

**LOUISIANA MAINTENANCE OF ACCREDITATION HURRICANE RECOVERY PLAN  
MAY 1, 2007 UPDATE**

Areas to Address and Corresponding Standards	Achievement as of April 30, 2007
<p><b>Objective 1:</b> Discussion of change in agency mission</p> <ul style="list-style-type: none"> <li>• <b>PA-AM 1:</b> Agency purpose The agency's purpose is responsive to the needs of the communities and citizens it serves, and guides the administration and delivery of services.</li> <li>• <b>PA-AM 4:</b> Community involvement / advocacy</li> </ul>	<p><b>Mission Change:</b> The Agency mission was changed by Act 110 of the 2005 Louisiana Regular Legislative Session to include child abuse and neglect prevention. The addition of prevention services is reflected in the Office of Community Services mission statement as articulated in the organization's Strategic Plan.</p> <p>As indicated in our December 2006 report, the Family Services (FS)/Prevention Section surveyed staff at the parish level and identified local service needs: in-home services, substance abuse treatment, transportation, domestic violence intervention, and mental health services. The FS/Prevention section has continued to focus on in-home services, substance abuse treatment, and transportation. Although the FS/Prevention Section is the lead, these services are available to all programs. The following progress has been made:</p> <p><i>In-home services</i> The agency is has implemented comprehensive use of the Homebuilders® model, which is an intensive family-focused prevention model for families with young children, in all regions of the state. In this model, children at imminent risk of harm are referred for the in-home model rather than being placed in foster care. In January and February 2007, 58 staff were trained on the use of this model. Contractors provide the services in all regions except Lake Charles Region, where an appropriate contractor could not be located and the program is being done in-house, and Lafayette Region, where services are contracted and provided in-house. Approximately 125 families have been served statewide, and most of the children in these families have been able to remain in their homes.</p> <p>Multi-Systemic Therapy (MST), another evidence-based, intensive, in-home program focused on behavior disordered youth ages 12-18 and their families, has been implemented in several regions through a contract with the Jefferson Parish Human Services District (a state-local agency). This prevention and reunification service is currently being provided in Monroe and Shreveport Regions, and the Greater New Orleans metropolitan area. Implementation had been planned for May 1, 2007 in the Baton Rouge Region but has been delayed because the service provider has had difficulty employing therapists. In the Lake Charles Region, OCS is not yet funding MST services, but the Office of Youth Development (OYD) has an MST contracted provider who provides services to OCS children who are also interfacing with juvenile justice. This contract expires June 30, 2007, and it is expected that the new contract will limit services to OYD clients only.</p>

The Nurturing Parenting Program, an evidence-based approach to reducing family dysfunction and building healthy, positive relationships developed by Dr. Stephen Bavolek, is provided through the 11 Family Resource Centers throughout Louisiana. This 16-week parenting class for families with children from birth to five years, is offered as “classroom” sessions, each of which is followed by an in-home component. In March 2007, Dr. Bavolek provided training on the philosophy of the Nurturing Parenting Program to OCS staff in three geographically diverse locations to OCS staff from all nine regions of the state. At two of the trainings, parents who were in the program at the time or who had completed the program spoke about what they had learned and how they had benefited from the program. Dr. Bavolek has also made himself available to Family Resource Center Facilitators by telephone and e-mail.

*Substance abuse treatment:* As a result of the Memorandum of Understanding with the Office of Addictive Disorders for in-house substance abuse counselors, counselors are placed now available in-house in all regions of the state except Jefferson and Covington Regions. Efforts to hire substance abuse counselors to be housed in those OCS offices have not yet been successful, but recruitment efforts continue.

*Transportation:* Each Family Resource Center contract has been amended to include transportation services, and \$4000.00 was allocated to each resource center for this purpose.

*Additional Initiatives:* The family assessment instrument based on the North Carolina Family Assessment Survey (NCFAS) continues to be piloted in a paper version in Lafayette Region. The instrument is expected to be automated by June 30, 2007. At that time, training and a statewide phased rollout will be implemented in the Family Services/Prevention and Foster Care programs in the near future. Training in Structured Decision Making is being finalized for family services/prevention staff at this time.

An effort closely related to the mission change is front-end intake and an alternative response system. A meeting is scheduled was held in December 2006 with the National Resource Center on Child Protection to review current intake procedures and consider alternative response initiatives. Additionally, Child Protection Investigation (CPI) Section staff participated in the American Humane Association conference on Alternative Response in San Diego. Several states, including California, Minnesota, and North Carolina, presented information on their alternative response systems at that conference. CPI staff has reviewed and discussed the Alternative Response system used in Missouri, and has been in conversation with staff from Minnesota regarding Alternative Response training curriculum and trainers. Alternative response is being piloted in Baton Rouge and Covington Regions, and Jefferson District of Greater New Orleans Region.

The Child Protection Investigation Section is also working with the National Resource Center on Data and Technology regarding the causes of increased foster care cases through analysis of a number of variables as they might affect increases in foster care entries. A copy of that analysis is attached and labeled "Attachment 1". The data in this report reflects regional realignment. As a result of the data analysis, a review of CPI case records in the Lake Charles Region is tentatively scheduled for May 2007.

**Community Involvement and Advocacy:** DSS continues to be involved with a large number of partners through the administration of the Social Services Block Grant Supplemental Hurricane Relief funds which support many health and social services recovery efforts, including implementation of OCS initiatives. In addition to the continuing work with the Casey Strategic Consulting Group and federally funded child welfare national resource centers, we continue to engage community and stakeholder involvement through Continuous Quality Improvement (CQI) committees. Community and stakeholder involvement is important to our ongoing work and initiatives, such as providing in-house substance abuse counselors through the Office of Addictive Disorders. A brief description of our efforts to assure smooth transitions to adulthood for our youths aging out of foster care provides insight into the extent of collaboration that is occurring between OCS and other organizations:

Through the Social Services Block Grant Hurricane Relief funds, we provided a number of concrete services, such as rental costs, utility costs, home set up costs, educational expenses, laptop computers, clothing for professional wear, and transportation costs. With the National Resource Center for Family Centered Practice and Permanency Planning we are striving to establish at least one permanent contact for each youth; with the National Resource Center for Youth Development we are working to increase our capacity to meet the needs of all youth, including those who are college/technical school-bound and those who are not. Ten multi-regional focus groups of youth, staff, and stakeholders were conducted around the state to develop our knowledge of the needs of transitioning youth. We have met with the Louisiana Office of Youth Development and Louisiana Workforce Investment Act (WIA) staff to develop alternative self-sufficiency plans for youth who do not plan to pursue college or technical school, and have worked closely with the Louisiana Department of Labor to meet the needs of youth in alternative educational settings in order to help them achieve economic self-sufficiency through employment. We have worked collaboratively with many other agencies (including the Department of Health and Hospitals, the Office for Citizens with Developmental Disabilities, the Office of Family Support, Louisiana Rehabilitation Services, and the Louisiana Road Home Program) to establish eligibility criteria and to assure inclusion of youth aging out of foster care among the beneficiaries of special housing programs.

	<p>Two grants offer opportunities for stakeholder involvement and support to children placed in kinship care settings and their caregivers. Through an Administration for Children and Families grant, we continue our collaborative efforts with the Office of Family Support and Louisiana Youth Enhanced Services, a Substance Abuse and Mental Health funded consortium that provides services to children and youth with mental illness to improve outcomes for children placed in both formal and informal Kinship Care settings. We have received approval from Civil Service to hire six staff to coordinate services for kinship care families in the Greater New Orleans Region, and applications are being received and reviewed at this time. Additionally, through a Brookdale Foundation grant, the Relatives as Parents Program (RAPP) statewide task force includes stakeholders from a number of different organizations. The purpose of this initiative is to support kinship care families.</p>
Areas to Address and Corresponding Standards	Achievement as of April 30, 2007
<p><b>Objective 2:</b> Plan to address human resource management issues (i.e., staffing patterns, space for staff, resources for staff, training and supervision) and the inter-relationship of these issues with the increase in volume of calls to hotline</p> <ul style="list-style-type: none"> <li>• <b><u>Staffing Patterns</u></b>  <b>PA-HR 2:</b> Human resources planning  <b>PA-HR 5.04:</b> Analyze employment patterns</li> <li>• <b><u>Resources for Staff and Space for Staff</u></b>  <b>PA-AM 7.04:</b> Resource management/development  <b>PA-FIN 2:</b> Financial risk assessment  <b>PA-FIN 3.01:</b> Budget serves as a plan for managing financial resources.</li> <li>• <b><u>Training and Supervision</u></b>  <b>PA-TS 1:</b> Personnel development and training  <b>PA-TS 2:</b> Training content  <b>PA-TS 3:</b> Supervision  <b>PA-PQI 6:</b> Staff training and support</li> <li>• <b><u>Adoption Services</u></b>  <b>PA-AS 12.04:</b> Collaboration with providers  <b>PA-AS 13:</b> Personnel</li> <li>• <b><u>Child Protective Services</u></b>  <b>PA-CPS 4.01:</b> Access to report abuse/neglect  <b>PA-CPS 4.05:</b> Timeliness of assigning reports</li> </ul>	<p><b>Staffing Patterns:</b> At the time of our December report, all but about 45 of OCS positions were filled, resulting in a vacancy rate of approximately 2.5%. At this time, there are 32 vacancies. Our turnover rate had decreased dramatically since our December report. At that time, the rate was over 15% for the State Fiscal Year following the hurricanes, and it is now 6.7%.</p> <p>Currently, the most significant issue with staff turnover is in the Jefferson District of the Greater New Orleans Region, where the level of staff turnover has caused some concern in terms of caseload coverage. We have been successful in temporarily hiring retired staff to assist until the vacancies can be filled. We believe that much of the turnover is related to a very competitive job market for social services professionals directly related to hurricane recovery efforts. In the New Orleans District, there has been very little staff turnover. Staffing in the New Orleans District remains at about 50% of the pre-Katrina level, with caseloads remaining steady without much increase in the total number of cases in the past few months. Jefferson District remains close to pre-Katrina levels in staffing.</p> <p>Human Resources and Field Operations staff continue to meet on a monthly basis. Although Greater New Orleans regional issues are a large component of the discussions, the focus is generally on a more global statewide basis. The growing Hispanic population is being addressed in two ways: Our Civil Service job positing for Child Welfare Specialist 1 vacancy in New Orleans now states that preference will be given to bilingual applicants; the Orleans District has contracted with a local professional to teach conversational Spanish classes in the office.</p>

PA-CPS 14: Personnel

- Foster Care Services

PA-FC 18: Personnel

- Family Preservation and Stabilization Services:

PA-FPS 11: Personnel

PA-FPS 11.05: Supervisory personnel available 24/7

- Kinship Care Services

PA-KC 16: Personnel

**Space for Staff:** Overcrowding continues to be a problem in several offices. The Orleans District Office is overcrowded, and a new lease will be negotiated in approximately one year. In addition, there is a long range plan to build a state-owned office building in the Greater New Orleans area. We have been advised that we will soon be engaged in the initial planning phases. In the Jefferson District, we are currently involved in difficult lease negotiations for the Jefferson District Office. We anticipate a short term lease because the competitive lease market post-Katrina has made it difficult to enter into a long term lease for that office. Livingston Parish, Bossier Parish, and Lake Charles Regional/Parish offices continue to be overcrowded. We will soon be negotiating a new lease in Bossier Parish and are in the process of negotiating for additions to our current space in Livingston Parish and Lake Charles Regional/Parish offices.

In Plaquemines Parish, efforts for OCS staff to occupy space in the Plaquemines Care Center continue. State regulations from the Division of Administration require a lease for any space routinely occupied by state employees. We have requested that a lease for this free space be negotiated for three years between the State and the Care Center. We have been assured that this is on a fast track and will be approved soon. We are hopeful that the Care Center will be able to meet the specifications for leased space as detailed in the lease and that we will be entering into that lease soon.

