster home is generally not considered permanent, many foster homes become permanent placements. However, multiple reports have noted that the Department needs to improve its recruitment and retention of foster homes. For example, a 2013 Auditor General special report found that the Department needed to improve how it contracts with child-placing agencies for the recruitment of foster homes.

Foster children’s connections to their family and community—Preserving a child’s connection to family and community can help promote permanency because it helps children maintain important bonds that may have been disrupted by their removal from home. However, the 2015 CFRS found that the Department did not always preserve a child’s connections to his/her community, make concerted efforts to place siblings together, ensure the appropriate frequency and quality of visits with the child and his/her family, and ensure that the relationship between parents and children in out-of-home care is maintained through means other than visitation.

Recommendations

The Department should continue to implement its:

- Plans to address the 2015 CFRS findings, including implementing case review processes to facilitate the timely achievement of permanency and training staff on new family engagement practice guidelines; and
- 2016 strategic plan to improve foster home recruitment and retention.



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Scope and objectives

As required by Laws 2015, Ch. 18, §6, the Office of the Auditor General has completed a special report addressing the Arizona Department of Child Safety's (Department) permanency practices for children in out-of-home care. The report addresses the appropriateness of the Department's permanency practices, other states' practices, and recommended improvements.

Preferred permanent option for children is in a family setting

When a child has been removed from his/her home, one of the Department's primary responsibilities is to help ensure that the child achieves a safe and stable permanent home. Permanency refers to the permanent, legal placement of a child after the child is removed from his/her home. Although there are various permanency options for children in out-of-home care in Arizona, safely placing children back with their parents is the preferred permanency option (see textbox for permanency options in Arizona). However, if a child cannot be reunified with his/her parents because of concerns about safety threats and/or risk factors in the home, the Department is required to help the child achieve permanency in another family setting, such as an adoptive home.

Federal and Arizona law require the Department to make reasonable efforts to find a permanent placement for a child in a timely manner.¹ Depending on the child's age, the juvenile court must hold a permanency hearing at 6 months or 1 year after the child has been removed from home to determine a plan for permanent placement of the child (see page 4 for more information). Depending on a child's specific case, achieving permanency can be a prolonged effort spanning several months or even years, during which the child may be placed temporarily in out-of-home care, such as with a relative or in a foster home.

Statutorily authorized permanency options in Arizona:

- Return to the child's parent;
- With a grandparent or other member of the child's extended family, including a person who has a significant relationship with the child, unless the court determines it is not in the child's best interests;
- Adoption;
- With a suitable institution, association, or school;¹
- Independent living; and
- With an adult as a permanent guardian.

¹ Although authorized by statute, according to the Department, it does not pursue permanency with a suitable institution, association, or school.

Source: Arizona Revised Statutes (A.R.S.) §§ 8-845 and 8-862.

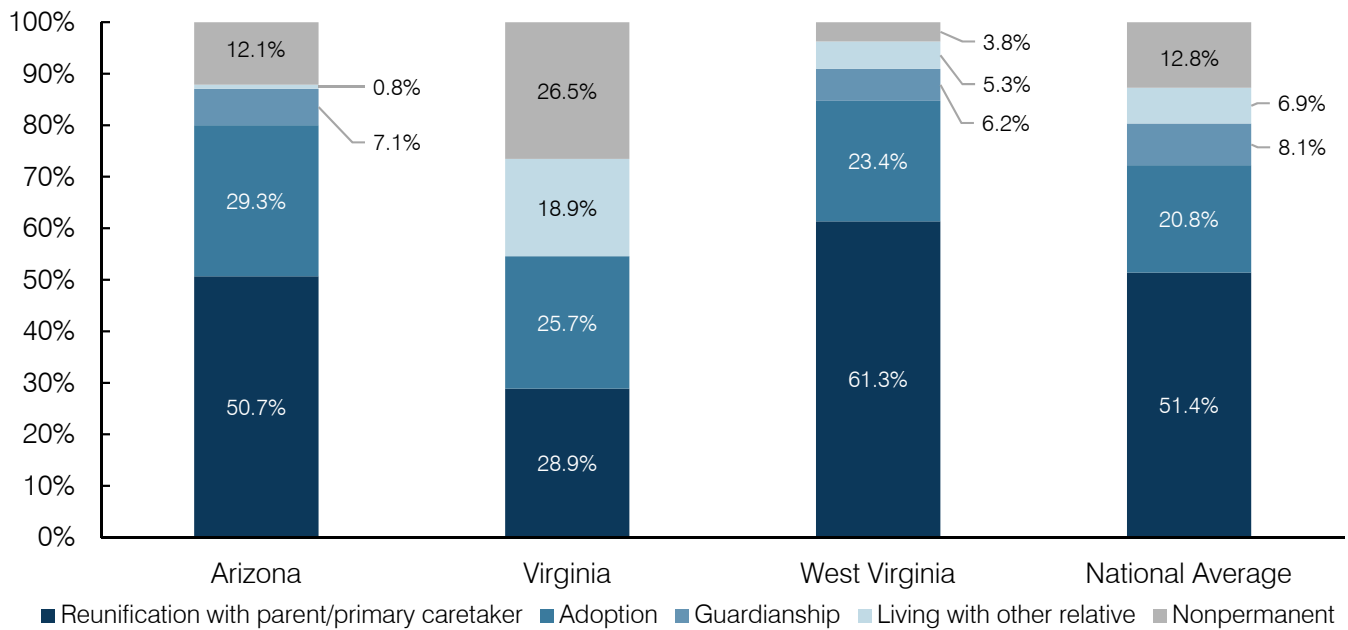
Most Arizona children achieve permanency in a family setting

The majority of Arizona children exiting out-of-home care achieve permanency in a family setting. Auditors' analysis of Adoption and Foster Care Analysis and Reporting System (AFCARS) data found that for federal fiscal years 2010 through 2014, on average, nearly 88 percent of Arizona children exiting from out-of-home care each

¹ 42 USC §671(a)(15)(C); A.R.S. §8-862(E).

year achieved permanency in a family setting (see Figure 1).^{2,3} This average is similar to the national average of 87.2 percent for these years. West Virginia had the highest state average of children achieving permanency, 96.2 percent, and Virginia had the lowest state average, 73.5 percent.⁴ A little more than half of Arizona children exiting out-of-home care were reunified with their parents or primary caretaker. Specifically, as shown in Figure 1, for federal fiscal years 2010 through 2014, an average of 50.7 percent of Arizona children exiting department custody each year were reunified with their parents or a primary caretaker. More recent data shows a similar trend. Specifically, according to the Department's semi-annual child welfare report for the 6-month period ending on March 31, 2016, 3,036 of the 5,668 children who exited department custody within this 6-month period, or 54 percent, were reunified with their parents or a primary caretaker.

Figure 1
Arizona's average percentage of exits to permanent and nonpermanent placements by type, compared to national and two other state averages
Federal fiscal years 2010 through 2014



Source: Auditor General staff analysis of AFCARS data for federal fiscal years 2010 through 2014.

Department works with courts and FCRB to help children achieve permanency

The Department, the juvenile courts, and the Arizona Foster Care Review Board (FCRB) coordinate and share information to help children in out-of-home care achieve permanency. Although department staff are responsible for managing out-of-home care cases, permanent placement decisions are made by juvenile court judges during court hearings. In making permanency decisions, these judges must review information provided by department

² Exits from out-of-home care in a family setting include reunification, adoption, guardianship, and living with other relatives. Nonpermanent exits include emancipation, transfer to another agency, runaway, and death of child.

³ The data used in this publication were made available by the National Data Archive on Child Abuse and Neglect, Cornell University, Ithaca, NY, and have been used with permission. Data from AFCARS were originally collected by the Children's Bureau. Funding for the project was provided by the Children's Bureau, Administration on Children, Youth and Families, Administration for Children and Families, U.S. Department of Health and Human Services. The collector of the original data, the funder, the Archive, Cornell University, and their agents or employees bear no responsibility for the analyses or interpretations presented here.

⁴ Auditors did not evaluate the permanency practices in Virginia or West Virginia; therefore, there are limitations in the conclusions that can be drawn by comparing states' permanency placement percentages.

caseworkers and the FCRB, which comprises local volunteer review boards who advise the juvenile courts on progress toward a child achieving a permanent home. The Department is required to assist in this process by providing written and/or in-person information at a variety of court hearings and by attending FCRB reviews either in person or by telephone. According to statute and the Department, significant hearings and reviews in which the Department interacts with the courts and the FCRB include:

- **Preliminary protective conference and hearing**—When the Department removes a child from his/her home, it must file a dependency petition with the juvenile court, and the court subsequently holds a hearing to determine whether temporary custody of the child is necessary to prevent abuse or neglect.⁵ Prior to this hearing, a preliminary protective conference will be held where the parent, guardian, or custodian and his/her attorney will attempt to reach an agreement regarding the child's placement; services that will be provided to the child and/or parent guardian, or custodian; and visitation with the child. The department caseworker will develop a case plan, which should be developed in collaboration with the child's parent, guardian, or custodian and should include tasks that must be completed prior to reunifying the child with his/her parent, guardian, or custodian. The case plan and results of this preliminary protective conference should be discussed at the preliminary protective hearing, where the juvenile court will decide on the child's placement, visitation, and services to be provided.
- **Initial dependency hearing**—If a parent, guardian, or custodian is not present at the preliminary protective hearing, the juvenile court must set an initial dependency hearing to make decisions about the child's dependency within 21 days after the Department filed the dependency petition. The juvenile court will determine if reasonable efforts were made to prevent the removal of the child and if services are available that would eliminate the need for continued removal.
- **Contested dependency adjudication hearing and disposition hearing**—If a parent, guardian, or custodian denies the allegation of abuse or neglect in the dependency petition, the court must hold a contested dependency adjudication hearing within 90 days of the date that the parent, guardian, or custodian was given a copy of the dependency petition. At this hearing, the court will receive and review the evidence of abuse and neglect provided by the Department and determines whether the allegations are substantiated, and orders the parent, guardian, or custodian to provide to the Department and the court the names and contact information for the child's relatives or persons who have a significant relationship with the child. Within 30 days of the contested dependency adjudication hearing, a disposition hearing should be held so the juvenile court can decide on the child's placement, services, and permanency goal.
- **Report and review hearings**—The purpose of this hearing is to evaluate the progress made in achieving a child's case plan goals, review the child's placement, and decide if continued court and department involvement is necessary. The juvenile court must hold a report and review hearing at least every 6 months after it finds a child to be dependent.
- **FCRB reviews**—When a child is placed in out-of-home care, the FCRB should review the child's case plan and progress toward case plan goals and achieving permanency. Federal law requires each state to perform these reviews and Arizona statute requires the volunteers who serve on FCRB's local review boards to review cases every 6 months after the original placement to provide an independent review of the case plan progress and submit findings and recommendations to the juvenile court.⁶ The FCRB local review boards consist of community members who are appointed by the juvenile court judge in each county and who are not employed by the Department or by the court. The FCRB local review boards can make recommendations to the court about individual cases, but do not have decision-making authority. The court must consider the FCRB local review boards' recommendations with other information, such as evidence and testimony from the parent or guardian and the Department.

⁵ A dependency petition is a petition filed by the Department to remove a child from his/her parents' custody based on suspected physical abuse, sexual abuse, mental abuse, abandonment, or neglect.

⁶ A.R.S. §8-515.03.

- **Permanency hearing**—Within 1 year of the child’s removal from the home, and every 12 months thereafter if the child remains in out-of-home care, the court must hold a permanency hearing.⁷ The purpose of this hearing is to determine a plan for the permanent placement of the child, which may be reunification with the family or another permanent plan such as adoption, guardianship, or long-term foster care.

Several practices and factors can affect permanency

According to child welfare literature, helping a child achieve timely and appropriate permanency encompasses various practices undertaken by child welfare agencies. Recent reports specific to Arizona have also identified factors that may impact the Department’s permanency practices. Specifically, auditors reviewed multiple prior Arizona Office of the Auditor General reports, an independent review of the Department conducted by the Chapin Hall Center for Children (Chapin Hall) in 2015, and multiple Arizona Child and Family Services Reviews (CFSRs) administered by the U.S. Department of Health and Human Services (see textbox on page 5).^{8,9} Although there are a variety of practices that help ensure a child achieves permanency, based on a review of these reports, auditors identified the following practices, factors, and outcomes related to permanency for children in Arizona:

- **Coordination with the juvenile courts and the FCRB**—As noted previously, juvenile court judges use information provided by department caseworkers and the FCRB in making permanency decisions. The Department is required to assist in this process by providing both written and in-person information at a variety of juvenile court hearings and by attending FCRB reviews, which can influence both the timeliness and quality of permanency decision-making (see Chapter 1, pages 7 through 13, for more information).
- **Identification of kin for temporary placement**—When a child is removed from the home, the Department is required to place a child in the least restrictive and most family-like placement available and to exercise due diligence to identify kin, such as grandparents and adult relatives.¹⁰ Children in kin placements are more likely to remain in their same neighborhoods and have fewer placement changes during their time in out-of-home care, and may have an increased likelihood of achieving certain types of permanency outcomes, such as guardianship, compared to children in foster homes (see Chapter 2, pages 15 through 19, for more information).^{11,12}
- **Timeliness of achieving permanency**—Achieving permanency in a timely manner is important because it reduces the amount of time a child is in out-of-home care.¹³ Every year that a child remains in out-of-home care, the likelihood of reunification with his/her parents declines (see Chapter 3, pages 21 through 24, for more information).¹⁴

⁷ For children under 3 years of age, the court shall hold a permanency hearing within 6 months of the child’s removal from the home.

