

Testimony Supporting

S.R.08 & H.R.09: Resolution Approving the Settlement Agreement in Juan F., et al. v. Dannel Malloy, et al.

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Appropriations Committee

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Senator Osten, Senator Formica, Representative Walker, Representative Ziobron, and esteemed members of the Appropriations Committee:

I am the Youth Policy Fellow at Connecticut Voices for Children, a research-based public education and advocacy organization that works statewide to promote the well-being of Connecticut's children, youth, and families. I am submitting this testimony on behalf of Connecticut Voices for children in **support** of S.R. 008 and H.R. 009, the Resolution Approving the Settlement Agreement in Juan F., et al. v. Dannel Malloy, et al.

The proposed resolution, agreed upon by the Court Monitor, the Commissioner of the Department of Children and Families, and the lawyers for the plaintiffs, requires the Department of Children and Families and the State of Connecticut to meet a revised set of six outcome measures related to the safety and wellbeing of children identified within the Juan F. settlement. While DCF works to achieve these goals and for a year after the Court grants final termination of the lawsuit, the exit plan stipulates that the agency's budget may not fall below its current funding level. The plan also stipulates that the Court Monitor will work with DCF to make sure the budget is properly allocated to meet the desired outcomes.

If the proposed resolution is not approved, the current plan from 2006 will remain in place until DCF is in compliance for all 22 outcome measures; they must sustain this compliance and the Court terminates jurisdiction. While the Department of Children and Families works to achieve compliance with these measures, the State of Connecticut is contractually obliged to provide all financial resources needed to meet complianceⁱ as well as provide funding for continued court monitoring and any associated court costs.

The Juan F. settlement is the result of a lawsuit filed in 1989 with the intention of improving how the state protects and provides for children in the care of DCF as the result of abuse, neglect, or abandonment as well as children known to be at risk of such maltreatment. The state of Connecticut has been under federal oversight for over 25 years, unable to meet many basic needs of its most vulnerable children. These basic needs include identifying and investigating risk of maltreatment in a timely fashion, thorough case planning, engaging with children and families, and providing services to implement case plans. Meeting these needs requires properly trained social workers and staff, attentive supervisors, systems that are both efficient to implement and have multiple checkpoints to limit the chances a child falls through the cracks, and importantly the funding to support these people and processes.

In particular, I would like to draw your attention to the importance of providing the funding to ensure that DCF can employ enough social workers to ensure appropriate workloads and caseloads. Outcome 6 of the revised exit plan states that DCF social workers shall not exceed maximum caseload standards except for emergency situations. Further, on average social workers should have a caseload that is $\frac{3}{4}$ the size of their designated maximum caseload to protect against employee burnout. For example, family service social workers should, on average, only serve 15 families at a time instead of the maximum of 20 families. DCF has only met the Juan F. caseload standard in two out

of the fifteen reports released since 2011, which DCF federal Court Monitor Raymond Mancuso attributes to fiscal challenges and hiring freezes.ⁱⁱ According to a conversation I had with the Court Monitor last week, 92 of DCF's 1200 social workers are currently over their case limit, and 10 of these workers have been over their maximum limit for over 30 days. This puts these workers at great personal risk, and it also puts the children and families they serve at risk. It is my understanding that DCF must hire between 70 and 80 more social workers to meet Outcome 6, which they have started doing. If DCF becomes subject to 10-12% budget cuts, they will be unable to fill this need.

Research shows a direct impact of appropriate workload and caseload on social worker performance. Excessive caseloads can lead to workers making mistakes that result in harm and even death of children because high workloads contribute to inadequate investigations and inconsistent case monitoringⁱⁱⁱ and high burnout and turnover of workers.^{iv} In fact, a study that quantitatively computed maximum child welfare caseloads based on needed time for paperwork, training, court appointments, etc. found that social workers conducting investigations should have no more than 16 families on their caseload^v, 1 family fewer than required in the Juan F. exit plan. Social workers conducting family services should have no more than 17 cases at a time, 3 cases fewer than required in the Juan F. exit plan.

Since 2005, the number of children in DCF placement has dropped from over 6,500 to under 4,000.^{vi} However, because more children are staying with their families rather than being taken into care, children taken into care have higher average levels of health needs and social needs than in the past.^{vii} The complex nature of these cases makes ensuring appropriate caseload numbers even more important.

Providing funding stability is necessary to help DCF meet the goal of all social workers having appropriate caseloads, but it is not sufficient. Although Juan F. has had an overall positive effect on Connecticut's child welfare system, it has not solved every problem faced by DCF. The outcome measures remaining to be met include opening and completing investigations in a timely manner, developing appropriate case plans, meeting the needs of children in care, and increasing visitation with children and families. These are all core functions of the child welfare system, and it is critical that DCF continues to fine-tune their systems to better address these core functions and continues to monitor performance on these measures even after federal monitoring ends. It is our understanding that several bills related to child welfare oversight are being submitted by lawmakers to ensure the sustainability of this exit plan.

As a state, we have an obligation to provide for the physical, social, and emotional needs of these children. Supporting this resolution helps provide DCF the stability necessary to continue improving how they meet the needs of the vulnerable children in their care.

Thank you for this opportunity to submit testimony in support of S.R. 008 and H.R. 009. I can be reached at lruth@ctvoices.org; (203)498-4240 (x112).

ⁱ Mancuso, Raymond. *Juan F. v Rell Revised Exit Plan Civil Action No. H-89-859(AHN)*. Rep. DCF Court Monitor, July, 2006.

ⁱⁱ Mancuso, Raymond. *Juan F. v. Malloy Exit Plan Status Report April 1, 2015 – September 30, 2015 Civil Action No. 2:89 CV 859 (SRU)*. Rep. DCF Court Monitor, Jan. 2016.

ⁱⁱⁱ McCall, H. C. *Office of Children and Family Services caseworker deployment in selected child welfare programs*. Report No. 96-s-52). Albany: State of New York, Office of the State Comptroller, Division of Management Audit, 1998.

^{iv} Barak, Michal E. Mor, Jan A. Nissly, and Amy Levin. "Antecedents to retention and turnover among child welfare, social work, and other human service employees: What can we learn from past research? A review and meta-analysis." *Social service review* 75.4 (2001): 625-661.

^v Yamatani, Hide, Rafael Engel, and Solveig Spjeldnes. "Child welfare worker caseload: What's just right?." *Social Work* 54.4 (2009): 361-368.

^{vi} "DCF Children in Placement: Annual Point-in-Time Trend Chart | Open Data." *State of Connecticut*. CT Open Data Portal, n.d. Web. 18 Jan. 2017.

^{vii} Vanderploeg, Jeffrey J., Jeana R. Bracey, and Robert P. Franks. *Strengthening the Foundation: Analysis of Connecticut's Outpatient Mental Health System for Children*. Rep. Connecticut Center for Effective Practice of the Child Health and Development Institute of Connecticut, June 2010.