**Resources for Staff:** As indicated in our December 2006 report, the special resources for staff that were made available in the aftermath of the hurricanes have ended. The Critical Incident Stress Management (CISM) team is fully operational again. Ten new members have joined the team. They completed applications and the interview/reference component of the process and were accepted onto the team. The first training for the new team members was held in late April 2007. The training is provided by, Terry Blais, a certified trainer through the Critical Incident Stress Foundation (ICISF). Four members of the CISM team attended the 9<sup>th</sup> annual ICISF World Conference held in Baltimore, MD in February 2007. These team members attended various trainings and will provide information/feedback from the conference at the next CISM team meeting which is scheduled for May 2007.

A new training has been developed on disaster trauma and its effect on staff. One day-long training will be provided in April and May 2007 in Lake Charles, Baton Rouge, and Greater New Orleans Regions; and will be repeated in May and June 2007 for Lake Charles and Greater New Orleans Regions.

Other resources specific to the Greater New Orleans Region have been put into place. One of the consultants from the Casey Strategic Consultant Group is working with staff and stakeholders in that region. Several groups have been identified, including the regional management team, supervisors, and an “innovations” workgroup. The purpose of these

groups is twofold: to assure best practice and to address staff burn out issues. Individual cases are being staffed with the participation by the consultant, a document to record staffing follow-up has been developed, and morale issues discussed by staff are brought to the attention of executive management. As a part of this initiative, Karl Dennis, a national expert on wraparound services was brought into the region to provide a training entitled “Wrap-Around – “Whatever It Takes””: Everything Is Normal until Proven Otherwise” in April for staff and community stakeholders. The consultant and regional management staff are also having meetings with stakeholders including judges and service providers.

**Training and Supervision:** The frequency of legislatively required core curriculum new worker training continues to be higher than normal. This is in part due to staff turnover, but is also now attributable to the increasing number of administrative staff being detailed into positions created to support agency initiatives. This produces a ripple effect into other positions, ultimately resulting in new first-line staff. The part-time temporary trainers continue to provide training in various areas of the state. Across the board approval has been granted to pay above the normal state rate for hotels in Baton Rouge. A major challenge for staff, especially the trainers, continues to be the high cost of hotels in the Greater New Orleans area.

Foster/adoptive parent training continues to be presented as seven sessions. It has been revised to incorporate utilizing youth and birth parents in telling their stories to bring more credibility and realism to the pre-service training. Since the requirement for all new professional staff to participate in the foster/adoptive parent training, 111 staff have completed the training.

Training Section staff is no longer involved in day-to-day training activities related to our new automated information system, A Comprehensive Enterprise Social Service System (ACCESS). The agency made the decision to contract with Louisiana State University to provide that training.

All of the agency’s initiatives impact training. Core Curriculum courses, Case Worker Competency and Casework and Assessment, have been revised to incorporate more information about the strengths approach and cultural competency. Additionally, the Desk Reference has been updated to include information regarding new laws, policies, and procedures that drive child welfare decision making. One of the trainers is serving on the workgroup for Alternative Response, and is the lead in helping to select and develop the training to be provided child welfare workers. Two trainers have been working with the Home Development task force.

	<p>The Training Section continues to work with the National Resource Center on Cultural Competency. Resource Center staff provide two days of training and one day of consultation to State Office staff in March. In June, they will attend the Regional Administrators Meeting to develop plans for assuring culturally competent practice at all agency levels. A work group has been formed to examine all program areas and phases of the agency to enhance our ability to provide culturally competent services with concentration on the growing Hispanic population.</p> <p>We continue to promote professional education through providing educational stipends. In the coming fiscal year, 15 MSW students and 10 BSW students are expected to receive stipends, but awards have not yet been made. During the past year, 15 employee stipends were awarded.</p> <p>A new training was provided on family finding to locate familial resources and permanent connections with a special focus on youth in residential care and youth aging out of care has been/is being provided to staff as follows: Greater New Orleans Region in March 2007, Covington Region in April 2007, Baton Rouge, Thibodaux, Lake Charles regions in May 2007; Lafayette and Monroe in June 2007. Dates for the training in Shreveport and Alexandria Regions have not yet been determined.</p> <p>Continuation of the mentoring program for supervisors previously provided by national consultant and trainer, Marsha Silas, continues to be considered. A meeting is planned for April 30 regarding mentoring and coaching, and a firm decision is expected to be made at that time.</p> <p>The ratio of supervisors to workers continues to be an issue only in the Orleans Parish Office. There have been some recent promotions in the Orleans District, and the supervisory positions were not filled after the promotions to attempt to better balance that ratio of workers to supervisors. However, with the continued stressors in that District associated with the ongoing recovery, having a high supervisor/worker ratio with experienced supervisors has benefited the agency.</p>
<p><b>Areas to Address and Corresponding Standards</b></p>	<p><b>Achievement as of April 30, 2007</b></p>
<p><b>Objective 3:</b> Plan to address infrastructure issues (i.e., records storage and recovery, contract management, PQI, and physical site challenges)</p> <ul style="list-style-type: none"> <li>• <u>Records Storage</u></li> </ul>	<p><b>Records Storage and Recovery:</b> As previously indicated, records were lost in only one parish as a result of the hurricanes, and those records have been reconstructed to the extent possible. All records are securely maintained according to legally mandated timeframes. The digital imaging of records referred to in our June 2006 and December 2007 reports continues to be delayed. Contracts have now been completed and signed, equipment has been procured, and</p>

**PA-RPM 6 (emphasis: 6.01):** Security of Information  
 • **Contract Management**  
**PA-RPM 2:** Risk prevention  
**PA-RPM 2.01:** Contracting practices and compliance  
**PA-RPM 9:** Contracts and service agreements  
**PA-RPM 10:** Quality monitoring purchased services  
**PA-PQI 1:** Leadership endorsement of PQI values  
**PA-PQI 2.04:** Quality expectations reflected in documents  
**PA-PQI 4:** Analyzing and reporting information  
 • **Physical Site Challenges**  
**PA-ASE 2:** Accessibility  
**PA-ASE 4:** Facility maintenance  
**PA-ASE 7:** Emergency Preparedness  
 • **Adoption Services**  
**PA-AS 12.05:** Record retention

the users are currently being trained to complete the digital imaging. The actual imaging is expected to begin in the very near future.

**Contract Management:** Our contract management did not change as a result of the hurricanes. Contracts continue to be reexamined in light of our initiatives to improve child welfare services in Louisiana.

**Performance and Quality Improvement:**

*Continuous Quality Improvement Meetings:* During the last 4 months the agency has worked to more fully integrate the agency's initiatives into the CQI process and meetings. The statewide CQI committee met in January and March 2007, and the next meeting is scheduled for May 16, 2007. A statewide CQI meeting involving all regional CQI chairs, state level CQI team members, senior management and regional managers was held on March 29, 2007. Peter Watson with the NRC for Organizational Improvement also participated in the meeting and provided consultation on the use of data and the feedback loop. During this day long meeting, regions discussed successes and challenges in the implementation of the CQI process and reviewed the 8<sup>th</sup> edition PA-PQI standards. Criteria were developed for a CQI team of the year award and CQI informational packets were provided for distribution to new hires and stakeholders.

Referrals continue to come in from the regions, state office and other stakeholders on issues ranging from emergency preparedness to policy and practice, and those referrals have been managed by the committee chair. CQI committees have resumed or continued meeting in most regions with the exception of the New Orleans District in the Greater New Orleans Region. The New Orleans District last met prior to the hurricanes, and is currently working to redefine their regional CQI process to meet the needs of the all stakeholders post hurricane Katrina.

Our work with the child welfare national resource centers and the Casey Strategic Consulting Group are data and performance-driven, thus include a performance and quality improvement component. The steering committee for the agency initiatives continues to perform in a quasi-CQI role by meeting monthly to analyze case reviews, measure progress on the status of the initiatives, measure progress on the plan, conduct actual case studies, and consider how to use statistical data.

*Stakeholder involvement:* Our stakeholders continue to contribute to our efforts through regional CQI teams, the state level CQI team and the Consumer and Community CQI stakeholder subcommittee. The last state level Consumer and Community subcommittee meeting was held on March 28, 2007. During this meeting the results of the survey



administered in December 2006 were used as a guide to set future goals of this subcommittee. The next meeting is scheduled for June 12, 2007. In addition to the work of this subcommittee, state office staff continues to travel to the regions to meet with contractors and agency staff.

*Consumer Satisfaction Surveys:* Since February 2007, consumer satisfaction surveys have been available on the internet. Surveys continue to be distributed and collected at parish and regional offices and the results rolled up for CQI review and development of action plans as needed. Approval to install consumer feedback boxes in the lobbies of the new DSS building was not granted. However, OCS primarily uses three conference rooms in the building, two on the third floor and one on the second floor. One of our four survey boxes will remain in each of those rooms; the fourth box will be available for state office staff to take with them to meetings in other locations.

The Consumer Satisfaction and Feedback Mechanisms Subcommittee has resumed a quarterly meeting schedule. Since our last Recovery Update, meetings have been held on January 11 and April 11, 2007. The next meeting is scheduled for July 11, 2007. The issues of whether the general public is able to locate a telephone number to report child abuse and/or neglect and recognize the agency by its rather non-descriptive name continue to be considered. Pursuing an in-house survey of the general public on these issues has been effectively ruled out of consideration. The three public universities in Louisiana offering MSW programs have been approached to inquire about the possibility of students conducting the surveys in the areas where the universities are located (New Orleans, Baton Rouge, and Shreveport/Monroe) for class credit rather than cash payment. One of the universities has already responded affirmatively with an offer to conduct such a survey in the fall 2008 semester.

*Peer Case Reviews:* The Peer Case Review subcommittee has resumed a regular meeting schedule. Meetings have been held on February 1, February 22, March 20, and March 29, 2007. The next meetings are scheduled for May 2 and May 18, 2007. Preparations continue to be made for reinstating Peer Case Review during SFY 2007-2008. Peter Watson of the Child Welfare National Resource Center for Organizational Improvement has participated in most of the meetings by phone and provided on-site consultation to the committee in late March 2007.

The agency has decided to delay implementation of the Peer Case Reviews (tier two of our case review process) from July 2007 to October 2007 in order to assure that the process is as effective and meaningful as possible. A number of decisions regarding PCR have been finalized and were presented to the Statewide Continuous Quality Improvement (CQI) Committee in a meeting on March 30, 2007. The revised Child and Family Service Review (CFSR) instrument will

provide the format for the reviews. Four primary coordinators in State Office have been identified. Beginning in early April 2007, the State Office coordinators are traveling to regions to conduct mock case reviews using the CFSR instrument. The purpose of these mock reviews is to estimate the length of time each case review will take and to identify potential problems that may occur in the actual PCR process. At this point, we anticipate that each regional review will take four and a half to five days, and will include 25 to 30 cases per region, providing a total of 250 to 300 case reviews statewide over the course of the year.

Two reviews will be conducted in each of the first two quarters of implementation (October through December 2007 and January through March 2008), and three reviews will be conducted in the third and fourth quarters (April through June 2008 and July through September 2008). Each review will be led by two state office coordinators and one regional coordinator, and will include six teams of two reviewers. Each region will provide approximately 10 reviewers who will participate in reviews throughout the state, rather than reviewing in contiguous regions as was the case in the past. State Office staff will participate in reviews to provide the balance of reviewers needed for each review.

Regarding the ad hoc case reviews discussed in our prior reports, the Family Services/Prevention case record reviews continue to occur as state office staff visits the regions, with immediate feedback to local staff. The Independent Living and Young Adult case review data analysis has been compiled and provided to the Foster Care Section staff. Those record reviews, along with input from national child welfare resource centers and the focus groups discussed earlier in this report, have resulted in the increased efforts to assure more positive outcomes for our older youth in care and those who have aged out as described on page 3 of this report. The results of foster care case records for Special Board Rate information revealed a considerable inconsistency and lack of compliance with agency policy throughout the state. In light of the changes that are being made in home development, no action has been taken on the results of this review. The results of individual reviews of Katrina Class cases have been used primarily for funding issues, with flags having been inserted into our Tracking Information and Payment System (TIPS), and will be used to examine retrospective outcomes of children in foster care and their care providers. Additionally, two Quality Assurance Program Managers are comparing Orleans Parish children in foster care (based on original court of jurisdiction) with children in foster care from other parishes to compare length of stay in foster care, days of restrictive care, etc. The review of 100% of residential cases including interviews with each child in residential placement continues, with 12 additional record reviews/interviews having been completed since our last report. Based on the analysis of data related to increased foster care entries, a review of CPI cases in one region is tentatively set for May 2007 as described on pages 2 and 3 of this report. To date, the results of the ad hoc reviews have been utilized in the appropriate program, but have not been forwarded to the CQI

committee.