⁸ Chapin Hall Center for Children at the University of Chicago. (2015). *Arizona Department of Child Safety independent review*. Chicago, IL. Chapin Hall is a research and policy center at the University of Chicago that focuses on improving the well-being of children, youth, and families. As required by Laws 2014, 2nd S.S., Ch. 1, §159, the Office of the Auditor General selected an independent consultant with experience in child welfare practices, Chapin Hall, to perform an independent review of the Department and offer insight into implementation challenges and best practices on child safety and risk.

⁹ Some of these reports evaluated the former Division of Children, Youth and Families within the Arizona Department of Economic Security, which became the Arizona Department of Child Safety in May 2014. For readability, auditors use the term “Department” in reference to both the former division and the new department.

¹⁰ 42 USC §671(a)(29) and A.R.S §8-514(B).

¹¹ Rubin, D.M., Downes, K.J., O’Reilly, A.L.R., Mekonnen, R., Luan, X., & Localio, R. (2008). Impact of kinship care on behavioral well-being for children in out-of-home care. *JAMA Pediatrics*, 162(6), 550-556; Winokur, M., Holtan A., & Valentine, D. (2009). Kinship care for the safety, permanency, and well-being of children removed from the home for maltreatment. *Campbell Systematic Reviews*, 2009(1), 1-171.

¹² Winokur, M., Holtan, A., & Batchelder, K. (2014). Kinship care for the safety, permanency, and well-being of children removed from the home for maltreatment: A systematic review. *Campbell Systematic Reviews*, 2014(2), 1-292; Bell, T., & Romano, E. (2015). Permanency and safety among children in foster family and kinship care: A scoping review. *Trauma, Violence, & Abuse*. Advance online publication. doi:10.1177/1524838015611673.

¹³ Harden, B. J. (2004). Safety and stability for foster children: A developmental perspective. *The Future of Children*, 14(1), 31-47.

¹⁴ Wulczyn, F. (2004). Family reunification. *The Future of Children*, 14(1), 95-113.

Child and Family Services Review (CFSR):

CFSR evaluation—Since 2001, the U.S. Department of Health and Human Services has conducted the CFSRs, which are periodic reviews of state child welfare agencies. The CFSRs identify strengths and challenges in state programs and systems, focusing on outcomes for children and families in the areas of safety, permanency, and well-being. Arizona has undergone a CFSR in 2002, 2008, and 2015. The CFSR evaluation is a two-step process. In the first step, state child welfare agencies, such as the Department, report information about their outcomes in the areas of safety, permanency, and well-being. In the second step, a team of U.S. Department of Health and Human Services and state reviewers evaluate a sample of agency cases and interview various stakeholders about agency performance.

Plan to address CFSR findings—Following the evaluation, states must develop an improvement plan to address the areas that do not meet CFSR standards. As part of the improvement plan, states must identify strategies that will help create lasting and state-wide systemic change, and work with the U.S. Department of Health and Human Services to establish the minimum amount of improvement that the state must make toward meeting the CFSR standards. However, the minimum amount of improvement identified as part of the improvement plan does not need to fully meet CFSR standards for a particular area, as states are not required to fully attain the CFSR standards when implementing their improvement plans. Rather, the CFSR process is designed to be a continuous improvement process and, according to the U.S. Department of Health and Human Services, the improvements achieved as part of the improvement plans are likely to be incremental rather than dramatic. As such, subsequent CFSRs may continue to identify deficiencies in the areas reviewed and states may need to continue working on a particular area that needs improvement for multiple CFSRs, even after implementing an improvement plan in previous years.

Follow up on plan—States must submit quarterly reports to the U.S. Department of Health and Human Services regarding action steps completed to address CFSR findings and provide evidence of completion. The U.S. Department of Health and Human Services then evaluates this information to ensure that the state has completed all action steps and met all benchmarks, and has achieved the required improvement. Once the action steps and benchmarks have been evaluated and confirmed as completed by the U.S. Department of Health and Human Services, the state will receive official notification that its improvement plan has been implemented.

Source: Auditor General staff summary of U.S. Department of Health and Human Services CFSR procedures and website.

- **Timeliness of termination of parental rights (TPR) for adoption**—Filing a TPR petition in a timely manner is an important step toward achieving timely adoptions because a child may not be released for adoption until the rights of the child's parents have been terminated. Federal law requires that the Department either file a TPR petition when a child has been in foster care for 15 of the last 22 months or else document a compelling reason why the TPR petition is not being filed, such as when the child is in the care of a relative (see Chapter 4, pages 25 through 26, for more information).¹⁵
- **Foster home recruitment**—Although placement in a foster home is generally not considered permanent, many foster homes become permanent placements as a result of foster parents deciding to adopt the foster child(ren) in their care. According to a 2014 Office of the Auditor General special report, the shortage of foster homes, particularly for older children, sibling groups, and children with special needs, contributed to an increase in the use of congregate care.¹⁶ Congregate care is a nonfamily-like placement setting that includes group homes, residential treatment centers, and emergency shelters, which the special report stated may reduce a child's chances for achieving permanency because children in congregate care do not have opportunities to form relationships with adults who make a long-term, legal commitment to them (see Chapter 5, pages 27 through 30, for more information).

¹⁵ 42 USC §675(5)(E)(ii).

¹⁶ See Auditor General Report No. 14-107 (October 2014).

- **Preserving connections**—A child’s removal from his/her home and placement in out-of-home care creates the potential for disruption in the bonds between the child and his/her family and friends, school, and community.¹⁷ When children have consistent and frequent contact with parents while living in foster care, they are better adjusted and less likely to exhibit behavioral problems than a child with less contact.¹⁸ In addition, a network of support, including caring friends, relatives, and neighbors, can help a child perform well academically, have positive health and mental health outcomes, and make it more likely that he/she will develop good relationships and social skills that can enable him/her to become a successful adult (see Chapter 6, pages 31 through 33, for more information).¹⁹

¹⁷ Blome, W. W. (1997). What happens to foster kids: Educational experiences of a random sample of foster care youth and a matched group of non-foster care youth. *Child and Adolescent Social Work Journal*, 14(1), 41-53; Stott, T., & Gustavsson, N. (2010). Balancing permanency and stability for youth in foster care. *Children and Youth Services Review*, 32(4), 619-625; Tilbury, C., & Osmond, J. (2006). Permanency planning in foster care: A research review and guidelines for practitioners. *Australian Social Work*, 59(3), 265-280.

¹⁸ McWey, L. M., & Mullis, A. K. (2004). Improving the lives of children in foster care: The impact of supervised visitation. *Family Relations*, 53(3), 293-300.

¹⁹ Williams-Mbengue, N. (2008). *Moving children out of foster care: The legislative role in finding permanent homes for children*. Washington, DC: National Conference of State Legislators.



Department should improve its provision of information to the courts and FCRB

The Arizona Department of Child Safety (Department) works with and provides information to the county juvenile courts and the Foster Care Review Board (FCRB) to help children in out-of-home care achieve permanency but should improve its provision of information to the juvenile courts and the FCRB. To assist the juvenile courts in making permanency decisions, the Department is required to provide written reports and in-person information at court hearings and FCRB reviews regarding case plan goals that must be achieved before a child can be reunified with his/her parents. However, the Department has not consistently submitted timely and adequate reports to the juvenile courts, and department caseworkers are frequently absent from FCRB reviews. Without timely and adequate information, court hearing decisions may be postponed, and the quality of FCRB recommendations to the juvenile courts may be impacted. Therefore, the Department should take steps to provide court reports in a more timely manner and improve the content of these reports. The Department should also formalize its existing process for reviewing reports on caseworker attendance at FCRB reviews and using the report information to improve attendance.

Department has not consistently provided timely and adequate case information to juvenile courts and FCRB

To help courts make permanency decisions, the Department is required to submit court reports to juvenile courts and attend court hearings and FCRB reviews to answer questions regarding case progress. However, the Department has not consistently provided the juvenile courts with timely and adequate case information about children in out-of-home care, such as information on case plan goals that must be achieved before a child can be reunified with his/her parents, which could potentially delay a child in achieving permanency. In addition, department caseworkers have not consistently attended FCRB reviews to provide case information to the FCRB, which may impact the quality of the recommendations that the FCRB submits to the juvenile courts to help make permanency decisions.

Department required to provide information to juvenile courts and FCRB to assist with permanency decisions

—The Department, the juvenile courts, and the FCRB coordinate and share information to help children in out-of-home care achieve permanency. Although department staff are responsible for managing out-of-home care cases, the juvenile court judges make decisions about permanent placements. Judges make these decisions with input from the Department and the FCRB, an independent board that reviews the cases of children in out-of-home care and provides recommendations for permanency (see Introduction, page 3, for more information about the FCRB). The path to permanency can involve multiple juvenile court hearings in which juvenile court judges make decisions regarding the child's removal from his/her home, mandate stipulations for parents who seek reunification, and oversee parents' progress toward providing a safe environment for their children prior to reunification (see Introduction, pages 2 through 4, for more information about the hearings). For example, in a preliminary court hearing, the juvenile court judge may establish goals that must be achieved before the child can be reunified with the parents and order the Department to make reasonable efforts to assist the child and the child's parents in achieving these goals by providing services such as housing assistance, parenting skills training, counseling, transportation, and drug treatment services. At subsequent hearings, the juvenile court judge will review parents' progress toward the goals and the Department's efforts to assist parents in meeting

their goals to achieve reunification. Finally, the juvenile court will hold a permanency hearing to determine whether the child can safely be reunified with his/her parents and if not, determine if the child will be permanently placed or adopted into another home. Specifically, at the permanency hearing, the juvenile court judge decides:

- Whether the Department has made reasonable efforts regarding a child's permanency;
- Whether the Department has made sufficient efforts to place the child with the child's siblings or to provide frequent visitation or contact with siblings, if possible; and
- Which permanency option is the most appropriate plan for the child, such as reunification with the parent or adoption.

The Department is required to provide case information to the juvenile courts to assist the juvenile court judges in making decisions that impact a child's permanency. For preliminary hearings, Arizona Revised Statutes (A.R.S.) §8-824 requires that department caseworkers provide a written report to the court prior to a hearing and be present at hearings. In addition, the Juvenile Courts' Judicial Rules of Procedure (Rules of Procedure) require the Department to provide written information to judges at juvenile court hearings that are held at least every 6 months to review the case. Prior to these hearings, caseworkers must provide the juvenile courts with a court report that includes current information about the child's case, such as the parents' progress toward case plan goals. To help ensure that the court reports include the required elements, the Department has developed detailed court report templates that include specific topic areas required by the Rules of Procedure (see textbox for a description of required court report contents).

In addition, department policy requires caseworkers to attend all hearings, and when attending juvenile court hearings, caseworkers may be asked to answer questions from juvenile court judges as needed.

These court reports are an important part of the process for determining permanency. According to a 2006 U.S. Department of Health and Human Services publication, reports provided to the courts serve as one of the best opportunities for caseworkers to communicate case information to the court and to influence the court's decision.²⁰ Further, eight Arizona juvenile court judges that auditors interviewed reported that the Department's court reports are important in making permanency decisions because the reports can provide important details about a case that would otherwise not be known.²¹

Court reports—Reports developed by department caseworkers for juvenile court hearings to help judges make determinations regarding children in out-of-home care. Court reports should include a copy of the case plan or proposed case plan and progress toward achieving case plan goals. Rules of Procedure require that reports for the preliminary hearing address the reason for the child's removal, services provided to prevent removal, and the proposed case plan. For subsequent hearings, Rules of Procedure require that court reports include additional information such as the child's placement, the services being provided to the child and family, the progress the parties have made in achieving the case plan goals, and whether the child continues to be dependent on the State.

Source: Auditor General staff review of Rules of Procedure 45 and 58 and department court report templates.

In addition to department-provided reports, juvenile court judges are also required to use information from the FCRB to help make child placement and permanency decisions. As required by Arizona statute and federal law, when a child is placed in out-of-home care, the FCRB reviews the progress made toward the child's case plan goals, the child's safety, and the placement's appropriateness. The FCRB then makes recommendations to the juvenile courts about individual children's cases. To develop these recommendations, the FCRB uses information provided by department caseworkers. According to a 2015 Office of the Auditor General report, FCRB management reported that this information is valuable because caseworkers are the only ones who have current and comprehensive knowledge of the entire case from all involved parties, including information about

²⁰ Children's Bureau, Office on Child Abuse and Neglect. (2006). *Working with the courts in child protection*. Washington, DC: U.S. Department of Health and Human Services, Administration for Children and Families.

²¹ Four of the judges agreed generally that the court reports are important in making permanency decisions, but clarified that sometimes the caseworkers do not know all the important details about the case because there is high caseworker turnover.

the children, parents, foster parents, and/or out-of-home care living situation, and caseworkers can verbally provide additional information and answer specific questions during the review.²² Additionally, as reflected in this report, juvenile court judges that auditors interviewed stated that the FCRB's reports provide judges with valuable information for court hearings regarding a child's progress toward permanency, including information that the judges might not otherwise have in their files, such as statements from a child's foster parent(s).