*Traditional QA reviews:* Meanwhile, case record reviews in tier one of the PCR process have continued in most programs since the development of the COA Recovery Plan. Monthly case record reviews using the QA 1 review instrument are ongoing in the family services, foster care and adoptions programs on a statewide basis.

With regard to case record reviews in the Child Protection Investigation program (CPI), the agency suspended case record reviews using the QA 1 review instrument after the agency's conversion to A Comprehensive Enterprise Social Service System (ACCESS), a SACWIS compliant data management system. At this time, the ACCESS conversion only affects the CPI program; however other programs will be included at a later time which has not yet been determined.

The agency is working to develop a means to create reports through the ACCESS system that will provide the same data previously obtained from the QA 1 review instrument on 100% of CPI cases. This data is not expected to be available before September of 2007. In the interim, as cases are reviewed in family services, foster care and adoption via the PCR process (tier one-QA 1 review instrument and tier two CFSR review instrument) the agency will have an opportunity to review compliance with policy and practice in the CPI program.

The Quality Assurance Section continues to work on several initiatives. (1) An intranet annual report concept, building a platform in three parts: population information from census and client profile information at state, region, and parish levels; typical QA information in annual reports with information at the region/parish level; and federal data standards outcome information at statewide and regional level. (2) Movement toward more qualitative QA reviews. Qualitative data needs have been identified, but data sources have not. (3) Integration of Peer Case Review and QA data to provide a more useable feedback loop for agency administration and field staff. (4) The Louisiana Court Improvement Project has received a grant focused on data and analysis. Efforts are underway to develop standards for court procedures and data systems, and standardizing the meaning of data across types of courts. The QA Section Administrator will be involved in this data development with the ultimate goal of electronic communication between the courts and the agency. The grant is for five years, and the first year will be devoted to strategic planning.

*Program Improvement Plan:* Since our last report, the Administration for Children and Families has acknowledged that Louisiana has achieved all of the data indicator goals, and they have been rolled off of the PIP. The renegotiated PIP contains three major objectives: (1) analysis of current CPI data, practice, and external factors as they relate to the increase in children entering foster care; (2) development and implementation of a protocol for case

management and decision-making for displaced children and their biological families; and (3) provision of more qualified legal representation for children and/or parents in the child welfare system. Each of these objectives is subdivided into strategies and action steps for achievement of each of the three overarching objectives. All of the action steps related to the second objective have been achieved. The only action step slated for completion during the immediate past quarter related to analysis of data regarding the possible reasons for increased entries into foster care. The data analysis is attached to this document and labeled “Attachment 1”.

*Long Term Reform:* The agency continues to work with federal and foundation partners to implement changes reflective of our expanded mission and to provide more effective services across the continuum of child welfare to our consumers. These efforts to change and improve Louisiana’s child welfare system have been designated as **Louisiana Leading Innovations for Family Transformation and Safety (LIFTS)**, a series of initiatives to strengthen families and to ensure children safe, permanent solutions. Louisiana LIFTS reflects OCS’ unyielding goal of reaching higher to ensure a family-focused and community-based system of care for Louisiana’s most vulnerable children. With technical assistance from national partners, OCS has defined six key elements to enhance outcomes for children and families: improving intake decisions; meeting family needs with a goal of assuring that fewer children need of out-of-home care; community-based services available to meet family needs through development of a comprehensive service array with state and local prevention-oriented partners; foster/adoptive parenting through hiring recruiters in each region, standardized training and internal policy and procedures, more foster/adoptive parental involvement, and better, stronger links between foster parents and birth families; residential treatment through evaluation of the current residential placement process and decision-making to ensure that these facilities are used as short-term intervention only for children whose emotional, physical or mental health needs cannot be met in a family setting; transitioning youth through providing better opportunities for young adults to find permanent family connections and to take advantage of vocational, housing, and educational support to enable them to become successful adults.

As we pursue these initiatives, we continue to receive assistance from National Resource Centers for Child Protective Services, Family Centered Practice and Permanency Planning, Legal and Judicial Issues, Youth Development, Adoption, Organizational Improvement, Data and Information Technology, Children’s Mental Health, and Friends National Resource Center. A matrix of the efforts of the resource centers was developed that identifies how each child welfare resource center will assist in reaching desired child welfare outcomes. The resource centers provide technical assistance through teleconferences and on-site visits; progress is measured through teleconferences held every six weeks; and the matrix is revised. The most recent matrix revision is attached, and is labeled “Attachment 2”.

Additionally, the Annie E. Casey Foundation through the Casey Strategic Consulting Group continues to provide regular on-site consultation and monitoring of agency progress in the development of a comprehensive service array that will allow more children to be served in families by incorporating evidence-based and in-home therapeutic and social services into agency practice; redesign of home development to recruit and support foster parents, and limiting the use of residential placements to children who cannot be served in a family setting. The MacArthur Foundation is continues to support a position within the Children’s Cabinet to facilitate Medicaid funding for mental health services. The MacArthur Foundation is no longer providing consultation regarding our residential agreements. A solicitation has been issued for residential programs, and OCS is in the process of deciding which residential providers will receive agreements beginning July 1, 2007.

**Physical Site Challenges:**

*Accessibility:* All of the buildings occupied by agency and used by agency consumers comply with federal, state, and local legal requirements regarding facility accessibility. Closure of the St. Bernard and Plaquemines Parish offices following the hurricanes reduces accessibility to those offices by consumers, but home visits and in-home services ameliorate this access limitation to some extent.

*Emergency Preparedness:* The Department of Social Services has contracted with Innovative Emergency Management, Inc., a consulting firm experienced in emergency planning for large organizations to develop a Continuity of Operation Plan (COOP) to assure continuation of services in the event of a natural or man-made disaster. The COOP plan identifies for the department as a whole and for each agency within the department essential functions of operation, orders of succession, a roster of key employees statewide, delegation of authority in areas of Child Protection Investigations and Foster Care case management, devolution to regional leadership if state office staff is inaccessible for 24 hours or more, alternative work facilities, essential functions and supporting dependencies such as unaccompanied children and foster care case management, ways to support personnel, supplies, records, and other necessities so that work can be carried on, and examines interoperable communication (alternative providers and modes of communication).

An “Emergency Preparedness Guide for Dependency Courts” and an accompanying video have been developed and produced by the Louisiana Court Improvement Program in consultation with National Resource Centers and other entities to assure that courts having Child in Need of Care jurisdiction. This information will assist courts in developing contingency plans for emergency situations.

	<p>Agency staff continues to be involved in emergency preparedness related activities which include Emergency Shelter operations for the state. Some staff at the administrative level are heavily involved and this continues to be a demanding role for the agency when combined with routine child welfare responsibilities and the ongoing recovery effort. Staff continues to experience a high level of anxiety about emergency preparedness, which is to be anticipated in post-Katrina Louisiana.</p>
<p><b>Areas to Address and Corresponding Standards</b></p>	<p><b>Achievement as of April 30, 2007</b></p>
<p><b>Objective 4:</b> Plan to address safety and service delivery to children in out of state placement with caregivers who evacuated</p> <ul style="list-style-type: none"> <li>• <b>General</b></li> <li>PA-CR 1: Protection of rights and ethical obligations</li> <li>PA-PQI 2: Foundation and broad use of PQI</li> <li>PA-PQI 2.01: Takes into account all sites and persons served</li> <li>PA-RPM 1: Legal and regulatory compliance</li> <li>PA-RPM 2.01: Annual assessment of risk by management</li> <li>PA-RPM 9: Contracts and service agreements</li> <li>PA-ASE 7: Emergency response preparedness</li> <li>• <b>Adoption Services</b></li> <li>PA-AS 3: Homestudy practice</li> <li>PA-AS 11.01: Post-adoption services</li> <li>• <b>Child Protective Services</b></li> <li>PA-CPS 2: Community partnership</li> <li>PA-CPS 2.01: Collaboration</li> <li>PA-CPS 9.04: Frequency/ type of face-to-face visits</li> <li>PA-CPS 12: Child and youth permanency</li> <li>PA-CPS 12.01: Permanency plan within 30 days</li> <li>PA-CPS 12.03: Reviews at least every 6 months</li> <li>• <b>Family Preservation and Stabilization Services</b></li> <li>PA-FPS 1: Access to service</li> <li>PA-FPS 3.06: Continual evaluation of progress</li> <li>PA-FPS 4.07: Case review</li> <li>PA-FPS 6.03: Home/community service setting</li> <li>PA-FPS 6.04: 24/7 services and involvement</li> <li>PA-FPS 7.05: Crisis intervention 24/7</li> <li>PA-FPS 9.01: Termination planning</li> </ul>	<p><b>Safety of and Service Provision to Children and Foster Parents:</b> At this point, only 29 children in foster care remain out of state as a result of the hurricanes. Twenty-seven of the children are from the Greater New Orleans Region and two are from the Covington Region. Nineteen of these children have a permanency goal of adoption; seven have a goal of Alternate Planned Living Arrangement; and three are in the Young Adult Program. Nine children are living in Texas, nine in Mississippi; five in Georgia; two in Alabama; and one in each of the following states: Florida, Maryland, Illinois, and Arkansas. We continue to have two staff persons who focus their activities on the special “Katrina Class” children, one to monitor progress toward goal achievement, and one to approve special travel. All of the children who are out of state have been referred to the Interstate Compact on the Placement of Children to request service provision by the state in which they are residing.</p> <p>Now that most children in foster care and their foster families have returned to Louisiana, the focus for assuring safety and service provision is on development of a continuum of care to assure that needed services are available, enhancing foster/adoptive parent recruitment and retention, and assuring that children are placed in the least restrictive possible placement. Nine regional foster/adoptive parent recruiters, one for each region, and a supervisor have been hired on a temporary basis (up to three years). The recruiters will be responsible for general, targeted, and child specific recruitment activities. Interviews with every child and youth in residential placement are being conducted to determine the appropriateness of the current placement, and to step down as many children as possible to a less restrictive placement. Agency policy is being developed to assure that best practice standards are maintained both in the placement of children in residential facilities and in service provision when residential placement is in the best interest of the child. Training on family finding with a focus on locating familial resources and permanent connections for youth in residential care and youth aging out of care has been developed and will be presented to staff throughout the state.</p> <p>Family Services/Prevention staff has developed several initiatives, such as IHBS, MST, Nurturing Parenting Program, in-</p>

<ul style="list-style-type: none"> <li>• <b><u>Kinship Care Services</u></b>  <b>PA-KC 6.05:</b> Regular home assessment  <b>PA-KC 13:</b> Worker contact and monitoring</li> </ul>	<p>house substance abuse counselors, and enhanced transportation through additional monies provided the regional Family Resource Centers, as described earlier in the report. These services are also available to children in foster care, their biological parents, and foster parents.</p>
<b>Areas to Address and Corresponding Standards</b>	<b>Achievement as of April 30, 2007</b>
<p><b>Objective 5:</b> Plan to address case planning and legal jurisdiction changes for children in placement out-of-state.</p> <ul style="list-style-type: none"> <li>• <b><u>Adoption Services</u></b>  <b>PA-AS 1.04:</b> Service Selectivity  <b>PA-AS 3.04:</b> Collaborative home study process  <b>PA-AS 5.02:</b> Review every 6 months  <b>PA-AS 8.03:</b> Consideration of birth parents' wishes  <b>PA-AS 12.04:</b> Collaborative service delivery  <b>PA-AS 12.05:</b> Records retention  <b>PA-AS 12.06:</b> Release of information</li> <li>• <b><u>Child Protective Services</u></b>  <b>PA-CPS 12.01:</b> Timeframe for achieving permanency  <b>PA-CPS 12.03:</b> Review every 6 months  <b>PA-CPS 13.01:</b> Evaluate for closure every 6 months</li> <li>• <b><u>Family Preservation and Stabilization Services</u></b>  <b>PA-FPS 1.02:</b> Collaboration with referring agency <b>PA-FPS 6.01:</b> Respectful, family-centered relationships  <b>PA-FPS 9.02:</b> Notification of case closure</li> <li>• <b><u>Kinship Care Services</u></b>  <b>PA-KC 6.04:</b> Criminal background/central registry checks  <b>PA-KC 14.03:</b> Notification of case closure</li> </ul>	<p><b>Case Planning for Children in Placement Out-Of-State:</b> The decision model for Katrina class children continues to be the same model used for all children in Foster Care in Louisiana: the best interest of the child and close review by the court with emphasis on the safety, well being, and permanency of each child.</p> <p><b>Legal Jurisdiction for Children in Placement Out-Of-State:</b> Legal jurisdiction for children displaced by the hurricanes has been determined on a case-by-case basis consistent with the best interests of each child, and has changed for very few children. Some judicial hearings have been accomplished by telephone.</p> <p>The online Continuing Legal Education (CLE) courses posted on the Louisiana Children's Legal Advocacy Resource Online and available to attorneys throughout the state, and described in our previous report, continue to be available. To date, approximately 20 attorneys have accessed the web-site and videos, but did not seek credit for viewing them. One attorney has actually obtained CLE credit from the on-line training. The live trainings developed by the Court Improvement Project in collaboration with a child welfare resource center mentioned in our last report were conducted in Monroe in January with 76 participants and in Alexandria in March with 116 participants. The next such training is scheduled for May 14 in Hammond. Additional video training is being developed on Act 148 (regarding judicial approval of placement) and the permanency goal of Alternate Permanent Planned Living Arrangement.</p> <p>Recommendations have been formulated and funding sought in response to LA Act 271 of the 2006 Legislature regarding improving legal representation of children and indigent parents. Recommendations include data collection, methodology for using resources, study of reasonable caseloads for attorneys representing this population of cases, and strategic planning on standards and activities.</p> <p>In addition to the training, the main program initiatives of the Court Improvement Program include: Implementation of the Integrated Juvenile Justice Information System, an automated case management system for courts with Child in Need of Care jurisdiction; benchmark hearings for older youth; dependency mediation; support for and expansion of the Court</p>

	<p>Appointed Special Advocate (CASA) program; addressing systemic issues of disproportionate representation of minorities in the child welfare system; and providing on-going technical assistance to courts.</p> <p>Louisiana’s efforts to assure adequate legal representation for children involved with the child welfare system were recognized in an Associated Press article carried in the April 25, 2007 Baton Rouge Advocate newspaper. This article indicates that Louisiana is one of only five states that received a grade of “A” in child advocacy in a review conducted by First Star. Attachment 3 provides copy of selected pages of the First Star Report and the resulting newspaper article.</p>
<p><b>Areas to Address and Corresponding Standards</b></p>	<p><b>Achievement as of April 30, 2007</b></p>
<p><b>Objective 6:</b> Plan to address safety and availability of foster and other substitute caregivers</p> <ul style="list-style-type: none"> <li>• <b>General</b></li> <li>PA-RPM 10: Quality monitoring of purchased services</li> <li>PA-BSM 2: Behavior support and management practices</li> <li>PA-BSM 3: Safety training</li> <li>PA-BSM 4: Restrictive behavior management intervention training</li> <li>• <b>Foster Care Services</b></li> <li>PA-FC 2: Assessment</li> <li>PA-FC 6: Child placement</li> <li>PA-FC 12: Worker contact and monitoring</li> <li>PA-FC 16: Recruitment and retention of foster families</li> <li>• <b>Family Preservation and Stabilization Services</b></li> <li>PA-FPS 2: Screening</li> <li>PA-FPS 2.01: Response to referrals and requests</li> <li>PA-FPS 2.02: Family informed about services</li> <li>PA-FPS 2.04: Refer families who cannot be served</li> <li>PA-FPS 3.06: Providers continually assess progress,</li> <li>PA-FPS 4.07: Case Reviews</li> <li>PA-FPS 6.01: Respectful, family-centered relationships</li> <li>PA-FPS 6.04: Individualized, involved, 24/7 services</li> <li>PA-FPS 7.05: Crisis intervention available 24/7</li> <li>PA-FPS 11.05: Supervisors available 24/7</li> <li>PA-FPS 11.07: Appropriate workload</li> <li>PA-FPS 11.08: Fair treatment of employees</li> <li>• <b>Kinship Care Services</b></li> <li>PA-KC 6: Homestudy and placement services</li> </ul>	<p><b>Safety and Availability of Foster and Other Substitute Caregivers:</b> Efforts to assure that competent foster parents and relative caregivers are available for children who must be removed from their homes continues, with the major new development being the hiring of recruiters mentioned above. In regard to residential caregivers, we are requesting new agreement proposals, and developing agency policy to assure that residential placements are made only when absolutely necessary, and reviewing records/interviewing children to step down as many children from residential placement as possible.</p> <p>Although there is a state wide shortage of foster parents, the continuing impact of the hurricanes has resulted in this need being especially critical in the Greater New Orleans region. Thus, special efforts are being directed toward revamping the Home Development section in that area. We have also had national publicity concerning the dire need for foster parents in that area through an article in the April 24, 2007 issue of USA Today newspaper (Attachment 4).</p>



<p>PA-KC 6.03: Caregiver assessment  PA-KC 6.05: Regular assessment of home  PA-KC 9.01: Responsibilities of caregivers  PA-KC 10.04: Age-appropriate health services  PA-KC 12.02: Assistance to caregivers</p>	
<p><b>Areas to Address and Corresponding Standards</b></p>	<p><b>Achievement as of April 30, 2007</b></p>
<p><b>Objective 7:</b> Plan to assess safety and service delivery needs of children under state supervision who evacuated with their biological parents to another state</p> <ul style="list-style-type: none"> <li>• <b>General</b></li> </ul> <p>PA-AM 3: Scope of services</p> <ul style="list-style-type: none"> <li>• <b>Adoption Services</b></li> </ul> <p>PA-AS 2.02: Strengths-based, culturally competent assessment  PA-AS 2.05: Social history  PA-AS 4: Service planning and monitoring  PA-AS 4.03: Progress reviews and goal revisions</p> <ul style="list-style-type: none"> <li>• <b>Child Protective Services</b></li> </ul> <p>PA-CPS 2: Community partnership  PA-CPS 2.01: Leadership seeks collaboration  PA-CPS 9.04: Face-to-face visits  PA-CPS 12: Child and youth permanency  PA-CPS 12.01: Permanency plan within 30 days  PA-CPS 12.03: Review every 6 months  PA-CPS 13.01: Evaluate for closure every 6 months</p> <ul style="list-style-type: none"> <li>• <b>Family Preservation and Stabilization Services</b></li> </ul> <p>PA-FPS 1: Access to services  PA-FPS 2.04: Refer families that cannot be served  PA-FPS 3.06: Continually evaluate progress  PA-FPS 4.01: Family-centered service plan  PA-FPS 4.05: Extended family members advised of progress, participate  PA-FPS 4.07: Case review  PA-FPS 6.01: Respectful, family-centered relationship  PA-FPS 6.03: Services in home and community setting  PA-FPS 6.04: Services individualized and involve family; available 24/7  PA-FPS 7: Family supports and services  PA-FPS 7.01: Assistance in meeting basic needs</p>	<p><b>Safety and Service Delivery Needs of Children Under State Supervision Who Evacuated with Biological Parents to Another State:</b> As previously reported, families were provided services in the areas to which they had relocated. If they could not be located and the child was determined to be at high risk, nationwide child protection alerts were issued.</p>

<p><b>PA-FPS 7.02:</b> Assistance in developing and applying needed skills <b>PA-FPS 7.05:</b> Crisis intervention available 24/7 <b>PA-FPS 9.01:</b> Termination planning <b>PA-FPS 10.04:</b> Post-closure follow-up <b>PA-FPS 11.05:</b> Supervisory personnel available by phone 24/7</p>	
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**Attachment 1**

In order to understand changes that occurred during the time of the increases in foster care entries, Louisiana has had several consults with Anna Stone of the National Resource Center for Child Protective Services (NRCCPS). Our Quality Assurance Section sent numerous data sets to Joe Murray of NRCCPS. Mr. Murray converted the data into a more readily understandable summary table format. The following is a discussion of the data sets and whether the variables appear to have had an effect on foster care entries.

I. Number of children who entered OCS custody during State Fiscal Years, 2000, 2001, 2003, 2004, 2005, and 2006.

**Entries into Care (increases)**

		<i>increase 03/02</i>		<i>increase 04/03</i>		<i>increase 05/04</i>		<i>increase 06/05</i>	<i>increase 06/05</i>
<b>FY02</b>	<b>FY03</b>		<b>FY04</b>		<b>FY05</b>		<b>FY06</b>		
2,355	2,450	4%	2,638	8%	2,845	8%	3,644	28%	799

Data drawn from CPI-FCpopValRateSLloyd.xls

Table 1 shows the percentage increases between fiscal years starting with State Fiscal Year 2002. The number of children coming into care in 2002 FY was 2,355 children and the number coming into care in 2003 was 2,450, so the percentage increase between those FY's was 4%. The next two years increases were 8%, then 8%, which could be described as general increases in foster care entries.

Then there is a large increase of entries into care in FY 06 from the preceding year. From FY05 to FY06 the foster care entries increased by 799 children, 28%. This is obviously a very concerning number for many reasons. Twenty eight percent increase from one year to the next mandates careful analysis of the possible reasons.

The general increases in foster care entries through this decade are also occurring on a national level, which helps to explain the general increases. See attached table, **“Trends in Foster Care and Adoption –FY2000-FY2005”, with definitions.**

The increase between July 2005 and June 2006 of 28% is significant. There were a number of events that were likely related to these increases, including Hurricanes Katrina and Rita and two legislative acts that went into effect for part of that year. We predicted those Acts would increase significantly increase our foster care entries.

The fiscal impact statements that inform the Louisiana Legislature on the Voluntary Placement Act (Act 148) and the Substance Exposed Infants Act (Act 338), predicted that we would have 774 new cases opened in the Foster Care and Family Services programs. We had predicted the majority of these families would be served by our Family Services Program. There have been some explanations that suggest that judges are not willing to give relatives custody, without the Department's supervision, which means custody will be given to the Department. In some instances the Department is ordered to provide supervision and reunification services for an indeterminate period of time, as well as provide services like tutoring, basic clothing allowances, etc.

II. Age and race of children at the time of foster care entry.

**RACE**

**Entries into Care (race)**

	<b>FY03 N=2445</b>	<b>FY04 N=2595</b>	<b>FY05 N=2835</b>	<b>FY06 N=3639</b>
<b>Race</b>				
White	45.5%	45.9%	51.6%	53.5%
Black	53.0%	52.7%	46.9%	44.5%
Unable to Determine	0.9%	0.7%	1.1%	1.5%

Data drawn from SpFCdataJohn, Race

Race data did not seem to contribute to the increase in entries. We expected that there would be a decrease in African American children coming into Care in FY 06, since a

probable significant percentage of New Orleans residents evacuated out of state due to Katrina. Estimates are that approximately 1/3 of New Orleans residents have not returned, however, a sizable proportion of those residents are still in Louisiana.

The majority (67%) of New Orleans Pre-Katrina residents were African American and 40% of all families with children in New Orleans, Pre-Katrina, were living below the poverty line. Poverty is a risk factor for abuse and neglect. We know that at least 156 (see attached chart “Katrina-Rita Removals”) evacuee children were taken into Care in other states between September 2005 and August 2006. One would expect that this population of children (evacuees who came into Care in other states) would have reduced our African American Louisiana foster care entries for FY2006.