Department has not consistently provided timely and clear court reports to the juvenile courts—Some of the Department's reporting practices may diminish the usefulness of the court reports, which can undermine permanency efforts. Specifically, based on auditors' review of the Chapin Hall Center for Children's (Chapin Hall) June 2015 independent review of the Department's child safety and welfare practices, a sample of ten case files for children who were placed in out-of-home care between July 1, 2013 and April 27, 2016, and interviews with eight Arizona juvenile court judges, the Department has not adequately reported information about children in out-of-home care to the juvenile courts in three ways.²³ Specifically, the Department:

- **Submitted late court reports to the juvenile courts**—Department caseworkers do not always provide required court reports to juvenile court judges in a timely manner, and sometimes court reports are not provided at all prior to the hearing. Rules of Procedure require that department caseworkers provide court reports to the juvenile court at least 10 or 15 days prior to the hearing, depending on the type of hearing, and at least 24 hours prior to a preliminary protective hearing. However, six of the eight juvenile court judges auditors interviewed reported that department caseworkers frequently or always submitted court reports later than the 10 or 15 days required by the Rules of Procedure, while two of the judges reported that court reports were occasionally submitted late. In addition, auditors' review of the ten case files identified three instances in which the court report had not been submitted prior to the hearing. Although the exact frequency of late report submission is unknown state-wide because neither the juvenile courts nor the Department track this information, the Maricopa County Juvenile Court Administration Dependency Team performed an informal analysis of court report timeliness for February 2016 at some of the Maricopa County juvenile courts.²⁴ Of the 892 court reports included in the analysis, 284 court reports, or 32 percent, were submitted within a time frame that the respondent considered to be "late," and 54 court reports, or 6 percent, were not received at all. According to juvenile court representatives, judges frequently accept court reports that are late in order to help move the case through the process. According to one judge, extra time may be required during hearings because either the judge did not have enough time to review the court report or the attorneys did not have enough time to discuss the information with their client. Chapin Hall's 2015 independent review also cited this as a problem, indicating that stakeholders reported that the Department's common practice is to provide reports about 1 day before a hearing, resulting in time being taken during hearings to apprise all parties of current facts related to the case rather than substantively addressing the issues impacting permanency achievement for the child.²⁵ According to the Department, untimely court report submission is a result of large caseworker caseloads, and court report submissions' timeliness will improve when caseloads are reduced to manageable levels.

Permanency decisions may be delayed when department caseworkers do not submit timely reports. Receiving reports 10 to 15 days prior to the hearing, as required by the Rules of Procedure, allows juvenile court judges and attorneys time to prepare for the hearing and prevents delays. However, six of the eight juvenile court judges auditors interviewed reported that hearings are occasionally postponed because court

²² See Auditor General Report No. 15-110 (September 2015).

²³ Chapin Hall Center for Children at the University of Chicago. (2015). *Arizona Department of Child Safety independent review*. Chicago, IL. Chapin Hall is a research and policy center at the University of Chicago that focuses on improving the well-being of children, youth, and families. As required by Laws 2014, 2nd S.S., Ch. 1, §159, the Office of the Auditor General selected an independent consultant with experience in child welfare practices, Chapin Hall, to perform an independent review of the Department and offer insight into implementation challenges and best practices on child safety and risk.

²⁴ According to a Maricopa County Juvenile Court representative, this informal study was performed by requesting information regarding late court report submission from its judicial officers, such as juvenile court judges. The definition of "late" was determined at the judicial officers' discretion rather than the 10 to 15 days required in the Rules of Procedure.

²⁵ Chapin Hall, 2015.

reports are late. For example, when reports are not provided in a timely manner, attorneys involved in the case may request a continuance that can further delay the case's resolution and the child's placement. These delays can result in children remaining in out-of-home care for a longer period of time, which can undermine permanency efforts.²⁶

- **Inconsistently provided adequate level of detail in court reports**—The Department's court report templates are consistent with the Rules of Procedure requirements (see page 8 for more information about court report content requirements), but the Department does not consistently include sufficient detail in its court reports. Specifically, auditors' review of the ten case files, which included 38 court reports, found that although court reports generally complied with the elements the court report templates require, 13 of the court reports had one or more areas that lacked the detailed information the court report templates require. For example, one court report did not include information about the Department's efforts to facilitate visitation or contact with siblings and another omitted information about the child's well-being, such as education and health information. Additionally, one case file contained multiple court reports that lacked information about the reasons for siblings being placed in different out-of-home placements and also lacked detailed caseworker conclusions regarding case progress and areas for improvement.

The eight juvenile court judges who auditors interviewed also expressed similar concerns regarding the level of detail provided in court reports. All eight juvenile court judges stated that detailed court reports are helpful in making decisions about permanency, but that the court reports they received from department caseworkers did not consistently provide a sufficient level of detail. One juvenile court judge explained that when the court is deciding whether a child should be reunited with a parent, a court report is more useful when it contains detailed information about the case, such as the parent's level of substance abuse. For example, a court report that states that the parent failed three urinary analysis tests in one month is not as helpful as a report that includes the dates associated with the tests, what the lab detected in the urine, and which tests, if any, the parent missed. According to the Department, a contributing factor to inadequate court report detail is turnover among caseworkers who have expertise about the case and who were experienced in preparing court reports.

- **Did not clearly present progress toward goals in updated court reports**—When the Department presents updated case information in court reports, it may be difficult to identify the updated information. The Department is required to add updated information, such as the progress parents have made toward case plan goals, in court reports prior to each hearing. However, six of the eight juvenile court judges that auditors interviewed indicated that new information was frequently or always difficult to find in court reports, and the other two judges indicated that it was occasionally difficult to find. For example, an updated court report may include some information from the original court report but have new information mixed throughout the original information rather than being provided in a single location. As a result, juvenile court judges may have difficulty identifying updated information, requiring them to spend additional time to sift through multiple pages of a court report to find the new information, current status, and progress of the case. In addition, seven of the eight juvenile court judges indicated that updating court reports by mixing new information with historical information makes it difficult to find the new information and can result in judges needing more time to review the court reports for each hearing, which ultimately slows the progress of the juvenile courts in completing work on permanency decisions. Auditors also reviewed court reports for the sample of ten case files and noted that new information was often embedded with old information and was difficult to locate; however, one caseworker used headings to indicate where new information was included, making this information easier to locate. Additionally, in the 2015 Chapin Hall independent review, stakeholders reported that the information provided in court reports is often duplicative, confusing, or otherwise hard to understand.²⁷

²⁶ North American Council on Adoptable Children. (2005). *A family for every child: Strategies to achieve permanence in older foster children and youth*. Baltimore, MD: Annie E. Casey Foundation.

²⁷ Chapin Hall, 2015.

Department addressing lower than required attendance at FCRB reviews—The Department’s policy and procedures manual requires caseworkers to attend the initial FCRB review in person and to attend subsequent hearings in person or through teleconference to answer questions and provide updated information. However, according to a 2015 Auditor General’s report, between November 2014 through May 2015, caseworkers attended about 65 percent of FCRB reviews each month, either in person or by telephone.²⁸ Auditors’ more recent analysis of FCRB’s state-wide data for June 2015 through July 2016 showed that caseworker attendance fluctuated between a high of 65 percent attendance and a low of 57 percent. According to FCRB data, most of the missed reviews occurred in Maricopa County. For example, in July 2016, caseworkers were absent from 479 of the 1,114 FCRB reviews state-wide. Of these absences, 347, or 72 percent, occurred in Maricopa County. Department data shows that the majority of all children entering out-of-home care were in Maricopa County.²⁹

The Department has begun to take action to address low caseworker attendance at FCRB reviews by collaborating with the FCRB. In January 2015, the Department established a joint workgroup with the FCRB to explore possible solutions to increasing caseworker attendance and, starting in March 2016, the FCRB began providing monthly caseworker attendance reports to the Department so that caseworker supervisors can monitor caseworker attendance at FCRB reviews. The Department reported that it uses the reports to identify trends or patterns in caseworker absences across the State to identify areas for improvement. In addition, two caseworker supervisors reported that they have been reviewing the caseworker attendance reports for their units and discussing the importance of attending FCRB reviews with caseworkers who missed an FCRB review. However, the Department reported that caseworker attendance at FCRB reviews has not improved because of large caseworker caseloads, which makes attending FCRB reviews a lower priority relative to caseworkers’ various other responsibilities. Additionally, according to the Department, caseworker attendance at FCRB reviews will not improve until caseloads decrease to a manageable level.

Department should improve its provision of information to juvenile courts and FCRB

The Department can do more to provide timely and useful information to the juvenile courts and the FCRB. First, the Department should take steps to improve the timeliness of court report submission to the juvenile courts, such as tracking court report submissions and identifying and addressing the causes of the untimeliness. Next, to help ensure court reports include sufficient detail, the Department should develop guidance for the supervisory review of court reports. The Department should also work with the juvenile courts to identify how it can more clearly present new information and/or progress updates in court reports. Finally, the Department should formalize its process for reviewing caseworker FCRB review attendance reports and using report information to improve attendance.

Department should take additional steps to submit timely court reports to the juvenile courts—

To prevent delays in permanency decisions regarding children in out-of-home care, the Department should take steps to help its caseworkers submit more timely court reports. As previously mentioned, the Department reported that untimely court report submission occur primarily because caseworker caseloads are too large. As of August 2016, the Department reported that it has reduced caseloads by taking steps such as partnering with a nonprofit organization to contract for assistance with investigations and by implementing a management technique that encourages frequent discussions with staff regarding their goals and efforts to close cases in a timely manner. Although large caseloads could impact the timely submission of court reports, there may be other contributing factors. However, the Department has not tracked the timeliness of court reports to identify whether there are additional factors affecting the timeliness of court report submission. Tracking court report submission timeliness could help the Department identify patterns of untimeliness, such as geographic areas that more frequently submit late reports, and additional trends that could help inform reasons for the untimeliness. Therefore, the Department should develop a mechanism for tracking court report submission dates, review court

²⁸ See Auditor General Report No. 15-110 (September 2015).

²⁹ Auditor General staff analysis of the Department’s semi-annual child welfare reports for the periods ending on March 31, 2016, September 30, 2015, and March 31, 2015.

report submission data to help identify causes for untimely submission, and develop action plans to address these causes. These action plans might include solutions or practices that are already being used within the Department. For example, one supervisor that auditors interviewed stated that she had trained caseworkers on her team to use calendars and automated reminders to better meet time frames for submitting court reports and assist with their time management. The Department could also establish a workgroup of supervisors to discuss and identify other best practices used in various offices, pilot the practices identified, and then implement these practices state-wide, as appropriate.

Department should develop supervisory guidance for court report reviews—Department policy requires a supervisor to review and sign all court reports a caseworker prepares before these reports are forwarded to the juvenile courts. However, the Department has not established guidance directing the supervisory review of court reports to help ensure these reports contain the required level of detail. As previously mentioned, 13 of the 38 court reports auditors reviewed lacked the required detail, which not only suggests that caseworkers did not follow the templates in preparing these reports, but that there may be gaps in the supervisory review of these reports as well. Therefore, to enhance the effectiveness of its supervisory review of court reports, the Department should develop and implement guidance directing the supervisory review of court reports to help ensure that these reports contain the information and level of detail required by its court report templates. Once established, the Department should ensure that its supervisors are trained on the court report review guidance.

Department should collaborate with the courts to improve information in court reports—Communication between child welfare agencies and the juvenile courts is essential, and a lack of collaboration can hinder the juvenile courts' decision-making process.³⁰ Child welfare agencies in other states have used collaboration as a way to improve communication with courts and improve permanency outcomes.³¹ Similarly, the Department has also established a collaborative relationship with the juvenile courts to improve permanency processes through its participation with the Committee on Juvenile Courts, a committee established to facilitate communication and problem-solving among the juvenile court judges in regard to juvenile court matters and to improve juvenile court operations. In addition, the Department is collaborating with the juvenile courts and other parties in a workgroup to reduce the number of children in out-of-home care.

The Department should further collaborate with the juvenile courts to improve how new or updated information can best be presented in court reports. According to a 2006 publication from the U.S. Department of Health and Human Services, poorly organized reports can frustrate judges and other participants, and may be less likely to be influential in the judge's decision-making process.³² In addition, poorly organized reports may be ineffective vehicles for quickly imparting critical information. The publication also states that if a report is sent to the juvenile courts as a progress update, the new material should be highlighted so that the new information is easily accessible and that court reports should include a cover page that summarizes key decisions to be made and the agency's conclusions regarding the child's safety and case plan. One juvenile court judge that auditors interviewed stated that occasionally, he will request that new information be provided in an addendum court report that summarizes case progress in one or two pages so that he does not have to search through multiple pages of historical material. However, preparing a summary addendum is not part of the Department's standard court report development and preparation process. According to the Department, caseworkers are required to use templates when preparing court reports, but no guidance is given for how they provide new information, such as whether they should update the old report with new information, use headings, or separately summarize new information within the court report. Therefore, to enhance its court reports, the Department should work with the juvenile courts to determine how to more clearly present new information and/or progress updates in court reports and update its court report templates as needed to reflect these changes. For example, the Department could potentially require that caseworkers highlight new or updated court report information.

³⁰ Outley, A. (2006). Overcoming barriers to permanency: Recommendations for juvenile and family courts. *Family Court Review*, 44(2), 244-257.

³¹ Casey Family Programs. (2011). *Breakthrough series collaborative: Timely permanency through reunification*. Seattle, WA.

³² Children's Bureau, 2006.

Once the Department has revised its court report templates to include guidance on incorporating new and/or updated information, the Department should also:

- Revise its associated policies and procedures for preparing and providing court reports to the juvenile courts to reflect these changes, and
- Train appropriate staff, including supervisors, accordingly. Although the Department has developed training for staff regarding court report preparation, it should modify this training to include any changes made to its court report templates.

Department should formalize its efforts to increase caseworker attendance at FCRB reviews—

As previously mentioned, the Department reported that it reviews the FCRB's monthly caseworker attendance reports for trends or patterns in caseworker absences at FCRB reviews across the State to identify areas for improvement. However, the Department has not established any policies and procedures guiding this review process and how it will use the information developed from the reviews. Therefore, the Department should develop and implement policies and procedures guiding its review and use of information from the FCRB monthly attendance reports to improve caseworker attendance and the provision of information to the FCRB.

Recommendations

- 1.1. The Department should take steps to better understand and address court report submission timeliness by:
 - a. Developing a mechanism for tracking court report submission dates, and
 - b. Reviewing court report submission data to help identify causes for untimely court report submission, and developing action plans to address these causes.
- 1.2. The Department should develop and implement guidance directing the supervisory review of court reports to help ensure that these reports contain the information and level of detail required by its court report templates.
- 1.3. Once established, the Department should ensure that its supervisors are trained on the court report review guidance.
- 1.4. The Department should work with the juvenile courts to determine how it can more clearly present new information and/or progress updates in court reports and update its court report templates, as needed.
- 1.5. Once the Department has revised its court report templates to include guidance on incorporating new and/or updated information, it should:
 - a. Revise its associated policies and procedures for preparing and providing court reports to the juvenile courts to reflect these changes, and
 - b. Modify its existing training to include any changes made to its court report templates and train appropriate staff, including supervisors, accordingly.
- 1.6. The Department should develop and implement policies and procedures to guide its review and use of information from the FCRB monthly attendance reports to improve caseworker attendance and the provision of information to the FCRB.



Department should improve its documentation and timeliness of kin searches

The Arizona Department of Child Safety (Department) places more children with kin than the national average, but it should continue with its plans to improve the documentation of kin searches. Kin placement generally refers to the temporary placement and care of a child in out-of-home care with blood relatives, or those related to the child by marriage, adoption, or through another form of significant relationship, such as a godparent. Placing children in out-of-home care with kin is generally preferred to other non-kin placements, such as foster homes, and kin placement may mitigate some negative impacts of removal on children and promote permanency. According to the Department, in some cases, a child will remain permanently with a kinship caregiver if reunification is not possible. The Department has placed more children with kin than the national average. However, previous reports on the Department's kin-search practices have found that department staff have not always documented kin-search efforts. The Department has taken steps to address its documentation problems by directing all staff to document kin-search efforts in a centralized location within the Children's Information Library and Data Source (CHILDS) case management system, and it should continue these efforts. In addition, the Department's family locate unit, a specialized unit used to locate specific kin, has not always completed kin searches requested by caseworkers in a timely manner. Therefore, the Department should take steps to help ensure the timeliness of the family locate unit's kin searches.

Placement of children with kin may promote improved permanency outcomes in some areas

Although states define kin in slightly different ways, kin placement generally refers to the placement and care of a child in out-of-home care with blood relatives, or those related to the child by marriage, adoption, or through another form of significant relationship, such as a godparent.³³ According to 42 US Code, §671(a)(29), the Department is required to exercise due diligence in identifying kin for placement, including all grandparents, all parents of the child's siblings, and other adult kin of the child. Although the requirement to identify and place children with kin is not explicitly stated in Arizona Revised Statutes (A.R.S.) or Arizona Administrative Code (AAC), A.R.S. §8-514(B) states that the Department shall place a child with the least restrictive type of placement available, consistent with the child's needs. According to department policy, a child should be placed in the least restrictive and most family-like placement available (see textbox on page 16 for the Department's order of placement preference).³⁴

As compared to placing children in foster homes, placing children with kin may help to mitigate some of the negative effects of being removed from home. For example, children in kin placements have an increased likelihood

³³ There is variation in how states define kin as it relates to child welfare. For example, Arkansas' Division of Child and Family Services' policy manual requires staff to exercise due diligence in identifying and notifying relatives within the third degree of kinship by blood, adoption, or marriage. Conversely, Utah's laws define a relative as an adult who is a grandparent, aunt, uncle, great grandparent, great aunt, great uncle, brother-in-law, sister-in-law, stepparent, first cousin, second cousin, stepsibling, sibling of a child, or an adult who is an adoptive parent of the child's sibling.

³⁴ Department policy requires that the Department identify and assess relatives and persons who have a significant relationship with the child for placement of a child in out-of-home care. AAC R6-5-5801(36) defines "significant person" as a person who is important or influential in a child's life and may include a family member or close friend.

of staying in their neighborhood and having fewer placement changes during their time in out-of-home care.³⁵ In addition, children who live with kin are more likely to be placed with their siblings and visit their parents than their foster care counterparts.³⁶ Further, children in kin placements have been shown to have fewer mental health problems than children in foster care or group homes.³⁷ Finally, compared to children in foster homes, children placed with kin achieve better permanency outcomes in some areas, including more guardian placements and a lower rate of reentry to out-of-home care; however, they have lower rates of adoption and reunification.³⁸

Department placed more children with kin than national average

For federal fiscal years 2010 through 2014, the Department placed more children with kin than the national average. Specifically, auditors' analysis of Adoption and Foster Care Analysis and Reporting System data for federal fiscal years 2010 through 2014 found that the national average for placing children with kin was 22.6 percent of the total out-of-home care population.³⁹ By comparison, Arizona placed children with kin at an average rate of 36.9 percent of its total out-of-home care population during this same time period (see Figure 2, page 17, for Arizona's kin placements compared to the total out-of-home care population for federal fiscal years 2010 through 2014). Further, the overall rate of kin placements in Arizona has increased from a rate of 33.8 percent in federal fiscal year 2010 to a rate of 42.2 percent in federal fiscal year 2014.

Department should continue efforts to ensure kin searches are adequately documented

The Department should continue its efforts to better ensure that kin searches are adequately documented. When a child is removed from home, department staff are required to engage in comprehensive search activities to identify potential kin with whom the child could be placed. However, previous reviews have found that department staff have not always adequately documented their kin-search efforts, which can lead to inefficiencies in these search efforts. The Department has taken steps to better ensure its staff document their kin-search efforts, and should continue to improve its kin-search documentation process.

Order of placement preference for out-of-home care:

- Parent;
- Grandparent;
- Member of the child's extended family, including a person who has a significant relationship with the child;
- Licensed family foster home;
- Therapeutic foster home;
- Group home;
- Therapeutic group home; and
- Residential treatment facility.

Source: Department's policy and procedure manual.

³⁵ Rubin, D.M., Downes, K.J., O'Reilly, A.L.R., Mekonnen, R., Luan, X., & Localio, R. (2008). Impact of kinship care on behavioral well-being for children in out-of-home care. *JAMA Pediatrics*, 162(6), 550-556; Winokur, M., Holtan, A., & Valentine, D. (2009). Kinship care for the safety, permanency, and well-being of children removed from the home for maltreatment. *Campbell Systematic Reviews*, 2009(1), 1-171.

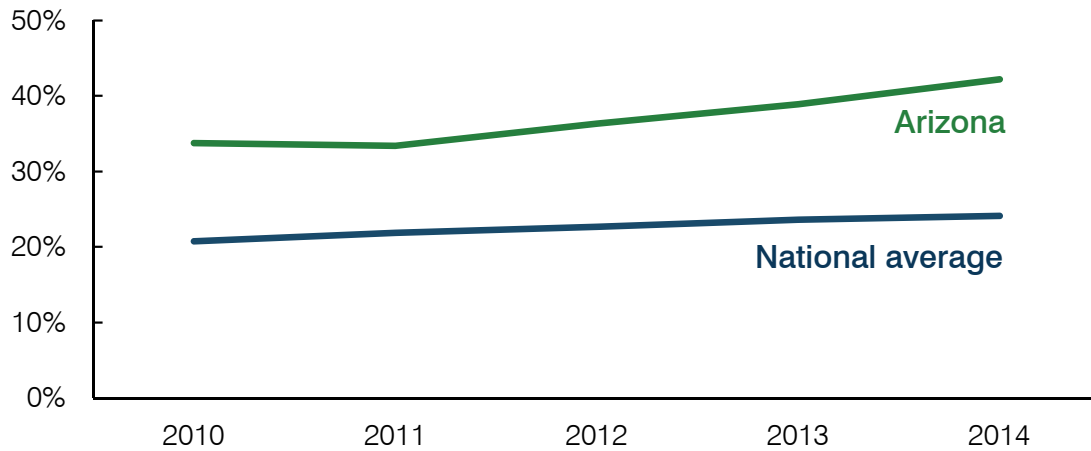
³⁶ Rubin, et al, 2008.

³⁷ Messing, J. (2005). *From the child's perspective: A qualitative analysis of kinship care placements*. Berkeley, CA: National Abandoned Infants Assistance Resource Center, University of California Berkeley.

³⁸ Winokur, M., Holtan, A., & Batchelder, K. (2014). Kinship care for the safety, permanency, and well-being of children removed from the home for maltreatment: A systematic review. *Campbell Systematic Reviews*, 2014(2), 1-292; Bell, T., & Romano, E. (2015). Permanency and safety among children in foster family and kinship care: A scoping review. *Trauma, Violence, & Abuse*. Advance online publication. doi:10.1177/1524838015611673.

³⁹ The data used in this publication were made available by the National Data Archive on Child Abuse and Neglect, Cornell University, Ithaca, NY, and have been used with permission. Data from the Adoption and Foster Care Analysis and Reporting System were originally collected by the Children's Bureau. Funding for the project was provided by the Children's Bureau, Administration on Children, Youth and Families, Administration for Children and Families, U.S. Department of Health and Human Services. The collector of the original data, the funder, the Archive, Cornell University and their agents or employees bear no responsibility for the analyses or interpretations presented here.

Figure 2
Comparison of Arizona and national percentage of kin placements for children in out-of-home care
Federal fiscal years 2010 through 2014



Source: Auditor General staff analysis of Adoption and Foster Care Analysis and Reporting System data for federal fiscal years 2010 through 2014.

Department staff required to search for potential kin placements—The Department’s policy manual requires caseworkers to engage in comprehensive search activities to locate missing parents and identify relatives and persons who have a significant relationship with the child who could potentially care for the child. Search activities include making visits to last known addresses, calling the last known phone number, and holding a Team Decision Making (TDM) meeting to gather contact information for possible kin. TDM meetings are a type of strength-based family engagement strategy and can be held any time to discuss change of placement for a child. Participants can include the child, family, caseworker, and TDM facilitator. In addition to caseworkers, other department staff participate in locating kin, including:

- **Placement coordinators**—Placement coordinators assist caseworkers in finding additional kin for children who have been removed from their homes when caseworkers are unable to find kin for the child.
- **Family engagement specialists**—The Department reported that it began using family engagement specialists in July 2016 to identify kin of children in congregate care as part of a demonstration project.⁴⁰ Specifically, family engagement specialists will search the CHILDS system as well as the hard-case file to identify kin searches that have already been done, contact those kin, and ask whether they know of any other potential kin placement options.
- **Family locate unit**—The family locate unit is a specialized unit tasked with finding specific kin requested by the Arizona Attorney General’s Office, such as missing parents/guardians, to notify them of upcoming court proceedings. In addition, the family locate unit also receives requests from department caseworkers to find specific kin when other department search efforts have been unsuccessful. The Department reported that caseworkers can request assistance from the family locate unit for a variety of reasons, such as finding a specific kin member for potential placement or for locating an individual who is the subject of an allegation of child abuse or neglect. The family locate unit performs searches using government and private databases, such as jail records, food stamps, unemployment records, and social media.

⁴⁰ This demonstration project, part of the Title IV-Waiver Demonstration from the U.S. Department of Health and Human Services, provides federal funding to states to test innovations in child welfare service delivery and financing. With this option, states have flexibility to use federal funding to design and demonstrate various approaches to child welfare to improve outcomes in child safety, permanency, and well-being.

Department has not always adequately documented kin searches—As part of their kin-search responsibilities, department policy requires staff to document their kin-search efforts in the CHILDS case management system. Because there are multiple department staff performing kin searches, it is important that these staff adequately document the kin searches they have performed to avoid duplication of work. However, reviews of the Department by the U.S. Department of Health and Human Services and the Office of the Auditor General have found that department staff have not always adequately documented their kin-search efforts. Specifically:

- **Kin-search efforts have not always been documented**—According to the 2008 and 2015 U.S. Department of Health and Human Services Child and Family Services Reviews (CFSRs), Arizona did not always adequately document its kin-search efforts (see Introduction, page 5, for more information about the CFJR). Specifically, the 2008 CFJR indicated that although department staff documented their efforts to identify kin in some cases, it was not clear whether the searches were thorough and attempted to locate all possible maternal and paternal relatives for children in out-of-home care.⁴¹ Similarly, as part of the 2015 CFJR process, the Department reported that in some cases, there was a lack of documentation or other evidence that a thorough relative search was conducted.
- **Kin-search efforts have not always been documented in a centralized location**—A 2009 Office of the Auditor General special report on relative placement found that department staff were not recording all kin-search efforts in a centralized area of the Department’s CHILDS system.⁴² The report found that since department staff must continually attempt to place children in out-of-home care with kin, having easy access to kin identification and placement information is important to ensure staff can efficiently review previously identified kin and prior kin placement actions so they do not duplicate efforts.

Department has taken steps to improve its kin-search documentation process—In response to the 2009 Auditor General’s special report on relative placement, the Department established a policy directing staff to document kin searches in a “Relative Information” note, a centralized location within the CHILDS system. Based on auditors’ April 2011 followup on the 2009 Auditor General’s special report, the Department had begun implementing quarterly reviews of a random sample of cases to assess staff’s compliance with the policy. However, the initial quarterly review performed by the Department in December 2010 found that department staff were not always following the policy. Additionally, caseworkers appear to have stopped documenting their kin-search efforts in a centralized location within the CHILDS case management system sometime between December 2010 and March 2016. The Department was unsure why caseworkers may have stopped documenting their kin-search efforts in a centralized location, but reported that there may have been inconsistent policies and procedures regarding the documentation requirements.

In addition, in response to Governor Doug Ducey’s vision to modernize and streamline state government, the Department held an event in March 2016 to identify potential inefficiencies within the kin-search and documentation process. According to department documentation, although multiple department staff performed similar duties in locating kin, the kin-search information gathered from these various searches was not being shared between department staff, leading to significant rework of kin-search efforts. As a result, the Department identified a new central location—a case note within the CHILDS case management system called “Locate Efforts”—where staff could document all kin searches. In May 2016, the Department directed all staff to begin documenting all kin contacts and search efforts in this “Locate Efforts” case note and updated its policy and procedure manual to reflect this new process. However, the Department reported that it does not have a formal process for ensuring that staff comply with its new policy and procedures. Because, as discussed previously, a similar effort to ensure consistent documentation in 2010 was not successfully implemented, the Department should establish a formalized monitoring process to help ensure that all staff involved in performing kin searches are documenting the required information in the “Locate Efforts” case note.