### AGE

#### Entries into Care (age)

Age	FY03 N = 2,447		FY04 N = 2,595		FY05 N = 2,835		FY06 N = 3,640	
	#	% Entries	#	% Entries	#	% Entries	#	% Entries
0-1Mo	78	3.2%	89	3.4%	110	3.9%	156	4.3%
>1Mo-11Mo	258	10.5%	249	9.6%	329	11.6%	387	10.6%
1-2	363	14.8%	376	14.5%	419	14.8%	581	16.0%
3-4	303	12.4%	309	11.9%	321	11.3%	441	12.1%
5-7	363	14.8%	382	14.7%	425	15.0%	585	16.1%
8-10	322	13.2%	307	11.8%	344	12.1%	465	12.8%
11-14	480	19.6%	564	21.7%	573	20.0%	675	18.5%
15-18	280	11.4%	319	12.3%	314	11.1%	350	9.6%

Data drawn from SpFCdataJohn, AgeRanges – italicized data re-calculated

Age	FY03 N = 2,447		FY04 N = 2,595		FY05 N = 2,835		FY06 N = 3,640	
	#	% Entries	#	% Entries	#	% Entries	#	% Entries
<3	699	28.6%	714	27.5%	858	30.3%	1124	30.9%
3-7	666	27.2%	691	26.6%	746	26.3%	1026	28.2%
8-14	802	32.8%	871	33.6%	917	32.3%	1140	31.3%
15-18	280	11.4%	319	12.3%	314	11.1%	350	9.6%

Age	FY03 N = 2,447		FY04 N = 2,595		FY05 N = 2,835		FY06 N = 3,640	
	#	% Entries	#	% Entries	#	% Entries	#	% Entries
<8	1365	55.8%	1405	54.1%	1604	56.6%	2150	59.1%
8-18	1082	44.2%	1190	45.9%	1231	43.4%	1490	40.9%

Proportionately, children appear to be younger in the foster care entries in Louisiana. One of our hypotheses was that the Juvenile Justice reforms of this decade would increase our numbers of older foster care entries, since this population is usually teenagers. One of the major impetuses of the Juvenile Justice reforms was to reduce the number of youths in facilities and return them to the local communities. We expected that a large number of these youths would end up in Foster Care. The “age” data does not support that hypothesis. Our foster care entry cohort is younger with the % increase of those children less than 8 years of age from FY03 to FY06 increased from 55.8% to 59.1% of the entries. Attached please find **Figure 3-4 Victimization Rates by Age Group, 2004 from ACF**, which reflects national trends of the proportion of younger children coming into foster care increasing at similar rates to Louisiana’s.

### III. Reason for Placement

Table 4 Foster Care Open Reason

FC Open Reason	FY03 N=2446	FY04 N=2595	FY05 N=2835	FY06 N=3640
Abandonment	3.4%	3.1%	3.3%	2.4%

Physical Abuse	10.0%	11.0%	11.3%	10.7%
Maltreatment	1.6%	1.1%	0.9%	0.9%
Neglect	79.4%	80.6%	79.1%	81.2%
Other	0.0%	0.3%	0.7%	0.5%
Sexual Abuse	4.6%	3.0%	4.2%	3.8%
Surrender by Parent	0.2%	0.3%	0.2%	0.1%
Voluntary Placement	0.7%	0.7%	0.4%	0.5%

Data drawn from SpFCdataJohn, Open Reason

There appears to be very little change in Foster Care Open Reason over the past four Fiscal Years. Data on foster care open reasons does not contribute to understanding the increase in entries.

IV. Type of initial placement Payable or non-payable

**Family Settings Vs Facilities Date of New Foster Care Entry**

	FY03		FY04		FY05		FY06	
	#	%	#	%	#	%	#	%
<b>Family Settings</b>	1,987	90.2%	2,078	87.8%	2,358	92.0%	3,140	95.4%
<b>Facility Settings</b>	215	9.8%	289	12.2%	205	8.0%	153	4.6%
<b>Total</b>	2,202		2,367		2,563		3,293	

**Placement in Family Settings Date of New Foster Care Entry**

	FY03		FY04		FY05		FY06	
	#	%	#	%	#	%	#	%
<b>Family Settings Total</b>	1,987		2,078		2,358		3,140	
<b>Certified HB Relative</b>	43	2.2%	36	1.7%	54	2.3%	59	1.9%
<b>Non-Payable Relative</b>	489	24.6%	558	26.9%	628	26.6%	962	30.6%
<b>Non-Payable Parent</b>	64	3.2%	62	3.0%	58	2.5%	54	1.7%
<b>Non-Payable NonRelative</b>	64	3.2%	39	1.9%	106	4.5%	91	2.9%
<b>Certified HB Non-Relative</b>	1,327	66.8%	1,383	66.6%	1,512	64.1%	1,974	62.9%

Data drawn from SpfCdataJohn, Closure Outcomes by Placement I

**Relative Placements**

	FY03		FY04		FY05		FY06	
	#	%	#	%	#	%	#	%
*Entries	2,450		2,638		2,845		3,644	
**Family & Facility Settings	2,202	90%	2,367	90%	2,563	90%	3,293	90%
**Certified HB Relative	43	2.2%	36	1.7%	54	2.3%	59	2.2%
**Non-Payable Relative	489	24.7%	558	27.1%	628	26.8%	962	35.8%
***Total Relative	532	24%	594	25%	682	27%	1,021	31%

The Non-Payable Relative placements increased from 628 to 962, from FY05 to FY06, which reflected an increase in relative placements in FY06 – in terms of both numbers (334) and percent of all placements in family and facility settings. Also, Family Settings placements increased from 2358 to 3140, from FY05 to FY06, which reflected an increase in foster home placements in FY06—in terms of both numbers (782) and percent of all placements in family and facility settings.

V. Population

One possible explanation for the recent increases is that the Louisiana’s general population has increased and the rate of entry per thousand children (under 18 years of age) has remained stable. The table below uses U.S. Census Bureau Population Estimates to calculate the entry rate.

**Entries into Care (per thousand children)**

<b>00</b>	<b>01</b>	<b>02</b>	<b>03</b>	<b>04</b>	<b>05</b>	<b>06</b>
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*Population	1,216,220	1,198,030	1,185,879	1,174,984	1,160,282	1,147,651	1,147,651
**Entries	2,450	2,473	2,355	2,450	2,638	2,845	3,644
Entries/1K	2.0	2.1	2.0	2.1	2.3	2.5	3.2

\* Population under 18 is drawn from U.S. Census Bureau Population Estimates. The Census data does not include a population estimate for 2006. The 2005 population estimate is used for 2006.

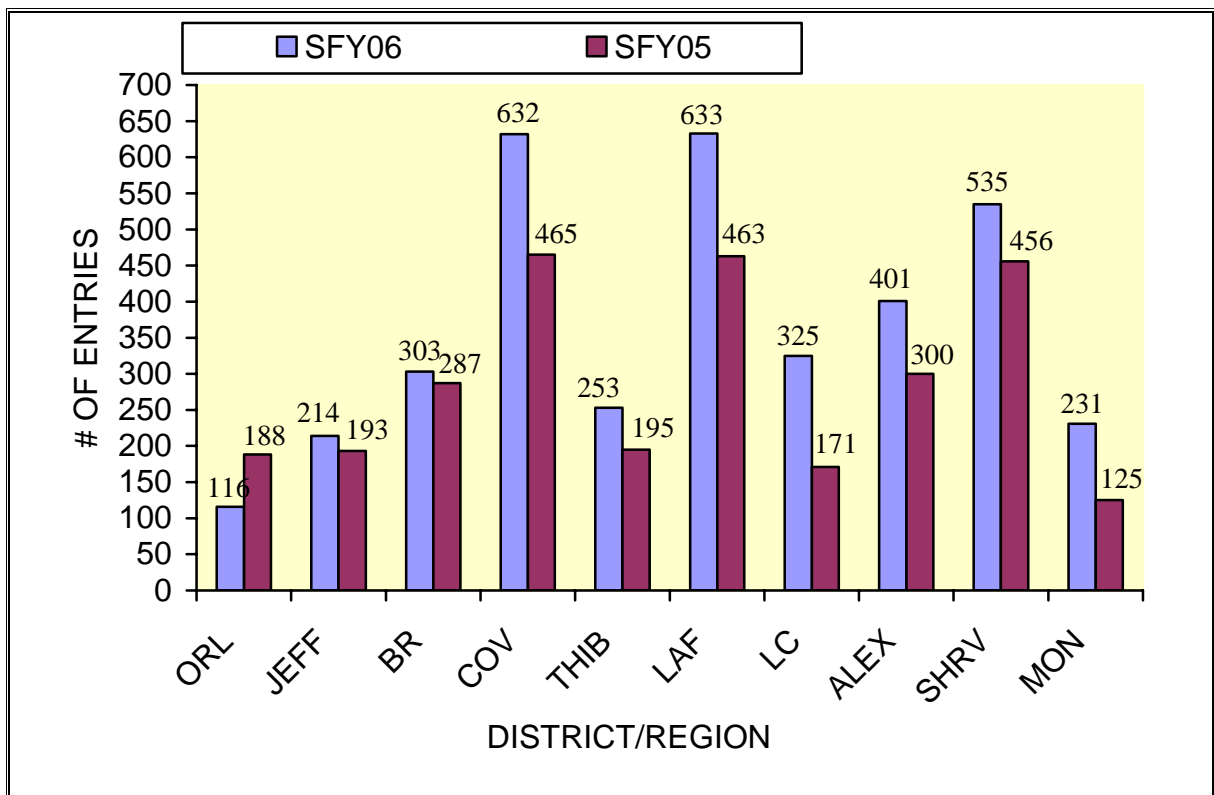
\*\* Data drawn from CPI-FCpopValRateSLloyd

No increase in population is indicated and the rate of entry per thousand children reflects the same trend as the number of total entries – a general increase from FY01 through FY05 with a relatively large increase in FY06 from the preceding year. For purposes of comparison we estimated the 2006 population with 2005’s census data, even though with Hurricane Katrina evacuees in other states, Louisiana’s population has likely significantly decreased.

## VI. Location of entry into Foster Care

### Foster Care Entries By Region/District for SFY05 and SFY06

Region/District	Total Entries SFY04-05	Total Entries SFY05-06	% Change
Orleans District	188	116	-38.3%
Jefferson District	193	214	10.9%
Baton Rouge	287	303	5.5%
Covington	465	632	35.9%
Thibodaux	195	253	29.7%
Lafayette	463	633	36.7%
Lake Charles	171	325	90%
Alexandria	300	401	33.7%
Shreveport	456	535	17.3%
Monroe	125	231	84.8%
Unknown	40	7	
STATE TOTAL			28%



## VII. Child Protection Investigations

CPI (investigations, validations & entries)

STATE	FY00	FY01	increase 01/00	FY02	increase 02/01	FY03	increase 03/02	FY04	increase 04/03	FY05	increase 05/04	FY06	increase 06/05
# CPI Reports	26,265	25,092	-4%	25,596	2%	26,245	3%	26,705	2%	27,204	2%	24,651	-9%
# Validated	7,829	7,749	-1%	7,647	-1%	8,401	10%	8,000	-5%	8,579	7%	7,714	-10%
% Validated	30%	31%		30%		32%		30%		32%		31%	
# Entries into Care	2,450	2,473	1%	2,355	-5%	2,450	4%	2,638	8%	2,845	8%	3,644	28%
Entries / Valid Reports	0.31	0.32		0.31		0.29		0.33		0.33		0.47	

Data drawn from CPI-FCpopValRateSLloyd

CPI (reports, validations, victims & entries)

	FY00	FY01	increase 01/00	FY02	increase 02/01	FY03	increase 03/02	FY04	increase 04/03	FY05	increase 05/04	FY06	increase 06/05
*# Investigations Compl	27,251	26,901	-1%	28,570	6%	30,883	8%	29,114	-6%	30,809	6%	27,532	-11%
*# Validated	7,829	7,749	-1%	7,647	-1%	8,401	10%	8,000	-5%	8,579	7%	7,713	-10%
% Validated	29%	29%		27%		27%		27%		28%		28%	
*** Valid Victims (Unduplicated)	10,585	9,963	-6%	10,139	2%	11,074	9%	10,585	-4%	11,580	9%	9,473	
Valid Victims / Validations	1.4	1.3		1.3		1.3		1.3		1.3		1.2	
***# Entries into Care	2,450	2,473	1%	2,355	-5%	2,450	4%	2,638	8%	2,845	8%	3,644	28%
Entries / Valid Reports	0.31	0.32		0.31		0.29		0.33		0.33		0.47	
% Valid Victims Entering	23%	25%		23%		22%		25%		25%		38%	

The number of completed investigations in FY06 decreased from FY05 as did the number validated (the percentage of completed investigations which were validated remained constant). It appears that when investigations are validated, a higher percentage of the children involved are entering care.