⁴¹ Children’s Bureau. (2008). *Child and family services reviews: Arizona final report*. Washington, DC: U.S. Department of Health and Human Services, Administration for Children and Families.

⁴² See Auditor General Report No. CPS-0902 (September 2009).

Department should better ensure family locate unit timely completes kin searches

Although the family locate unit performs searches to locate specific kin at the request of the Arizona Attorney General's Office and department caseworkers, it has not completed all of the caseworker-requested searches in a timely manner. Requests sent to the family locate unit are logged in an electronic database, which unit staff can use to determine the number of requests assigned to them and when each request is due. Department staff reported that requests from the Arizona Attorney General's Office come with an established due date set by that office. Family locate unit staff reported that kin searches requested by caseworkers should be completed within 45 business days after the request is received, but this time frame has not been established in department policy. According to department reports, the family locate unit received an average of 881 requests a month from June through August 2016, with a monthly average of 466 requests, or approximately 53 percent, coming from caseworkers trying to locate individuals.

Although family locate unit staff reported that requests from the Arizona Attorney General's Office have been completed in a timely manner, the Department's family locate unit has been unable to complete all caseworker-requested searches within the 45-business day time frame. Specifically, as of September 2016, the Department had 452 caseworker requests that had not been completed within 45 business days after the request was received. These requests were overdue by an average of 30 business days. Department staff within the family locate unit reported that they have not completed caseworker requests within the expected time frame because they do not have enough staff to handle the volume of requests. As of August 2016, the family locate unit employed seven locators, in addition to the unit manager.

The Department should take two steps to help ensure that its family locate unit conducts kin searches in a timely manner. First, the Department should develop and implement policies and procedures that establish a formal time frame for the family locate unit to process kin-search requests submitted by caseworkers. Second, the Department should identify and implement methods to help ensure that caseworker kin-search requests are processed in a more timely manner, including exploring whether the number of requests made to the family locate unit can be reduced by transferring some of these requests to the family engagement specialists.

Recommendations

- 2.1. The Department should establish a formalized monitoring process to help ensure that all staff involved in performing kin searches are documenting the required information in the "Locate Efforts" case note.
- 2.2. The Department should develop and implement policies and procedures that establish a formal time frame for the family locate unit to process kin-search requests submitted by caseworkers.
- 2.3. The Department should identify and implement methods to help ensure that caseworker kin-search requests are processed in a more timely manner, including exploring whether the number of requests made to the family locate unit can be reduced by transferring some of these requests to the family engagement specialists.



Department should implement its plans to improve permanency timeliness

The Arizona Department of Child Safety (Department) should better ensure it achieves permanency for children as quickly as possible. Multiple U.S. Department of Health and Human Services Child and Family Services Reviews (CFSRs), as well as an independent review conducted by the Chapin Hall Center for Children (Chapin Hall), found that the Department has not always achieved permanency for children in a timely manner.⁴³ In addition, the CFSRs identified deficiencies with various aspects of the Department's case-planning process, such as not establishing permanency goals in a timely manner, not involving a child's family in the development of the case plan, and caseworkers not having sufficient and quality contact with the families to ensure continual progress toward the permanency goal, which also may impact the timeliness of achieving permanency. Although the Department has taken some steps to address these deficiencies, it should take additional steps to address the findings related to achieving permanency in a timely manner and its case-planning process from the most recent 2015 CFSR.⁴⁴

Previous reports have found that the Department has not always achieved timely permanency for children

Previous reports have found that although the Department performs well in achieving permanency for children who have been in out-of-home care longer than 12 months, it has not always achieved timely permanency for all children in out-of-home care. Achieving permanency in a timely manner is important because it reduces the amount of time a child is in out-of-home care.⁴⁵ Every year a child remains in out-of-home care, the likelihood of reunification with his/her parents declines.⁴⁶ The 2015 CFSR found that the Department achieved permanency for 50.9 percent of children who had been in foster care between 12 and 23 months, which met the national standard of 43.6 percent (see Introduction, page 5, for more information about the CFSR).⁴⁷ In addition, the Department achieved permanency for 37.7 percent of children who had been in foster care for 24 months or longer, which met the national standard of 30.3 percent. However, the 2015 CFSR found that the Department did not meet the national standard of achieving permanency for children within 12 months of entering foster care. Specifically, of all children who entered foster care in a 12-month period in Arizona and stayed for longer than 8 days, 28.5 percent achieved permanency within 12 months, which was below the national standard of 40.5 percent. In addition, the Chapin Hall June 2015 independent review reported that the length of stay for children in out-of-home care

⁴³ Chapin Hall Center for Children at the University of Chicago. (2015). *Arizona Department of Child Safety independent review*. Chicago, IL: Chapin Hall is a research and policy center at the University of Chicago that focuses on improving the well-being of children, youth, and families. As required by Laws 2014, 2nd S.S., Ch. 1, §159, the Office of the Auditor General selected an independent consultant with experience in child welfare practices, Chapin Hall, to perform an independent review of the Department and offer insight into implementation challenges and best practices on child safety and risk.

⁴⁴ Children's Bureau. (2015). *Child and family services reviews: Arizona final report*. Washington, DC: U.S. Department of Health and Human Services, Administration for Children and Families. All future references to the 2015 CFSR refer to this citation.

⁴⁵ Harden, B. J. (2004). Safety and stability for foster children: A developmental perspective. *The Future of Children*, 14(1), 31-47.

⁴⁶ Wulczyn, F. (2004). Family reunification. *The Future of Children*, 14(1), 95-113.

⁴⁷ Every state's performance on these measures is risk-standardized in order to be comparable to the national standard. For more information on the risk-standardization process, see Children's Bureau. (2015). *CFSR technical bulletin #8A*. Washington, DC: U.S. Department of Health and Human Services, Administration for Children and Families.

in Arizona had increased.⁴⁸ Specifically, this review found that the time needed to discharge 25 percent of the children entering out-of-home care between 2010 and 2013 increased nearly ten-fold as compared to children entering out-of-home care between 2006 and 2009, while the time needed to discharge 50 percent of the children in out-of-home care increased from 308 to 457 days for these time periods.

Earlier CFSRs also found similar problems with the timeliness of permanency. Specifically, the 2008 and 2002 CFSRs measured whether the Department met the national standard of achieving permanency in a timely manner for two types of permanency—reunification and adoption.⁴⁹ The 2008 CFSR found that Arizona met the national standard for efforts to achieve timely adoptions, but did not meet the national standard for efforts to achieve timely and permanent reunifications. The 2002 CFSR found that Arizona did not meet the national standard for achieving timely reunifications within 12 months and adoptions within 24 months.

Previous reports have also found deficiencies in case-planning, which may impact permanency timeliness

Deficiencies with aspects of the Department's case-planning process may impact its timeliness in achieving permanency for children. Case-planning involves creating a written case plan that outlines the goals and tasks necessary to ensure the child will achieve permanency.⁵⁰ The Department's policies and procedures require it to conduct a case plan meeting to develop a case plan within 60 days of the child's removal from the home or within 10 working days of a child's placement into voluntary foster care. The Department's policies and procedures also outline what a case plan must include, such as a permanency goal for the child, and that the establishment of a case plan should be made with the involvement of the child's family. In addition, the Department's policies and procedures require it to use Team Decision Making (TDM) meetings to involve the child, if the child is at least 12 years old, and the child's family in case-planning decisions at key points in the process, such as when the child may begin the reunification transition to his/her family. TDM meetings are a type of strength-based family engagement strategy and can be held any time a change of placement decision needs to be made. Other states also use TDM meetings to involve the family in case-planning decisions. For example, the Michigan Sault Ste. Marie Tribe of Chippewa Indians Child Welfare Agency uses TDM meetings at key decision points in the life of a case, particularly upon initial placement, prior to reunification, and at transition points.⁵¹

However, the CFSRs identified deficiencies with the Department's case-planning process. Specifically, the Department:

- **Inconsistently established permanency goals in a timely manner**—It is important for the Department to establish permanency goals in a timely manner so that it can begin working toward placing a child in a permanent setting. However, the CFSRs have found that the Department did not always establish appropriate permanency goals for all children it was responsible for in a timely manner.⁵² Specifically, the 2015 CFSR found that the Department did not establish an appropriate permanency goal for the child in a timely manner for 13 of the 40 out-of-home cases reviewed. The 2008 and 2002 CFSRs identified similar issues. For example, the 2008 CFSR found that the Department did not always establish appropriate permanency goals in a timely manner.
- **Inconsistently involved families in the development of a case plan**—Evidence suggests that having parents and children involved in developing the case plan improves the likelihood of children achieving

⁴⁸ Chapin Hall, 2015.

⁴⁹ Children's Bureau. (2008). *Child and family services reviews: Arizona final report*. Washington, DC: U.S. Department of Health and Human Services, Administration for Children and Families; Children's Bureau. (2002). *Child and family services reviews: Arizona final report*. Washington, DC: U.S. Department of Health and Human Services, Administration for Children and Families. All future references to the 2008 and 2002 CFSR refer to these citations.

⁵⁰ 42 USC §671(a)(16).

⁵¹ Casey Family Programs. (2011). *Breakthrough series collaborative: Timely permanency through reunification*. Seattle, WA.

⁵² The CFSR standard requires that a permanency goal be established for children no later than 60 days from the date the child entered care. For children who already have an established goal, determining whether their goal was changed in a timely manner was determined by the reviewers' professional judgment.

permanency because when families are involved in case-planning, they are more motivated to actively commit to achieving the goals of the case plan.⁵³ However, the 2015 CF SR found that the Department did not always make concerted efforts to involve all parents and children, if developmentally appropriate, in the case-planning process on an ongoing basis. Specifically, the Department did not always make concerted efforts to involve all parents and children in the case-planning process for 18 of the 36 applicable out-of-home cases reviewed. Similar findings were noted in the 2008 and 2002 CF SRs. For example, the 2008 CF SR found that not all parents were given the opportunity to provide input into their child's case plan.

- **Did not always ensure sufficient and quality contact between caseworkers and families**—It is important for caseworkers to regularly visit with both the child and parents to ensure progress toward the permanency goal.⁵⁴ In Arizona, a caseworker is required to visit a child and the family at least once a month. However, the 2015 CF SR found that the Department did not always ensure that children and families received frequent and quality visits with caseworkers. Specifically, children did not have frequent and quality visits with their caseworker for 11 of the 40 out-of-home cases reviewed.⁵⁵ The 2008 CF SR similarly found that the frequency and quality of caseworker visits with children were not consistent across cases, that visits did not always focus on issues pertaining to case-planning and goal attainment, and that there was a general lack of caseworker visits with parents.

Department has taken steps to address identified deficiencies and should implement additional plans to improve timely permanency

The Department has taken steps to address the deficiencies related to achieving permanency in a timely manner, which, according to the U.S. Department of Health and Human Services' follow-up reviews, have helped to improve the timeliness of achieving permanency, including reunifications and adoptions, and the Department's case-planning (see Introduction, page 5, for more information about plans required to address CF SR deficiencies). In addition, the Department should implement its plans to address the deficiencies identified by the 2015 CF SR to further improve the timeliness of achieving permanency. Specifically, the Department:

- **Took steps to address deficiencies identified in the 2002 and 2008 CF SRs**—In response to the 2002 CF SR finding that it was not meeting the national standard for timely adoption, the Department improved its recruitment efforts to find adoptive parents for older children, sibling groups, and over-represented ethnic groups and addressed legal barriers to the termination of parental rights and adoption finalization that may slow the adoption process, which helped to improve the timeliness of adoptions according to the U.S. Department of Health and Human Services' follow-up review (see Chapter 4, pages 25 through 26, for more information on the termination of parental rights). In addition, the Department trained staff on a policy that requires staff to work toward multiple permanency goals at the same time, including reunification, which helped to improve the timeliness of reunification. The Department also created discussion guides to instruct caseworkers on interactions with parents and children, and increased caseworker understanding of parent-child involvement in case-planning by revising relevant caseworker training, which helped to increase parent and child-involvement in case-planning.

To address the findings of the 2008 CF SR, the Department involved birth and foster families in the early identification of a concurrent permanency goal when the prognosis of reunification within 12 months of removal was poor, which contributed to an improvement in the establishment of permanency goals in a timely manner. In addition, the Department expanded and strengthened the use of meetings to better engage

⁵³ Antle, B. F., Christensen, D. N., Van Zyl, M. A., & Barbee, A. P. (2012). The impact of the Solution Based Casework (SBC) practice model on federal outcomes in public child welfare. *Child Abuse & Neglect*, 36(4), 342-353; Child Welfare Information Gateway. (2012). *Engaging families in case planning*. Washington, DC: U.S. Department of Health and Human Services, Children's Bureau; Tilbury, C., & Osmond, J. (2006). Permanency planning in foster care: A research review and guidelines for practitioners. *Australian Social Work*, 59(3), 265-280.

⁵⁴ National Conference of State Legislatures. (2006). *Child welfare caseworker visits with children and parents*. Washington, D.C.

⁵⁵ In the 2015 CF SR, the frequency and quality of caseworker visits with children were assessed by considering aspects such as the length of the visit—for example, was it of sufficient duration to address key issues with the child, or was it just a brief visit—and the location of the visit—for example, was it in a place conducive to open and honest conversation, such as a private home, or was it in a more formal or public environment, such as a court house.

fathers in case-planning, which involved more families in developing case plans. Finally, the Department developed a process and template to guide supervision and acquisition of critical practice skills, including contact with children and parents, which helped improve the sufficiency and quality of contact between caseworkers and families and improved the timeliness of achieving reunification.

- **Should implement its plans to address deficiencies identified in the 2015 CF SR**—Although the Department’s actions have improved the timeliness of achieving permanency for children, as noted in the Introduction, see page 5, states may need to continue working to improve particular areas for multiple CF SRs. Thus, the Department has drafted a plan to address the 2015 CF SR findings related to timely achieving permanency and case-planning to continue to improve its efforts in these areas. According to its improvement plan, the Department will implement case review processes in order to develop case-specific action plans for achieving permanency as quickly and safely as possible. Specifically, the Department has begun implementing a one-time cursory review to serve as a status check for cases and to provide one-time assistance to ongoing caseworkers to advance cases toward permanency. Each ongoing case receives a 15- to 20-minute review to categorize and identify any barriers to permanency. From these reviews, cases are categorized by what needs to be done to help the child achieve permanency, and staff are assigned immediate next steps for the case, depending on the category. For example, cases can be categorized as continuing the current case plan if no barriers to the current permanency goal are identified, or consider changing a case plan goal to adoption or guardianship if grounds for this exist and it is in the child’s best interest.

For cases where the cursory review determines that a more in-depth review is needed, the Department holds a targeted permanency staffing. At a targeted permanency staffing, caseworkers and supervisory staff meet to explore barriers to children achieving permanency and problem-solve on how to work through these barriers. The target population for these staffings is for children ages 0 through 17 who have been in out-of-home care for 6 months or longer and who have a case plan goal of reunification. The Department reported that they began implementing these meetings in September 2015 in two offices in Maricopa County—Glendale and Gilbert—and one office in Pima County. The Department reported that in November 2015, it expanded the use of these targeted permanency staffings into Flagstaff, Prescott, Payson, and Sierra Vista. According to the Department, as of the end of May 2016, there have been approximately 200 targeted permanency staffing meetings. A February 2016 monthly report presents the outcomes of these staffing meetings. For example, in Gilbert, of the 22 targeted permanency staffing meetings held, it was decided that 22 children would continue toward a permanency goal of reunification, 11 children would begin working toward a permanency goal of adoption, and 1 child would have a permanency goal of independent living.⁵⁶ The Department reported that these targeted permanency staffings have been beneficial as they help caseworkers determine how to proceed with the current case. Further, according to the Department’s improvement plan, it will develop practice guidelines and provide training for caseworkers about how to conduct quality visits with parents.

The Department plans to continue to implement these steps as outlined in its improvement plan by June 2017. According to a department official, as of August 2016, the Department had begun implementing its proposed improvement plan while it awaits formal approval of its plan from the U.S. Department of Health and Human Services. To better achieve permanency in a timely manner, the Department should continue implementing its improvement plan to address the findings of the 2015 CF SR related to achieving permanency in a timely manner and improving its case-planning process.

Recommendation

- 3.1. To better achieve permanency in a timely manner, the Department should continue implementing its improvement plan to address the 2015 CF SR findings related to achieving permanency in a timely manner and improving its case-planning process.

⁵⁶ According to department staff, multiple children can be involved in one case discussed during a targeted permanency staffing.



Department should implement its plans to improve timeliness of termination of parental rights

To better ensure timely adoptions, the Arizona Department of Child Safety (Department) should improve its practices related to the termination of parental rights (TPR). The termination of parental rights is a critical step in the adoption process because a child cannot achieve permanency through adoption until a TPR petition has been filed and approved. However, previous reports have found that the Department has not always filed TPR petitions in a timely manner or documented compelling reasons why it is not filing a TPR petition in compliance with federal law. The Department has taken steps to address the TPR petition filing deficiencies noted in the previous reports and should implement its plans to further improve the timeliness of TPR filings.

Previous reports have found that the Department has not always filed TPR petitions in a timely manner

According to the Department's policies and procedures, if the Department determines that a child in out-of-home care is unlikely to be reunified with his/her parents, the Department should begin working toward other permanency options, such as adoption. The Department's policy specifies that adoption is a preferred permanency option when reunification is not possible. The adoption process involves many steps, such as selecting adoptive parents for the child, assessing how the family is adjusting to having the child in their home, and terminating the birth parents' rights or obtaining the parents' consent to the adoption. The termination of parental rights ends the legal parent-child relationship and allows a child to be legally eligible for adoption (see textbox for definition of TPR). In order to terminate parental rights, a TPR petition must be filed by the Department or another person with a legitimate interest in the welfare of the child and is then approved or denied by the juvenile courts.⁵⁷ Timely filing of the TPR petition is an important step toward achieving timely adoptions because a child may not be released for adoption until the TPR petition is approved.

Termination of parental rights—Voluntary or involuntary legal severance of the rights of a parent to the care, custody, and control of a child.

Source: The Child Welfare Information Gateway website.

Although federal law requires that the Department file a TPR petition or document a compelling reason why it will not file a TPR petition, such as that the child is in the care of a relative, when a child has been in out-of-home care for 15 of the last 22 months, it has not always met this requirement.^{58,59,60} Specifically, the 2015 U.S. Department of Health and Human Services Child and Family Services Review of Arizona (CFSR) indicated that

⁵⁷ Arizona Revised Statutes (A.R.S.) §8-533(A) allows any person or agency that has a legitimate interest in the welfare of the child, including, but not limited to, a relative, a foster parent, a physician, the Department, or a private licensed child welfare agency to file a petition to terminate the parental rights.

⁵⁸ 42 USC §675(5)(E)(ii).

⁵⁹ 42 USC §675(5)(E)(i) and (iii) also allow the Department to not file a TPR petition if the child is in the care of a relative, or if the Department has not provided services to the child's family that it has deemed necessary for the safe return of the child to the child's home.

⁶⁰ A.R.S. §8-533(B)(8) provides stipulations for when a TPR may be filed before this federal time frame. For example, if the child has been in an out-of-home placement for a cumulative total period of 9 months or longer pursuant to court order or voluntary placement and the parent has substantially neglected or willfully refused to remedy the circumstances that cause the child to be in an out-of-home placement.

the Department did not meet this requirement for filing TPR petitions or documenting compelling reasons why a TPR petition was not being filed (see Introduction, page 5, for more information about the CFSR).⁶¹ Similar issues related to filing TPR petitions were noted in the 2008 CFSR.⁶² Specifically, the 2008 CFSR noted that although Arizona had a process for filing TPR petitions for children in foster care, there were often filing delays. Some stakeholders suggested that one of the reasons for these delays could be the reluctance of attorneys to file a TPR petition if an adoptive family has not already been identified for the child.⁶³ Further, the 2008 CFSR found that when a TPR petition was not filed, compelling reasons were not documented in the case file on a consistent basis explaining why the TPR petition was not filed.

Department has taken steps to address previous deficiencies and should implement plans to further improve TPR filings

The Department has taken steps to better ensure that TPR petitions are filed in a timely manner, and should implement its plans to address the findings of the 2015 CFSR (see Introduction, page 5 for more information about the process of addressing CFSR findings). Specifically, to address the findings of the 2008 CFSR, the Department involved birth families and other families who could potentially adopt the child, or become permanent guardians for the child, in the early identification and pursuit of simultaneous permanency goals when the prognosis of reunification within 12 months of removal was poor. According to the U.S. Department of Health and Human Service's follow-up review, these actions helped improve the timeliness of TPR filings. The Department reported that completing tasks supporting simultaneous permanency goals, such as finding an adoptive home or locating parents whose rights would need to be terminated, helps ensure it can proceed with the adoption process and file a TPR petition in a timely manner.

In addition, the Department has drafted an improvement plan to address the TPR petition filing deficiencies noted in the 2015 CFSR. Specifically, the Department plans to develop and implement practice guidelines to direct caseworkers on filing TPR petitions in a timely manner and for documenting the compelling reasons if a TPR petition is not filed. According to this plan, the Department will also train its staff on these new guidelines. The Department reported that it plans to finalize these guidelines and train staff by June 30, 2017. According to a department official, as of August 2016, the Department had begun implementing its proposed improvement plan while it awaits formal approval of its improvement plan from the U.S. Department of Health and Human Services. The Department should continue implementing its improvement plan to address the findings of the 2015 CFSR related to the timely filing of TPR petitions.

Recommendation

- 4.1. The Department should continue implementing its improvement plan to address the findings of the 2015 CFSR related to the timely filing of TPR petitions.

⁶¹ Children's Bureau. (2015). *Child and family services reviews: Arizona final report*. Washington, DC: U.S. Department of Health and Human Services, Administration for Children and Families. All future references to the 2015 CFSR refer to this citation.

⁶² Children's Bureau. (2008). *Child and family services reviews: Arizona final report*. Washington, DC: U.S. Department of Health and Human Services, Administration for Children and Families. All future references to the 2008 CFSR refer to this citation.

⁶³ Stakeholders interviewed as part of the 2008 CFSR included children, parents, foster parents, department staff, service providers, and attorneys.



Department should implement its plans to improve foster home recruitment

The Arizona Department of Child Safety (Department) should continue its plans to improve its recruitment and retention of foster homes to enhance permanency outcomes for foster children. Previous reports have noted that the Department needs to recruit and retain additional foster homes. One report noted that a shortage of foster homes may have contributed to the Department's increased use of congregate care, which is a group care setting, such as a shelter or group home. In response to these findings, the Department has taken various steps, including modifying the terms of its contracts for recruiting foster homes. However, the Department should take additional steps by addressing the findings of the 2015 U.S. Department of Health and Human Services Child and Family Services Review of Arizona (CFSR).⁶⁴

Previous reports recommended that Department recruit and retain additional foster homes

Previous reports have noted that the Department needs to improve its recruitment and retention of foster homes. Although placement in a foster home is generally not considered permanent, many foster homes become permanent placements as a result of foster parents deciding to adopt the foster child(ren) in their care. For example, according to the Department's semi-annual child welfare report for the period ending March 31, 2016, between October 1, 2015 and March 31, 2016, approximately 1,000 children, or 39 percent of children with a case plan goal of adoption, were in the process of being adopted by their foster parents. Because the Department contracts with child-placing agencies to provide several services related to foster home recruitment, the successful recruitment and retention of foster homes depends, in part, on the performance of these contracted child-placing agencies. However, a 2013 Office of the Auditor General special report indicated that the Department needed to improve how it contracts with child-placing agencies for the recruitment of foster homes.⁶⁵ Specifically, auditors found that the Department's foster home recruitment contracts lacked adequate performance measures and appropriate ties between contractor performance and department monitoring.

In addition, a 2005 Office of the Auditor General information brief reported that the Department had a shortage of foster homes willing or able to accept older children, sibling groups, or children with behavior problems or special needs.⁶⁶ Similarly, the 2015 CFSR noted that stakeholders reported that there were not enough foster placement options (see Introduction, page 5, for more information about the CFSR process).⁶⁷ Finally, according to a 2014 Office of the Auditor General special report, a shortage of foster homes, particularly for older children, sibling groups, and children with special needs, contributed to an increased use of congregate care in Arizona.⁶⁸ Congregate care is a nonfamily-like placement setting for children in out-of-home care and includes group

⁶⁴ Children's Bureau. (2015). *Child and family services reviews: Arizona final report*. Washington, DC: U.S. Department of Health and Human Services, Administration for Children and Families. All future references to the 2015 CFSR refer to this citation.

⁶⁵ See Auditor General Report No. CPS-1301 (October 2013).

⁶⁶ See Auditor General Report No. IB-0501 (August 2005).

⁶⁷ Stakeholders interviewed as part of the CFSR included department caseworkers and supervisors, foster and adoptive parents, service providers, attorneys, tribal leaders and tribal child welfare staff, and youth served by the Department.

⁶⁸ See Auditor General Report No. 14-107 (October 2014).

homes, residential treatment centers, and emergency shelters. However, placement in one of these settings may reduce a child's chances for achieving permanency. Specifically, the 2014 Auditor General's special report noted that, according to child welfare experts, the best place for almost every child is with a family, either the child's biological family or with an individual or family that has made a long-term, legal commitment to the child.⁶⁹ Children in congregate care do not have the opportunity to form relationships with adults who can make such a commitment, which can delay or undermine permanency goals, such as family reunification, adoption, or guardianship.⁷⁰

Department should continue taking steps to improve foster home recruitment

The Department has implemented several strategies to improve its recruitment and retention of foster homes. For example, the Department, in collaboration with the National Resource Center for Diligent Recruitment (NRC-DR), completed a focus group study of newly licensed foster parents in April 2016 to solicit ideas for improving the Department's recruitment, orientation, and ongoing support for foster parents.⁷¹ In response to one of the focus groups' suggestions, the Department reported that it is developing an online orientation for all applicants interested in becoming a foster or adoptive parent. In addition, similar to other states, the Department has formed a partnership with local church organizations, such as Arizona 1.27, to help recruit and support foster and adoptive families.⁷² According to the Department, it began partnering with Arizona 1.27 in 2013, and from June through August 2016, Arizona 1.27 has worked with 2,912 applicants interested in becoming foster or adoptive homes. The states of Delaware and Oklahoma have also had success in partnering with local churches to help recruit foster homes.⁷³ For example, as part of a grant from the U.S. Department of Health and Human Services, Oklahoma initiated a faith-based partnership with 80 churches to help recruit foster families from their congregations.⁷⁴

In addition to these steps, the Department has worked to implement recommendations from the Auditor General's 2013 and 2014 reports. The Department should continue with other efforts it has initiated to improve the recruitment and retention of foster homes by implementing its plan to address the findings of the 2015 CFSSR and its 2016 strategic plan goal related to foster home recruitment and retention. Specifically, the Department:

- **Has taken steps to implement the foster home recruitment and retention recommendations from the Auditor General's 2013 and 2014 special reports**—Specifically, the 2014 Auditor General's special report recommended that the Department look for ways to reduce its use of congregate care, such as by improving the recruitment and retention of foster families. Based on auditors' February 2016 followup on department efforts to implement the recommendations from the 2014 Auditor General's special report, the Department reported that it was in the process of improving its contracting practices for foster home services to increase the availability of foster home placements in conjunction with the recommendations from the Auditor General's 2013 special report regarding the Department's foster home recruiting and retention contracting practices.