VIII. Foster Care Exits

STATEWIDE	FY00	FY01	increase 01/00	FY02	increase 02/01	FY03	increase 03/02	FY04	increase 04/03	FY05	increase 05/04	FY06	increase 06/05
*Entries	2,450	2,473	23	2,355	-118	2,450	95	2,638	188	2,845	207	3,644	799
**Exits		2,798		2,446		2,614		2,601		2,688		3,070	
**Avg. Months in FC (Exits)		27.1		26.4		23.6		23.0		21.4		19.3	
Entries - Exits		-325		-91		-164		37		157		574	
***FC Pop Last Day	4,988	4,622	-366	4,504	-118	4,341	-163	4,285	-56	4,433	148	5,050	617

ORLEANS DISTRICT (01)	FY00	FY01	increase 01/00	FY02	increase 02/01	FY03	increase 03/02	FY04	increase 04/03	FY05	increase 05/04	FY06	increase 06/05
*# Entries into Care	216	184	-32	223	39	226	3	265	39	188	-77	116	-72
**Exits		275		266		255		250		227		171	
**Avg. Months in FC (Exits)		38.3		33.9		28.7		28.6		26.2		37.3	
Entries - Exits		-91		-43		-29		15		-39		-55	

BATON ROUGE REGION (02)	FY00	FY01	increase 01/00	FY02	increase 02/01	FY03	increase 03/02	FY04	increase 04/03	FY05	increase 05/04	FY06	increase 06/05
*# Entries into Care	186	190	4	216	26	238	22	244	6	287	43	303	16
**Exits		238		195		222		230		229		302	
**Avg. Months in FC (Exits)		32.8		31.7		18.6		17.4		19.4		20.1	
Entries - Exits		-48		21		16		14		58		1	

THIBODAUX REGION (03)	FY00	FY01	increase 01/00	FY02	increase 02/01	FY03	increase 03/02	FY04	increase 04/03	FY05	increase 05/04	FY06	increase 06/05
*# Entries into Care	198	176	-22	138	-38	119	-19	142	23	195	53	253	58
**Exits		270		162		171		148		169		231	
**Avg. Months in FC (Exits)		20.5		24.2		21.3		27.2		17.6		14.2	
Entries - Exits		-94		-24		-52		-6		26		22	

LAFAYETTE REGION (04)	FY00	FY01	increase 01/00	FY02	increase 02/01	FY03	increase 03/02	FY04	increase 04/03	FY05	increase 05/04	FY06	increase 06/05
*# Entries into Care	456	387	-69	341	-46	350	9	332	-18	463	131	633	170
**Exits		383		360		388		317		396		400	
**Avg. Months in FC (Exits)		23.2		23.0		21.1		21.8		24.8		17.5	
Entries - Exits		4		-19		-38		15		67		233	

LAKE CHARLES REGION (05)	FY00	FY01	increase 01/00	FY02	increase 02/01	FY03	increase 03/02	FY04	increase 04/03	FY05	increase 05/04	FY06	increase 06/05
*# Entries into Care	159	177	18	133	-44	160	27	187	27	171	-16	325	154
**Exits		192		145		130		149		186		222	
**Avg. Months in FC (Exits)		27.1		23.6		21.8		17.2		20.2		16.0	
<i>Entries - Exits</i>		-15		-12		30		38		-15		103	

ALEXANDRIA REGION (06)	FY00	FY01	increase 01/00	FY02	increase 02/01	FY03	increase 03/02	FY04	increase 04/03	FY05	increase 05/04	FY06	increase 06/05
*# Entries into Care	305	321	16	260	-61	288	28	325	37	300	-25	401	101
**Exits		297		299		294		324		326		354	
**Avg. Months in FC (Exits)		20.2		23.5		25.3		19.7		18.1		19.0	
<i>Entries - Exits</i>		24		-39		-6		1		-26		47	

SHREVEPORT REGION (07)	FY00	FY01	increase 01/00	FY02	increase 02/01	FY03	increase 03/02	FY04	increase 04/03	FY05	increase 05/04	FY06	increase 06/05
*# Entries into Care	275	285	10	325	40	385	60	396	11	456	60	535	79
**Exits		403		311		415		439		444		532	
**Avg. Months in FC (Exits)		28.6		25.7		23.7		23.6		16.8		15.8	
<i>Entries - Exits</i>		-118		14		-30		-43		12		3	

MONROE REGION (08)	FY00	FY01	increase 01/00	FY02	increase 02/01	FY03	increase 03/02	FY04	increase 04/03	FY05	increase 05/04	FY06	increase 06/05
*# Entries into Care	187	212	25	143	-69	102	-41	140	38	125	-15	231	106
**Exits		184		173		160		113		153		157	
**Avg. Months in FC (Exits)		26.4		31.9		25.5		30.0		26.1		19.2	
<i>Entries - Exits</i>		28		-30		-58		27		-28		74	

COVINGTON REGION (09)	FY00	FY01	increase 01/00	FY02	increase 02/01	FY03	increase 03/02	FY04	increase 04/03	FY05	increase 05/04	FY06	increase 06/05
*# Entries into Care	240	288	48	355	67	382	27	379	-3	465	86	632	167
**Exits		271		276		339		400		361		516	
**Avg. Months in FC (Exits)		30.1		25.1		23.6		22.3		23.5		18.8	
<i>Entries - Exits</i>		17		79		43		-21		104		116	

JEFFERSON DISTRICT(10)	FY00	FY01	increase 01/00	FY02	increase 02/01	FY03	increase 03/02	FY04	increase 04/03	FY05	increase 05/04	FY06	increase 06/05
*# Entries into Care	227	253	26	221	-32	197	-24	225	28	193	-32	214	21
**Exits		285		259		240		231		197		185	
**Avg. Months in FC (Exits)		26.0		24.5		25.9		26.0		23.6		27.0	
<i>Entries - Exits</i>		-32		-38		-43		-6		-4		29	

\*Data drawn from CPI-FCpopValRateSLloyd

\*\*Data drawn from NewExitCals

\*\*\*Data drawn from EndOfMonthFCLongitudinal

It appears that our foster care exits are also increasing, so even though foster care entries are increasing, our total number of foster children is remaining fairly constant, due to the steady decrease in the average number of months in Foster Care. Due to the realignment of regions that went into effect September, 2005, some of the increases and decreases in the four affected regions will need to be taken into consideration in the data analysis.

IX. OCS reviewed changes in law that could affect entries. Two Acts – 148 and 338, both effective in FY06 – were identified.

### ACT 148

In the course of investigations, many children are placed with relatives. Prior to Act 148, these relative placements were viewed as voluntary parental arrangements. Act 148 terminated such arrangements, defining them as removals requiring a court order.

Act 148 did not lend itself to TIPS coding to track the number of foster care entries. Our only measure was a survey that was conducted immediately after implementation, to determine how many children came into care as a result of the Act. Field staff reported a total of 478 that came into Care as a result of Act 148 during the six month period from October, 2005, through March, 2006. Three months remained in the FY06 after the six month survey period. If 478 children came into care as a result of Act 148 during the prior 6 months, it is projected that half that many (i.e., 239) came into care during these last three months. A total of 717, then, would have come into care during FY06 as a result of Act 148. This 717 would account for 90% of the increases in entries between FY05 and FY06.

### ACT 338



During the last 1/3 of FY06, 29 substance exposed infants entered care due to Act 338, which would account for 4% of the 799 increase over FY05.

Conclusions:

Initially, we thought a case record review would be the course of action we would take to develop an understanding of the increases in Foster Care entries. With the consult of NRCCPS we decided that there was adequate information in the data to explain the increase in foster care entries.

Except for a decrease in FY02, the numbers of entries in fiscal years 00 through 03 are consistent. While there were general increases in entries into care from FY04 and FY05, there was a large increase of entries into care in FY06 from FY05.

We ruled out population increases and report increases as the causes of increased entries based on the following:

- We do not have Census data available to us for 2006, however, Louisiana's population has been on a steady decline since 2000, according to Census estimates. Also, probably less than half of New Orleans 465,000 residents have returned to date, resulting in Louisiana's population likely significantly decreased post-Katrina.
- The number of investigations completed is essentially the same in 2000 as in 2006, so increased abuse and neglect reports as the reason for increased foster care entries was ruled out.
- We also examined Type of Placements, including relative placements, which also supports Act 148 as a source of the major increase in foster care entries in SFY06. The Non-Payable Relative placements increased from 628 to 962, from FY05 to FY06, which reflected an increase in relative placements in FY06 – in terms of both numbers (334) and percent of all placements in family and facility settings. Also, Family Settings placements increased from 2358 to 3140, from FY05 to FY06, which reflected an increase in foster home placements in FY06—in terms of both numbers (782) and percent of all placements in family and facility settings. One would expect that children who came into care as a result of Act148 would be more likely to be placed in a family setting, not a facility setting.

One of our hypotheses was that Acts 148 (Voluntary Placements Discontinued) and Act 338 (Substance Exposed Infants) were the primary causes of the increase in foster care entries, and after an analysis of the data, we determined that the data supports that hypothesis.

Over the last four fiscal years, an average of 47.4% of the total entries for the fiscal year have entered during the first six months. During the first six months of FY07, our data shows that 1,722 children have entered foster care. We have cause to question the reliability of the data for the 2007 fiscal year, due to integration problems between ACCESS and TIPS. However, assuming the data is correct; we are on track to not have an increase of Foster Care entries for the current fiscal year.

Recommendations:

- Continue closely monitoring the data to determine if the number of foster care entries has in fact stabilized
- Since the age of foster children continues to get younger, develop the service array to address issues of that younger population, e.g., interagency support at the Legislature of the increase of funding for the Early Steps Program through OPH
- The increases in IHBS services statewide should have an effect on our foster care entries. Advocate legislatively for this to be an on-going service, not time-limited by Katrina-related resources
- Due to the implementation of Act 148, state office will provide guidance about standards for best serving that new population, e.g., timelines for case plans.
- Since our foster care exits are increasing—are those children coming back into care—continue studying recidivism.

- Request legislative funding for services for Act 338 families. The Department needs funding for specialized services for the substance exposed infants, including specialized training for foster parents and relative caregivers, and specialized treatment services to ensure that the mothers do not use illegal drugs during subsequent pregnancies.

**LAST EDIT:** 4/18/07 version,  
revisions: 4/23/07; updated 4/26/07

**TECHNICAL ASSISTANCE PLAN  
Recovery (Short Term)**

<b>OUTCOME</b>	<b>ACTIVITY (TA)</b>	<b>NRC LEAD</b>	<b>LA LEAD</b>	<b>STATUS</b>
Office of Community Services				
1. Safety	Analyze current CPS Re: Increase in children entering care	NRC for Child Protective Services NRC for Data and Technology	Cindy Phillips	Report Completed and Submitted to Administration; Review in 6/07 in Lake Charles (at the request of the RA to look at increased foster care entries)
2. Permanency	Family finding work to locate familial resources and permanent connections with a special focus on youth in residential care and youth aging out of care	NRC for Family Centered Practice and Permanency Planning NRC Legal and Judicial Issues	Celeste Skinner	-Training on family finding in: Greater New Orleans in 3/07, Covington, planned 4/30-5/2, Baton Rouge/Thibodaux/Lake Charles planned 5/23-25, Lafayette/Monroe planned 6/18-20, Shreveport/Alexandria NYD -Assisting staff integrate training into case planning and core training.
3. Permanency	Assist in the development of a plan for re-certification of families	Adopt Us Kids	Joe Bruno	Completed
4. Permanency	Develop training on disaster trauma and its effect on staff Assess the needs of displaced foster children and families	NRC for Family Centered Practice and Permanency Planning	Kaaren Hebert	-Ongoing -Providing one day-long training in 4/07 and 5/07 <b>In Lake Charles, Baton Rouge, New Orleans/Jefferson; planned again in 5/07 and 6/07 for Lake Charles</b>
5. Permanency	Revise licensing policy (consultation)	NRC for Family Centered Practice and Permanency Planning	Marty Gibson	-NRCFCPPP completed policy review -OCS to review recommendations
6. Permanency	Research sound placement practices around interjurisdictional placements during a disaster Develop ICPC protocols Develop desk-top matrix for decision-making	Adopt Us Kids	Rhenda Hodnett	Completed

7. Permanency Well-Being	Maintain/expand service continuum for youth Create a strategy for supplemental services	NRC for Youth Development, (Kathy Sutter)	<b>Celeste Skinner</b>	-Report completed -Integrating Ansell-Casey into training and practice -Coordinating with OYD, CASA <b>and residential providers</b> -Developing a strategy to revise service array -Piloted training on Ansell-Casey in 3/07 <b>in Baton Rouge</b> -Piloting in <b>Baton Rouge</b> this summer, planned for 6/07 and 7/07 <b>-Review of RFP content for possible RFP for independent living providers in 5/07</b>
8. Permanency	Provide curricula and training on cultural competency	NRC for Adoption NRC for Youth Development	Patsy Johnson, Connie Wagner & John McInturf	-Completed caseworker training – <b>Not yet completed; meeting planned with OCS RA's in 6/07 in Baton Rouge; caseworker training will ensue after 6/07</b> -Developing supervisory curricula -OCS senior managers to review organizational assessment report -- <b>will be the RA meeting in 6-07</b>
9. Quality Assurance	Clarify what is to be measured Redefine roles and responsibilities of QA staff (efficiency) Expand use of QA information with staff	NRC for Organizational Improvement	Marty	-Ongoing -Case reviewer training in September
Court Improvement Project				
Safety Permanency Well-Being	Develop general online video training 1) Curriculum on Legal and Judicial Processes for lawyers, judges, OCS administrators, supervisors, and stakeholders (foster parents, CASA) 2) Develop video training on 148	NRC on Legal and Judicial Issues NRC for Organizational Improvement NRC for Data and Information Technology	Mark Harris, Jan Byland, Karen Hallstrom	Completed  Video training on 148 and APPLA in process
Safety Permanency Well-Being	Develop and distribute “Emergency Preparedness Guide for Dependency Courts” Produce video to accompany guide	NRC on Legal and Judicial Issues	Mark	Completed

Safety and Permanency	Legal research Re: interjurisdictional issues, including ICPC & UCCJEA	NRC on Legal and Judicial Issues	Mark & Rhenda	Completed
Safety Permanency And Well-Being	Communication among affected regions <ul style="list-style-type: none"> <li>Set up listserves (forums) for affected regions</li> </ul>	NRC on Legal and Judicial Issues	Mark	Completed
Safety Permanency And Well-Being	Together We Can Conference <ul style="list-style-type: none"> <li>Take the lead on coordinating RC support for statewide conference (financial support &amp; coordinating speakers)</li> </ul>	NRC on Legal and Judicial Issues	Susan Delle	Completed
Permanency	La. Act 271 (2006) Implementation/Task Force on improving legal representation of children and indigent parents: recommended data collection, methodology for using resources, and study of reasonable caseloads for attorneys representing this population of cases. Strategic planning on standards and activities	NRC on Legal and Judicial Issues	Jan Byland, Karen Hallstrom, Kevin Robshaw, Mark Harris	Recommendations formulated  Funding sought  NRCLJI will assist with evaluation plans and process

**REFORM (Long-Term)**

<b>OUTCOME</b>	<b>ACTIVITY (TA)</b>	<b>NRC LEAD</b>	<b>LA LEAD</b>	<b>STATUS</b>
Safety	CPI Intake Re-design <ul style="list-style-type: none"> <li>Structured Decision-making</li> <li>Assessment Model Specialized Intake</li> </ul>	NRC for Child Protective Services	Cindy Phillips  John McInturf	-Structured Decision-making is on hold in CPS, but is moved to Family Services and Foster Care with John McInturf as Lead  <i>Preliminary meeting 5/07 in Baton Rouge</i> -Alternative response rolled out to: <b>Baton Rouge, Covington, and Jefferson District</b> (Jefferson, St. Bernard, Plaquemines

				<i>Parishes) of Grater New Orleans Region in 9/07; -Specialized Intake: Budget proposal to be developed / submitted for inclusion in budget, increase proposal for SFY 08-09.</i>
Safety Permanency and Well-Being Service Array	<ul style="list-style-type: none"> <li>- Evaluate current family assessments re: needs</li> <li>- Analyze assessment data (agency &amp; parish)</li> <li>- Analyze service array</li> <li>- Review System of Care Models</li> <li>- Design continuum of services</li> </ul>	NRC for Organization Improvement w/ NRC for Family Centered Practice and Permanency Planning and Technology NRC for Children's Mental Health Friends NRC	Rhenda Hodnett	Training on new assessment process <i>-Expect software by 7/1/07 with training to be done in phases</i>
Safety Permanency and Well-Being	Assist in development of service continuum	NRC for Organizational Improvement NRC for Family Centered Practice and NRC for Protective Service	Rhenda Hodnett	On Hold (but considering one pilot in a Region)

Attachment 3

# A CHILD'S RIGHT TO COUNSEL

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**First Star's National Report Card on Legal Representation for Children**

Whytni Kernodle Frederick Esq., Program Director, Legal Projects, First Star  
*Principal Investigator and Research Analyst*

Deborah L. Sams, Chief Executive Officer, First Star  
*Project Director*

With a foreword by Peter Samuelson, *Founder and President of First Star*



First Star was founded in 1999 as a national 501(c)(3) public charity dedicated to improving life for child victims of abuse and neglect. First Star's Founder and President, Peter Samuelson, also founded the Starlight Children's Foundation in 1982 and the Starbright Foundation in 1990.

**We believe** that when society fails to prevent child maltreatment, our nation must provide abused and neglected children with quality and compassionate care.

**We believe** that abused and neglected children have the right to:

- Safe, permanent and nurturing homes.
- Representation by qualified legal counsel.
- Protection by open and accountable systems.
- Services that address their educational, medical and mental health needs.

**We believe** that the systems intended to protect, treat and ensure permanency for abused and neglected children should be provided with adequate resources.

**We believe** that the child welfare professionals who protect, treat and represent abused and neglected children should be well-trained and fairly compensated.

**We believe** that child abuse and neglect is not a partisan issue.

In 2006, First Star conducted an extensive analysis of child representation laws in all 50 United States and the District of Columbia.

First Star obtained the data on which the states' grades are based through leveraging its own existing compilation of statutes and rules with data received through a commercial legal database as well as state legislative websites. In addition, a questionnaire devised to gather information directly from the states was sent to practitioners in every state. To the best of our knowledge, the laws that were analyzed for this report were current as of December 31, 2006.

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Additional copies of this report can be obtained by contacting First Star at 202-293-3703 or on the internet at [www.firststar.org](http://www.firststar.org).

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**SUMMARY** **THE GRADES**

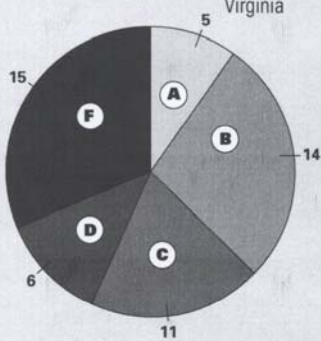
**A**  
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**B**  
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 Nevada  
 New Hampshire  
 North Dakota  
 Rhode Island  
 South Dakota  
 Washington



# Louisiana

## Summary and Analysis

LOUISIANA RECEIVED ONE OF ONLY FIVE As in First Star's state analysis. Louisiana's child representation law does a nearly perfect job of protecting abused and neglected children. Louisiana's law contains almost all the necessary provisions needed to adequately protect children within the child welfare system. Children are appointed counsel in every abuse and neglect proceeding. Attorneys are required to advocate for the desires and expressed preferences of the child and follow the child's direction throughout the case. In every proceeding, the court must appoint qualified counsel who owes the same duties of loyalty, confidentiality, advocacy and competent representation to the child as are owed to any client. Each child has a right to be present and have independent counsel at every stage of Child in Need of Care proceedings, including any relevant writs or appeals.

## Grading Analysis

Criteria	How Louisiana Fared
Counsel Mandatory <b>40 points out of a possible 40 points</b>	Louisiana's law requires that counsel for children be appointed in every proceeding.
Client-Directed Counsel Mandatory <b>20 points out of a possible 20 points</b>	Attorneys are required to advocate for the desires and expressed preferences of the child and follow the child's direction throughout the case in a developmentally appropriate manner.
Attorney Considerations <b>6 points out of a possible 10 points</b>	Louisiana has adopted training standards for children's counsel. Although the Task Force on Legal Representation in Child Protection Cases has active multidisciplinary representatives, Louisiana statutes do not specifically provide for multidisciplinary interaction between counsel and other child welfare professionals.
Presence at Proceedings <b>10 points out of a possible 10 points</b>	Louisiana maintains that the child is a party in child abuse and neglect cases. The child should be present at significant court hearings. Children in Louisiana are entitled to direct notice.
Right to Continuity of Counsel <b>10 points out of a possible 10 points</b>	Each child has a right to continued representation by counsel at each stage of the proceedings, including any relevant writs or appeals.
Professional Responsibility <b>10 points out of a possible 10 points</b>	Louisiana has a general provision binding counsel to its ethical rules. Louisiana also holds an attorney responsible for maintaining client confidences and maintains a provision concerning clients with diminished capacity. No statutory provision granting immunity from malpractice exists for any attorney in Louisiana.



**GRADE**  
A

**SCORE**  
96

**Louisiana's  
CALL TO ACTION**

**Congratulations to Louisiana!**  
While Louisiana should include provisions requiring multidisciplinary interaction between counsel and other professionals and requiring that a child be entitled to notice, First Star commends the Louisiana Legislature, its governor, and child welfare advocates who have worked so diligently to protect the rights of Louisiana's children. The entire nation can learn from Louisiana's effort and ultimate outcome.



**T**he Task Force on Legal Representation in Child Protection Cases has been working for 3 years towards the creation of a uniform system of representation in Louisiana. Louisiana is in a transition process from its current "ad hoc" arrangement to a system where qualified, trained, salaried attorneys represent children in child abuse/neglect proceedings in accordance with nationally accepted standards and best practices. Under this model, children are represented by the Child Advocacy Program.

Louisiana's Court Improvement Program hosts an annual statewide multidisciplinary "Together We Can" conference and offers local multidisciplinary trainings, as well. In addition, CIP has facilitated the creation of a website to support child advocates, Children's Legal Advocacy Resources Online (CLARO), which is in the process of full development ([www.childrenslawla.org](http://www.childrenslawla.org)).

Attachments

# La. gets 'A' in child advocacy

## Report looks at treatment in abuse cases

BY DAVID CRARY  
Associated Press national writer

**NEW YORK** -- Louisiana earned an A grade on a first-of-its-kind report card assessing the legal representation provided to abused and neglected children as courts make potentially fateful decisions about whether to separate them from their families.

The report, released at a Capitol Hill briefing Tuesday by child advocacy group First Star, is sharply critical of states that do not require all children in these proceedings to be represented by their own attorneys.

In addition to Louisiana, four states got A grades: Connecticut, Mississippi, New York and West Virginia.

The 15 states receiving an F were Alaska, Delaware, Florida, Hawaii, Idaho, Illinois, Indiana, Maine, Missouri, Nevada, New Hampshire, North Dakota, Rhode Island, South Dakota and Washington.