⁶⁹ Annie E. Casey Foundation. (2012). *Case practice standards manual*. Baltimore, MD; Feild, T. (2012). *Congregate care rightsizing: What's best for kids is also good for state budgets*. Baltimore, MD: Annie E. Casey Foundation, Child Welfare Strategy Group; and North American Council on Adoptable Children. (2005). *A family for every child: Strategies to achieve permanence for older foster children and youth*. Baltimore, MD: Annie E. Casey Foundation, as cited in Auditor General Report No. 14-107 (October 2014).

⁷⁰ Barth, R.P. (2002). *Institutions vs. foster homes: The empirical base for a century of action*. Chapel Hill, NC: School of Social Work, Jordan Institute for Families; and Freundlich, M., & Avery, R.J. (2005). Planning for permanency for youth in congregate care. *Children and Youth Services Review*, 27(2), 115-134, as cited in Auditor General Report No. 14-107 (October 2014).

⁷¹ The NRC-DR provides capacity-building technical assistance, tools, coaching, and other support to help states, tribes, and territories develop and implement comprehensive, multi-faceted diligent recruitment approaches for foster, adoptive, and kinship families.

⁷² Arizona 1.27 is a faith-based program aimed at connecting local churches with the Arizona child welfare system. The program trains churches on how to recruit and support church members involved in foster care and adoption.

⁷³ Children's Bureau. (2015). *Child and family services reviews: Delaware final report*. Washington, DC: U.S. Department of Health and Human Services, Administration for Children and Families.

⁷⁴ Child Welfare Information Gateway. (2016). *Diligent recruitment of families for children in the foster care system*. Washington, DC: U.S. Department of Health and Human Services, Children's Bureau.

In the Auditor General's 2013 special report, auditors provided seven recommendations for how the Department could improve its contracts for foster home recruitment-related services. These recommendations included developing a process to work with all appropriate stakeholders to solicit, document, and consider input for the development of the new foster home recruitment contracts; incorporating performance measures within the contracts related to foster home recruitment and retention goals; and developing formal contract-monitoring policies and procedures that specify roles and responsibilities for both department and contractor staff to help ensure that contractors are meeting these performance measures.

Based on auditors' September 2015 followup on department efforts to implement the seven recommendations provided in the 2013 special report, the Department had implemented two of these recommendations, while four were in the process of being implemented, and one recommendation was not yet applicable. Specifically, the Department had developed a process to work with stakeholders to solicit, document, and consider input for the development of new contracts and had continued to contact other states about their experiences with developing performance-based contracts for foster home services. The Department was also in the process of finalizing contract monitoring policies and procedures that specify the roles and responsibilities for both department and contractor staff. In addition, although the Department had established performance measures within its foster home recruitment-related contracts, such as performance measures that incentivize contractors to increase the number of licensed foster parents, the Department reported that these performance measures could be improved by incorporating measures that directly incentivize the placement of children in foster homes. Auditors will follow up on the outstanding recommendations from the Auditor General's 2013 special report in the fall of 2016.

- **Should implement its plans to address deficiencies identified in the 2015 CF SR**—To address the findings of the 2015 CF SR, the Department plans on improving its foster home recruitment efforts by obtaining additional technical assistance from the NRC-DR on data tracking, market segmentation, geo-mapping, and foster family engagement. Information obtained from Geographical Information System (GIS) maps is used to target foster home recruitment efforts in specific geographical areas based on where there are the most children entering out-of-home care and not enough licensed foster homes. Market segmentation, which includes information about the demographics and style of living of current foster families, is used to help target foster home recruitment marketing strategies toward specific family types. As part of the technical assistance, the NRC-DR will recommend strategies and the Department reported that it will implement at least one of these recommended strategies by July 31, 2017. According to a department official, as of August 2016, the Department had begun implementing its proposed improvement plan while it awaits formal approval of its improvement plan from the U.S. Department of Health and Human Services (see Introduction, page 5, for more information about the process of addressing CF SR findings). For example, the Department has begun working with NRC-DR by participating in quarterly telephone conferences to identify promising practices in other states that also use market segmentation to recruit foster parents. The Department should continue implementing its improvement plan for addressing the 2015 CF SR findings related to foster home recruitment and retention.
- **Should continue efforts to address its 2016 strategic plan foster home recruitment and retention goal**—The Department's fiscal year 2016 strategic plan includes a goal to improve its recruitment and retention of foster homes. As part of this goal, the Department plans to take various steps, such as improving and shortening the initial foster home licensing application process. By shortening this process, more foster homes can be made available for placement at a faster rate, which could allow more children to be placed in foster homes. The Department reported that it plans to finalize its efforts to improve and shorten the initial foster home licensing application process by October 2016. The Department should continue with its efforts to improve the recruitment and retention of foster homes by implementing the steps it has identified to address its 2016 strategic plan foster home recruitment and retention goal.

Recommendations

- 5.1. To better recruit and retain foster homes, the Department should:
- a. Continue implementing its improvement plan to address the findings of the 2015 CF SR related to foster home recruitment and retention; and
 - b. Continue with its efforts to improve the recruitment and retention of foster homes by implementing the steps it has identified to address its 2016 strategic plan foster home recruitment and retention goal.



Department should implement its plans to improve foster children’s connections to their family and community

The Arizona Department of Child Safety (Department) should improve its practices for preserving foster children’s connections to their families and communities, such as placing children within their community and with their siblings, ensuring that children visit with parents and siblings, and maintaining parent-child relationships while children are in out-of-home care. Preserving a child’s connection to family and community can help promote permanency because it helps children maintain important bonds that may have been disrupted by their removal from home. However, multiple U.S. Department of Health and Human Services Child and Family Services Reviews of Arizona (CFSRs) have found that the Department has not always preserved a child’s connections with his/her community, siblings, and parents when that child has been removed from his/her home. The Department has taken steps to address these findings, and should implement its plans to further improve its practices in this area.

Previous reports have found that the Department has not always preserved a child’s connections to family and community

Preserving a foster child’s connection to family and community helps to facilitate permanency; however, multiple CSFRs have found that the Department has not always preserved a child’s connection to his/her community, siblings, and parents (see Introduction, page 5, for more information about the CSFR). According to the National Conference of State Legislatures, children benefit from having a stable and supportive family; a positive school atmosphere; and a system of friends, relatives, and neighbors who care about them.⁷⁵ This support system can help a child be academically successful, influence positive mental and physical health outcomes, and increase the likelihood that he/she will establish positive relationships and skills that can assist him/her to develop into a thriving adult. However, a child’s removal from his/her home and placement in out-of-home care creates the potential for disruption in the bonds between the child and his/her family, friends, school, and community.⁷⁶ When a child has consistent and frequent contact with his/her parents while living in foster care, the child is better adjusted and less likely to exhibit behavioral problems than a child with less contact.⁷⁷ Critical components of helping a child preserve his/her connections to family and community include: (1) keeping the child within his/her community, such as his/her school and neighborhood; (2) placing siblings together; (3) ensuring visitation with parents and siblings; and (4) maintaining parent and child relationships through means other than visitation.

The CSFRs have found that the Department can do better at preserving a child’s connections to his/her family and community. Specifically, the Department has:

⁷⁵ Williams-Mbengue, N. (2008). *Moving children out of foster care: The legislative role in finding permanent homes for children*. Washington, D.C.: National Conference of State Legislators.

⁷⁶ Blome, W. W. (1997). What happens to foster kids: Educational experiences of a random sample of foster care youth and a matched group of non-foster care youth. *Child and Adolescent Social Work Journal*, 14(1), 41-53; Stott, T., & Gustavsson, N. (2010). Balancing permanency and stability for youth in foster care. *Children and Youth Services Review*, 32(4), 619-625; Tilbury, C., & Osmond, J. (2006). Permanency planning in foster care: A research review and guidelines for practitioners. *Australian Social Work*, 59(3), 265-280.

⁷⁷ McWey, L. M., & Mullis, A. K. (2004). Improving the lives of children in foster care: The impact of supervised visitation. *Family Relations*, 53(3), 293-300.

- **Inconsistently preserved a child’s connections to his/her community**—Keeping a child within his/her community can help the child adjust to the disruptions that may be caused by his/her removal from home. The 2015 CF SR found that the Department did not always make a concerted effort to maintain the child’s connections to his/her neighborhood, community, faith, extended family, tribe, school, and friends.⁷⁸ Similar issues were noted in the 2008 CF SR.⁷⁹ Specifically, the 2008 CF SR found that the Department did not always make concerted efforts to maintain the child’s connections to extended family, the child’s religious or cultural heritage, or to the child’s school or community.
- **Not always made a concerted effort to place siblings together**—Placing a child who was removed from home with his/her brothers and sisters can help promote a sense of safety and well-being; however, if the child is separated from them it can trigger grief and anxiety.⁸⁰ Department policy requires that the Department make reasonable efforts to place a child who has been removed from his/her home with siblings or, if that is not possible, to maintain frequent visitation or other ongoing contact between the child and his/her siblings.⁸¹ However, the 2015 CF SR found that the Department did not always make a concerted effort to place siblings together in foster care in 11 of the 34 applicable cases reviewed.
- **Not ensured the appropriate frequency and quality of visits with the child and his/her parents and siblings**—Frequent and quality visits are important to help maintain family connections when a child is removed from home and not placed with his/her siblings. The 2015 CF SR found that the Department did not always make concerted efforts to ensure that visits between a child, parents, and/or siblings were occurring with sufficient frequency and quality to maintain and promote the continuity of these relationships. Specifically, the Department did not make concerted efforts to ensure that visitation between a child in foster care and his/her parents and siblings was of sufficient quality and frequency to promote continuity of the child’s relationships with these family members in 9 of the 33 cases reviewed. Similar findings were noted in both the 2008 and the 2002 CF SRs.⁸² For example, in the 2008 CF SR, stakeholders reported that for older youth, particularly older youth in congregate care, visitation was sometimes being withheld as a disciplinary technique. Further, the 2002 CF SR reported that the Department was not always facilitating visitation between the parties and/or was not documenting reasons why visits were not occurring.
- **Not always ensured that the relationship between parents and children in out-of-home care is maintained through means other than visitation**—Parents’ participation in other activities besides visitation, such as attending school functions, can help give the child a sense of stability. The 2015 CF SR found that the Department did not always make a concerted effort to promote, support, and/or maintain positive relationships between the child in foster care and his/her parents or other primary caregivers from whom the child had been removed through activities other than just arranging for visitation, such as parents’ participation in school activities or medical appointments. Similarly, the 2008 CF SR found that the Department did not always make diligent efforts to support or maintain the bond between children in foster care with their parents through efforts other than arranging for visitation.

⁷⁸ Children’s Bureau. (2015). *Child and family services reviews: Arizona final report*. Washington, DC: U.S. Department of Health and Human Services, Administration for Children and Families. All future references to the 2015 CF SR refer to this citation.

⁷⁹ Children’s Bureau. (2008). *Child and family services reviews: Arizona final report*. Washington, DC: U.S. Department of Health and Human Services, Administration for Children and Families. All future references to the 2008 CF SR refer to this citation.

⁸⁰ Child Welfare Information Gateway. (2013). *Sibling issues in foster care and adoption*. Washington, DC: U.S. Department of Health and Human Services, Children’s Bureau; Herrick, M.A., & Piccus, W. (2005). Sibling connections: The importance of nurturing sibling bonds in the foster care system. *Children and Youth Services Review*, 27(7), 845-861; Folman, R.D. (1998). “I was taken”: How children experience removal from their parents preliminary to placement into foster care. *Adoption Quarterly*, 2(2), 7-35.

⁸¹ Separating siblings or not allowing visitation between siblings may be necessary in some cases for the children’s safety and well-being.

⁸² Children’s Bureau. (2002). *Child and family services reviews: Arizona final report*. Washington, DC: U.S. Department of Health and Human Services, Administration for Children and Families. All future references to the 2002 CF SR refer to this citation.

Department has taken steps to better preserve a child's connections and should continue its efforts

The Department has taken steps to better preserve a child's connections to his/her family and community, and it should implement its plans to address the deficiencies noted in this area in the 2015 CFSR (see Introduction, page 5, for more information about the plans required to address CFSR deficiencies). Specifically, the Department:

- **Has taken some steps to help better preserve a child's connections to his/her family and community**—In response to the 2002 CFSR findings, the Department sought recommendations from staff on how to increase caregiver and extended family involvement in facilitating visits between children in out-of-home care and their parents and siblings, which, according to the U.S. Department of Health and Human Service's follow-up review, contributed to improved visits. For example, according to the Department, staff recommended and the Department implemented improvements to one-on-one meetings between supervisors and caseworkers so that the supervisor and caseworker could work together to identify barriers that were preventing visits between a child and his/her family. In addition, the Department revised caseworker training on documenting and implementing visitation plans. In response to the 2008 CFSR, the Department implemented a new strategy for recruiting, supporting, and developing foster families within the child's own community, which resulted in improved placements of children in their own communities. The Department also strengthened the use of Team Decision Making (TDM) meetings to involve birth families and community members, along with foster families, service providers, and agency staff, in all placement decisions to better ensure a network of support for the child and the adults who care for them. TDM meetings are a type of strength-based family engagement strategy and can be held any time a change of placement decision needs to be made. Participants can include the child, family, caseworker, and TDM facilitator.
- **Plans additional improvements to better preserve a child's connections to his/her family and community**—The Department has identified various actions it plans to take to address the findings noted in the 2015 CFSR. Specifically, to help ensure consistency throughout the Department, it plans to develop, implement, and distribute written practice guidelines that describe family engagement techniques from the moment that the Department becomes involved with the family until permanency is achieved. As of August 2016, the Department had already developed one of the practice guidelines, which provides strategies for caseworkers on how to conduct successful visitation time between a child and his/her family. For example, this practice guide instructs caseworkers on selecting the right level of supervision to ensure child safety, while still allowing for the most normal family interactions possible. In addition, the Department plans to train caseworkers on family engagement techniques, such as how to engage parents and youth in the development of the case plan. According to a department official, as of August 2016 the Department had begun implementing its proposed improvement plan while it awaits formal approval of this plan from the U.S. Department of Health and Human Services. The Department should continue implementing its improvement plan to address the findings of the 2015 CFSR related to preserving a child's connections to his/her family and community.