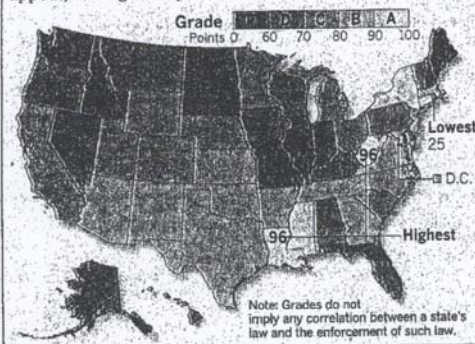
The report also says more states should require lawyers in these cases to represent the child's expressed wishes and ensure that those preferences are heard in court.

"In these proceedings the family of a child can be created and/or destroyed based on the determination by the court," the report says. "And too often, the child, although most impacted by the court, has the least amount of input."

Since 1974, Congress has required states to appoint a representative — often known as a guardian ad litem — for any child involved in abuse and neglect proceedings. However,

### Legal rights of foster kids lagging

State child representation laws were graded using a mandate of legal representation, counsel's training in child law and advocacy and a child's right to representation on appeal, among other factors.



Source: First Star

AP graphic

states have interpreted the federal law in varying ways; the First Star report said 16 do not have statutes requiring that these children be represented by their own attorneys in all child-protection proceedings.

"If you or I have a traffic accident, we can hire an attorney to represent our interests," said First Star's chief executive, Deborah Sams. "If a child has been the victim of abuse and neglect, they deserve the same right."

The report assigned grades based on several criteria, most important whether legal counsel for children is mandatory and whether that attorney is required to advocate for the child's expressed wishes. Other criteria included requiring specialized training in child-advocacy law, the attorneys' ethical responsibilities, and the child's right to attend key court hearings.

Whytni Frederick, a First Star lawyer who was principal

investigator for the report, stressed that the grades were based on analyzing state laws, not on day-to-day practices by state courts and agencies.

For example, Rhode Island got a low grade in part because its relevant statute does not specify that the child's representative must be an attorney. But Family Court Chief Judge Jeremiah S. Jeremiah Jr. said the court's ongoing policy is to appoint attorneys.

In several other states, however, children are routinely represented by nonattorneys, often volunteers from a nationwide program called Court Appointed Special Advocates. These advocates are widely praised for their dedication, and frequently spend more hours with a child than an attorney could spare, but they often lack legal expertise.

"The court system has become increasingly complex," said Paul D'Agostino, executive director of the Child Abuse

Council, a private nonprofit in Tampa, Fla. "With the adversarial process, it's important the child has representation that is very knowledgeable and sophisticated."

The ideal solution, according to D'Agostino and Howard Davidson of the American Bar Association, would be for each child to have both an attorney and a nonlawyer advocate.

"Child-advocate lawyers have nothing against the concept of citizen guardians ad litem," Davidson said.

"But there are various federal and state laws that apply to these children, and you need a lawyer who can make sure those protections are enforced and hold public agencies accountable."

Davidson acknowledged that mandatory use of lawyers can raise costs.

"But one has to look at the financial impact on all of us," he said. "If these young people don't get the services they need, they're more likely to go into the juvenile justice and prison systems, or on public assistance."

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### Katrina rips up the few roots foster kids had

By Peter Eisler, USA TODAY

NEW ORLEANS — Shine White shuffled through nearly 20 foster homes in the decade before he landed in the care of Greg and Gretta Fortenberry. With their support, he tested into a top magnet high school and made the honor roll. With their trust, he became a responsible member of the household and a mentor to the couple's other foster kids.

"It got to the point where I was calling them Mom and Dad," says Shine, 17. "We were like a family."

Then came Hurricane Katrina.

The Fortenberrys fled to Texas with Shine, three other foster children and their own two kids. They spent six months in Nebraska before they all returned to New Orleans. But life in the Big Easy was stressful, and the couple decided to give up being foster parents.

"My younger son eventually came to us and said he just wanted to be with his family. I'd always said that once my kids got tired of us (foster parenting), we'd let it go," Greg Fortenberry says. "It was a tough decision, especially with Shine. But we'd done our turn."

Shine, who started again with a new family just before Christmas, is among scores of foster children whose tenuous hold on stability was broken by a storm that strained foster care systems across the Gulf Coast, but decimated the network in New Orleans. The demand for foster care in the city was high before Katrina; now it is compounded by the stresses of families split up or crammed into trailers while they try to rebuild their lives.

Meanwhile, the number of available foster homes has dropped more than 40%, as foster families have left the area or stopped accepting children.

With about 600 children needing foster care in the New Orleans area, officials have had to place dozens in homes outside the city, according to the state Office of Community Services, the division of Louisiana's Department of Social Services that manages foster care. That makes it more difficult to provide counseling and other services to the children and their families. And that, in turn, complicates efforts to reach the state's pre-storm goal of reuniting them within 17 months of entering state custody.

It's a big problem in a city struggling to control crime as it tries to lure back residents and tourists while recovering

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from Katrina. Children in foster care are victims of abuse and neglect; they are seen as having higher risks of ending up on the street or in jail.

"If we want to change the dynamic of so many of these kids ending up in ... the criminal justice system, we really need to get it right when we're dealing with foster care," says Judge Ernestine Gray of the Orleans Parish Juvenile Court.

Shine is a perfect example of what a foster child can accomplish in the right home, she says, but many don't do so well.

"We're fighting on every level to get to a place where we can do what we're supposed to do for these children and their parents," she says. "We don't have enough social workers (or) lawyers, we don't have enough substance-abuse treatment services, mental health services, parenting classes. ... All of that makes things very difficult."

#### Fewer beds for foster kids

Before Katrina hit on Aug. 29, 2005, there were 766 foster children in New Orleans, about one for every 595 of the city's 455,000 residents. As of January, with the city's population at about 250,000, that number had fallen to about one foster care child for every 417 residents. That means the per-capita rate of children in foster care has risen by nearly 50%.

During the same period, the number of available foster care beds dropped from 986 to 565, state data show. More than 200 families that provided care left town, lost their homes or, like the Fortenberrys, stopped taking in children. Three of 11 group homes also have closed, and several private groups that provided residential care have had to cut back on the number of children they take in.

Many of the foster homes were in neighborhoods that suffered the most severe flooding and damage from the storm, including the Lower 9th Ward, where entire blocks of houses remain vacant.

Antoinette Ackerson, 58, lived in one of those houses with three foster children, ages 8, 16 and 17. They evacuated to Houston, where a church found them a two-bedroom apartment they shared with Ackerson's cousin and her cousin's granddaughter, who had also left New Orleans.

They stayed six months before returning, but Ackerson's home had been ruined by 6 feet of floodwater. Now, she is renting a house across town with the two older children — the youngest returned to her family — and trying to find money to rebuild.

While in Houston, Ackerson says, the children were depressed, scared, worried about their families and anxious about their new schools. Since returning, the children have had to fit into a new neighborhood with different schools. And, Ackerson adds, they've been especially pained when they've gone to clean out her ruined house, where they lived for five years and finally found a measure of stability.

"The older boy got real quiet when he saw it the first time; he won't go down there anymore," Ackerson says. "His sister would go back at first, and then she said, 'I can't look at it anymore.' They talk a lot about what they used to have. In some ways, (the experience) has made us closer, stronger. ... But it's been very hard on the children."

Officials are struggling to provide help for foster children who still are dealing with storm-related stress. Gray and others say there are no more than a few child psychiatrists left in New Orleans. And there are only about 10 child psychiatric beds in the city for kids with mental or emotional problems severe enough to require hospitalization.

There also are few services for troubled families that are trying to keep their kids out of foster care. There often are no beds available at short-term substance-abuse treatment centers that tend to serve people in such families, Gray and others involved in foster care say.

A few longer-term residential facilities are available for drug- and alcohol-addicted mothers who need a place to stay with their kids while they receive treatment, but there are no facilities for fathers in similar straits.

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For children placed in foster homes outside the city, there are even more challenges. Arranging visits and counseling with their parents once a month or more is difficult. The distance itself can compound emotional problems for children already damaged by abuse and neglect.

"Foster care is thought of as a temporary circumstance, but with all these complications, it's become more permanent than it ought to be," says Maureen Joseph, director of CASA New Orleans, a non-profit group that runs advocacy and support programs for foster children and parents. "Because treatment is delayed or not available, we're seeing cases where kids are coming into the system and their problems actually are getting worse."

#### 'A tremendous burden'

Dianne Galatas, a social worker in the Office of Community Services, says the state has launched several initiatives to help deal with the foster care shortage.

The agency has boosted efforts to enlist new foster parents, placing recruiters in all regional offices. The state also is trying to reduce foster care placements by providing more in-home services to families with children at risk of being placed in state custody.

"One area that continues to challenge us is locating affordable housing for the people we serve," Galatas says, noting that many families are stressed because they've lost their homes and had to split up.

Often, those children are with grandparents or other relatives, attending different schools without the support or supervision of their immediate family and familiar friends, teachers and principals.

Some children come to the state's attention because they are living in homes that are unsafe or not properly supervised, Galatas says. "If we can find (adequate housing), it helps us preserve families and avoid having the children enter foster care."

But with more people returning to New Orleans, Galatas says, meeting demands for care "continues to be a struggle."

Similar problems plague the juvenile court, where Judge Gray says there aren't enough lawyers since Katrina to represent poor children and their families in foster care matters. The indigent defenders' office has lost several experienced lawyers, leaving just one to handle a load of about 300 child dependency cases, Gray says, and that can delay resolutions.

"We're trying to get people to be foster parents, trying to get lawyers here and train them for this work, all in a city where life is not easy," Gray says. "It's like asking people to join the Peace Corps, only harder."

The Girls and Boys Town chapters in New Orleans have been at the heart of the struggle to provide foster care through Katrina and its aftermath. Before the storm, the non-profit organization provided homes for about 30 children in state custody — including the home where the Fortenberrys took in Shina White.

Two of the half-dozen group homes that Girls and Boys Town ran in New Orleans before the storm remain closed, leaving eight fewer slots for state placements.

"Caring for these children was a lot to ask of a family even before the storm," says Dennis Dillon, director of the organization's Louisiana chapters. But Katrina "really created a tremendous burden for these people, not just in terms of caring for their (foster) families, but their own families as well."

#### 'It was ... kind of scary'

The Fortenberrys had been foster parents for about seven years and cared for about 40 children before they gave it up last fall. Greg Fortenberry says they were thinking about giving up being foster parents even before Katrina turned their lives upside down.

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But stress from the storm, which was so severe at one point that Fortenberry says he began getting hives and losing hair, helped push the family against taking part in foster care. So did the fact that foster parenting became more difficult after they got back to New Orleans. The foster children became more easily frightened and needy.

"It was a different place, kind of scary, and the teenagers were affected by that," he says. "We had a bad thunderstorm after we got back, and some of them were terrified. ... A lot had changed."

When it came time to go, Shine was the last foster child in the Fortenberrys' home who had been with them since before Katrina — and they offered to keep him until he finishes high school this spring. "I knew in my heart it was time to leave," Fortenberry says, "but leaving these kids is like leaving a part of your lives. And Shine is a very special kid."

Shine declined to stay.

"It didn't make sense for them to be in a position where they would be unhappy," he says. "Not every (foster) kid who came into the house was respectful and thankful, and that was tough on their own kids and tough on them. It's hard (being a foster parent). And I think the storm was sort of a catalyst; it made everything even harder."

Shine — whose father is in prison on a felony conviction and whose mother was deemed by the courts as unable to provide a suitable home — is an A student at Edna Karr Magnet School. As president of the Japanese club, he's raising money for a club trip to Tokyo. He has several college scholarship offers, and he's planning a year as an exchange student in Germany.

He says he gets along fine with his new foster parents, "but it's not the same." He still talks with the Fortenberrys constantly.

"At one point, I would have begged them to stay," Shine says. "But they'd done so much for me, it just didn't seem necessary. I'm old enough to take care of myself now."

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