Recommendation

- 6.1. The Department should continue implementing its improvement plan to address the findings for the 2015 CFSR related to preserving a child's connections to his/her family and community.



Works cited

This appendix lists information sources cited in this report, including research and best practice, and other publications. Topics include working with the courts in child protection, the impact of kinship care on children, achieving permanency in a timely manner, timely termination of parental rights, recruiting and retaining foster homes, and preserving a child's connections to his/her family and community.

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Methodology

Auditors used the following methods to meet the report objectives related to the Arizona Department of Child Safety's (Department) permanency practices:

- Interviewed department management and staff and reviewed department documents, including policies and procedures, department training and instructional materials, and other information obtained from the Department, such as its fiscal year 2016 strategic plan and semi-annual welfare reports for the periods ending on March 31, 2015, September 30, 2015, and March 31, 2016;
- Reviewed applicable state and federal laws, rules, and the Arizona Juvenile Courts' Judicial Rules of Procedure;
- Interviewed eight juvenile court judges from Maricopa, Mohave, Pima, and Pinal Counties, reviewed a random sample of ten cases for children in out-of-home care between July 1, 2013 and April 27, 2016, reviewed the Maricopa County Juvenile Court Administration's analysis of case report timeliness for February 2016, reviewed Foster Care Review Board (FCRB) caseworker attendance data for June 2015 through July 2016, interviewed representatives of the FCRB and the Maricopa County Juvenile Courts Administration, and reviewed the website for the Maricopa County Juvenile Courts;
- Reviewed the Department's 2002, 2008, and 2015 U.S. Department of Health and Human Services Child and Family Services Reviews (CFSRs) (see Appendix A, page a-2), the Department's improvement plans to address the findings from the 2002 and 2008 CFSRs and the draft improvement plan for the 2015 CFSR, and the 2015 CFSR for the state of Delaware; interviewed staff from the U.S. Department of Health and Human Services; and reviewed information about the CFSR process on its website. In addition, auditors reviewed a 2015 independent evaluation of the Department completed by the Chapin Hall Center for Children;⁸³
- Reviewed previous Office of the Auditor General reports, followups, and Information Briefs (see Appendix A, page a-1);
- Analyzed Adoption and Foster Care Analysis and Reporting System data for federal fiscal years 2010 through 2014 showing Arizona's average percentage of exits to permanent and nonpermanent placements by type compared to the national average and the average in two states and Arizona's percentage of children in kin placements compared to the total number of children in out-of-home care;⁸⁴
- Reviewed other states' policies and/or laws regarding how they define kin;⁸⁵

⁸³ Chapin Hall Center for Children at the University of Chicago. (2015). *Arizona department of child safety independent review*. Chicago, IL. Chapin Hall is a research and policy center at the University of Chicago that focuses on improving the well-being of children, youth, and families. As required by Laws 2014, 2nd S.S., Ch. 1, §159, the Office of the Auditor General selected an independent consultant with experience in child welfare practices, Chapin Hall, to perform an independent review of the Department and offer insight into implementation challenges and best practices on child safety and risk.

⁸⁴ The data used in this publication were made available by the National Data Archive on Child Abuse and Neglect, Cornell University, Ithaca, NY, and have been used with permission. Data from the Adoption and Foster Care Analysis and Reporting System were originally collected by the Children's Bureau. Funding for the project was provided by the Children's Bureau, Administration on Children, Youth and Families, Administration for Children and Families, U.S. Department of Health and Human Services. The collector of the original data, the funder, the Archive, Cornell University and their agents or employees bear no responsibility for the analyses or interpretations presented here.

⁸⁵ Auditors judgmentally selected Arkansas and Utah.

- Reviewed information from the websites of the Office of the Arizona Governor, the Child Welfare Information Gateway, Arizona 1.27, and the National Resource Center for Diligent Recruitment;⁸⁶ and
- Reviewed literature related to permanency in child welfare agencies to compare Arizona's practices to other states' practices and best practices. As part of this literature review, auditors identified a 2011 Casey Family Programs publication entitled "Breakthrough Series Collaborative: Timely Permanency through Reunification," which involved 11 public and tribal child welfare agencies' teams testing strategies around key practices of family reunification (see Appendix A, pages a-1 through a-3, for full list of works cited).

The Auditor General and staff express their appreciation to the Department's Director and staff for their cooperation and assistance throughout the audit.

⁸⁶ According to its website, the Child Welfare Information Gateway is a service of the Children's Bureau, Administration for Children and Families, and U.S. Department of Health and Human Services and provides publications and learning tools to help protect children and strengthen families.

AGENCY RESPONSE



Douglas A. Ducey
Governor

Gregory McKay
Director

September 27, 2016

Ms. Debra K. Davenport
Office of the Auditor General
2910 North 44th Street, Suite 410
Phoenix, AZ 85018

Re: Auditor General Report on Permanency Practices

Dear Ms. Davenport:

The Arizona Department of Child Safety (DCS) appreciates the opportunity to provide this response to the Auditor General's draft report on Permanency Practices. The collaborative effort of the Auditor General's staff throughout this audit is valued and appreciated.

Enclosed is the Department's response to each recommendation. Please note, the Department has identified caseload size as the most immediate and significant cause of delayed permanency and continues to implement strategic initiatives to reduce caseload size which expedites permanency by decreasing administrative workload.

Thank you for the opportunity to respond to the recommendations.

Sincerely,

Gregory McKay
Director

Enclosure

Cc: Shalom Jacobs, Deputy Director of Operations
Mike Dellner, Deputy Director of Operations
Katherine Guffey, Chief Quality Improvement Officer
Ro Matthews, Chief Enterprise Risk Management Officer
Emilio Gonzales, Audit Manager

**ARIZONA DEPARTMENT OF CHILD SAFETY'S RESPONSE TO THE OFFICE OF THE AUDITOR GENERAL'S
REPORT ON PERMANENCY PRACTICES**

Chapter 1: Department should improve its provision of information to the courts and FCRB

Recommendation 1.1: The Department should take steps to better understand and address court report submission timeliness by:

Recommendation 1.1a: Developing a mechanism for tracking case report submission dates; and

Department Response: The finding of the Auditor General is not agreed to and the recommendation will not be implemented.

Response explanation: Monitoring court report submission dates at the Department without corresponding tracking data from the courts would not allow for the determination of report timeliness or frequency and the subsequent impact on permanency. The timeliness of court report submission cannot be accurately determined because routine monitoring by the courts or the Department does not occur.

Recommendation 1.1b: Reviewing court report submission data to help identify causes for untimely submission, and developing action plans to address these causes.

Department Response: The finding of the Auditor General is not agreed to and the recommendation will not be implemented.

Response explanation: See 1.1a, the Department will not track or analyze data associated with untimely court report submission.

Recommendation 1.2: The Department should develop and implement guidance directing the supervisory review of court reports to help ensure that these reports contain the information and level of detail required by its court report templates.

Department Response: The finding of the Auditor General is not agreed to and the recommendation will not be implemented.

Response explanation: The Department's policy and standardized court report templates provide the required information based on the current standards identified in state statute and administrative code. Guidance is provided by the Department's supervisors to ensure court reports contain the information and level of detail required.

Recommendation 1.3: Once established, the Department should ensure that its supervisors are trained on the court report review guidance.

Department Response: The finding of the Auditor General is not agreed to and the recommendation will not be implemented.

Response explanation: See 1.2, training is not necessary, additional guidance will not be developed.

Recommendation 1.4: The Department should work with the juvenile courts to determine how it can more clearly present new information and/or progress updates in court reports and update its court report templates, as needed.

Department Response: The finding of the Auditor General is not agreed to and the recommendation will not be implemented.

Response explanation: The Department's policy and standardized court report templates provide the required information based on the current standards identified in state statute and administrative code. As a part of the Department's Continuous Quality Improvement (CQI) initiatives, court report templates are routinely reviewed and evaluated for appropriate data elements and level of detail. Additionally, the Department is engaged in a project to improve the system-wide application of its child safety assessment model, including judicial review of child welfare cases.

Recommendation 1.5: Once the Department has revised its court report templates to include guidance on incorporating new and/or updated information, it should:

Recommendation 1.5a: Revise its associated policies and procedures for preparing and providing court reports to the juvenile courts to reflect these changes; and

Department Response: The finding of the Auditor General is not agreed to and the recommendation will not be implemented.

Response explanation: See 1.4, policies and procedures do not require revisions or updates.

Recommendation 1.5b: Modify its existing training to include any changes made to its court report templates and train appropriate staff, including supervisors, accordingly.

Department Response: The finding of the Auditor General is not agreed to and the recommendation will not be implemented.

Response explanation: See 1.4, training is not necessary, no changes will be made to the court report template.

Recommendation 1.6: The Department should develop and implement policies and procedures to guide its review and use of information from the FCRB monthly attendance reports to improve caseworker attendance and the provision of information to the FCRB.

Department Response: The finding of the Auditor General is not agreed to and the recommendation will not be implemented.

Response explanation: The Department's policy is not aligned with Federal and State statutes, which do not require in person or telephonic appearance at FCRB hearings. Policies and procedures to standardize the review of attendance reports does not ensure improved caseworker attendance nor does it improve the provision of information to the FCRB. There is no indication that increased caseworker attendance reduces the time to permanency. Caseworkers often provide statements when they are unable to participate at an FCRB hearing in person or telephonically due to court hearing conflicts, often times on the same case. The FCRB does not consider the statement provided by the caseworker as attendance for the FCRB hearing.

Chapter 2: Department should improve its documentation and timeliness of kin searches

Recommendation 2.1: The Department should establish a formalized monitoring process to help ensure that all staff involved in performing kin searches are documenting the required information in the 'Locate Efforts' case note.

Department Response: The finding of the Auditor General is not agreed to and the recommendation will not be implemented.

Response explanation: There is no indication that the documentation of the "Locate Efforts" case note type impacts the percentage of children in kinship placements.

Recommendation 2.2: The Department should develop and implement policies and procedures that establish a formal time frame for the family locate unit to process kin-search requests submitted by caseworkers.

Department Response: The finding of the Auditor General is not agreed to and the recommendation will not be implemented.

Response explanation: The policy and procedures for the family locate unit time frames is appropriate. There is no indication that implementing a revised time frame for the family locate unit would impact the percentage of children in kinship placements.

Recommendation 2.3: The Department should identify and implement methods to help ensure that caseworker kin-search requests are processed in a more timely manner, including exploring whether the number of requests made to the family locate unit can be reduced by transferring some of these requests to the family engagement specialists.

Department Response: The finding of the Auditor General is not agreed to and the recommendation will not be implemented.

Response explanation: Volume related family locate needs are addressed by workload redistribution and kin placements continue to increase. There is no national standard set by the federal Department of Health and Human Services for the percentage of children placed with kin. With the national average of 22.6%, the Department placed significantly (42.2%) more children with kin than the national average and has continued improvement year over year since 2010. As of July 2016, 46% of the children in out-of-home care were placed with kin and kin placements are projected to increase by the end of the fiscal year. Kaizen events focused on locating kin continue to be prominent among the Department's process improvement schedule in partnership with the Governor's Transformation Office.

Chapter 3: Department should implement its plans to improve permanency timeliness

Recommendation 3.1: To better achieve permanency in a timely manner, the Department should continue implementing its improvement plan to address the 2015 CFSR findings related to achieving permanency in a timely manner and improving its case planning process.

Department Response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: Reducing the time to achieve permanency is an outcome of effective case management, improved family engagement, service array and timely judicial proceedings, all of which are addressed in the PIP dated August 26, 2016.

Chapter 4: Department should implement its plans to improve timeliness of termination of parental rights

Recommendation 4.1: The Department should continue implementing its improvement plan to address the findings of the 2015 CFSR related to the timely filing of TPR petitions.

Department Response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: The development of practice guidelines, case review and action plans documented in the PIP will continue with a projected completion date of June 30, 2017

Chapter 5: Department should implement its plans to improve foster home recruitment

Recommendation 5.1: To better recruit and retain foster homes, the Department should:

Recommendation 5.1a: Continue implementing its improvement plan to address the findings of the 2015 CFSR related to foster home recruitment and retention; and

Department Response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: Improved foster home recruitment and retention efforts documented in the PIP will continue with a projected completion date of April 30, 2017, technical assistance from the National Resource Center for Diligent Recruitment has been requested and project teams are engaged.

Recommendation 5.1b: Continue with its efforts to improve the recruitment and retention of foster homes by implementing the steps it has identified to address its 2016 strategic plan foster home recruitment and retention goal.

Department Response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: As part of the DCS Strategic Plan, the Department is analyzing/examining the initial foster home licensing application process, including the tasks and activities performed by home recruitment, study, and supervision contracted agencies and the responsibilities of the Office of Licensure and Regulation (OLR). This goal is 35% completed and continues in the 2017 strategic initiatives for the Department.

Chapter 6: Department should implement its plans to improve foster children's connections to their family and community

Recommendation 6.1: The Department should continue implementing its improvement plan to address the findings for the 2015 CFSR related to preserving a child's connections to his/her family and community.

Department Response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: The development of practice guidelines to improve children's connections to family and community documented in the PIP will continue with a projected completion date of December 31, 2016.

