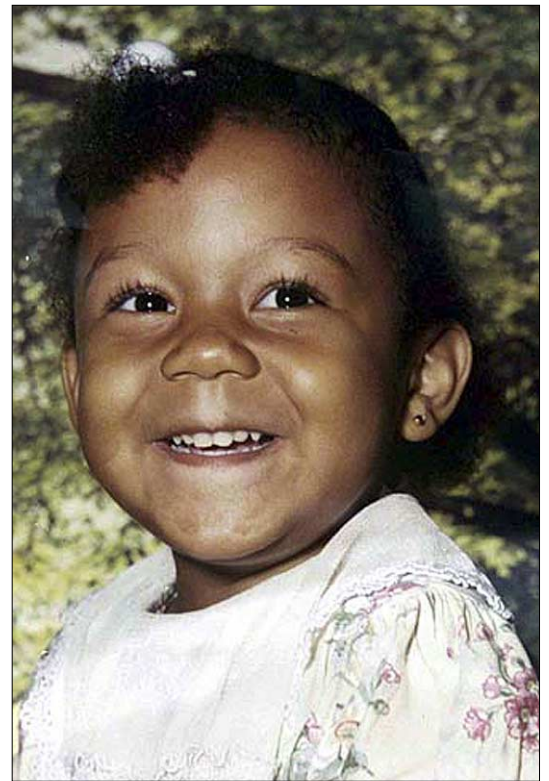


## Child Welfare Reform

*Will recent changes make at-risk children safer?*

**T**he U.S. child welfare system is designed to protect the nation's children, but in recent years it has been rocked by horror stories of children who were physically and sexually abused and even murdered. More than 900,000 children were maltreated in 2003 — and some 1,300 died. But a nationwide reform movement offers hope for the future. Welfare agencies across the country are focusing more on keeping families together and quickly moving the nation's 500,000 foster children into permanent homes. Although the foster care rolls are dropping, unadopted foster teens still must struggle with a lonely transition to adulthood after leaving the system. No state program has passed a federal review, but states are hitting improvement targets in follow-up checks. Meanwhile, social workers continue to complain that they are underpaid and overworked. And Congress is divided over a Bush administration plan that would give states more flexibility in using federal funds but end the guarantee of federal support for every foster child.



*Murdered foster child Rilya Wilson, 4, was missing for 15 months before anyone in Florida's child welfare agency noticed she had disappeared. The case led to a major shake-up at the agency.*

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**ASSISTANT MANAGING EDITOR:** Kathy Koch  
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**STAFF WRITER:** Peter Katel  
**CONTRIBUTING WRITERS:** Sarah Glazer, David Hosansky, Patrick Marshall, Tom Price  
**DESIGN/PRODUCTION EDITOR:** Olu B. Davis  
**ASSISTANT EDITOR:** Kate Templin



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Cover: Rilya Wilson, 4, was missing for 15 months before Florida's child welfare agency noticed she had disappeared. Her foster mother's roommate later confessed to smothering Rilya with a pillow to dispel the child's "demons." The scandal led to a major shake-up at the Florida Department of Children and Families. (Family photo)

# Child Welfare Reform

BY TOM PRICE

## THE ISSUES

**D**aisy Perales, a 5-year-old San Antonio girl, died on Dec. 1, 2004, a week after she was found unconscious and bleeding, with head trauma, bruises, a fractured rib and a lacerated spleen. She weighed just 20 pounds.

Texas Child Protective Services had investigated her family seven times. Daisy was one of more than 500 Texas children to die of abuse or neglect from 2002 to mid-2004. The agency had looked into at least 137 of the cases.<sup>1</sup>

At the beginning of 2003, in Newark, N.J., police entered a locked basement to find Raheem Williams, 7, and Tyrone Hill, 4. Both were starving and covered with burns and excrement. The next day, police found the body of Raheem's twin, who had been dead for more than 30 days. The state Department of Youth and Family Services had received repeated warnings that the children were being abused.<sup>2</sup>

"Our system is broken, and we need to make monumental changes," New Jersey Human Services Commissioner James Davy declared a year later, after more scandals surfaced.<sup>3</sup>

A decade earlier, police in Chicago had discovered 19 children, ages 1 to 14, living in a filthy two-bedroom apartment with a half-dozen adults. Police described a horrific scene of dirty diapers, spoiled food, roaches and dog and rat droppings. One child had cigarette burns, cuts and bruises. The Illinois Department of Children



AP Photo/Joel Page

*Sally Ann Schofield was sentenced in Augusta, Maine, to 20 years in prison for killing her 5-year-old foster child in 2002. Logan Marr suffocated after being bound to a highchair with 42 feet of duct tape. More than 900,000 children were abused or neglected in the United States in 2003 and 1,390 died. Today about a half-million children live in foster homes under the jurisdiction of state child welfare agencies.*

and Family Services had been in contact with six of the children.<sup>4</sup> Following the discovery, the department placed the children with various caregivers, later admitting it had lost track of them. The department eventually confessed it had a backlog of 4,320 uninvestigated complaints of abused or neglected children.

But then consider these hopeful signs of reform:

- Legislation being considered in Texas this year would increase spending on child welfare programs, improve training for caseworkers and encourage the administration to reduce caseloads. Republican Gov. Rick Perry calls reform an "emergency issue."<sup>5</sup>

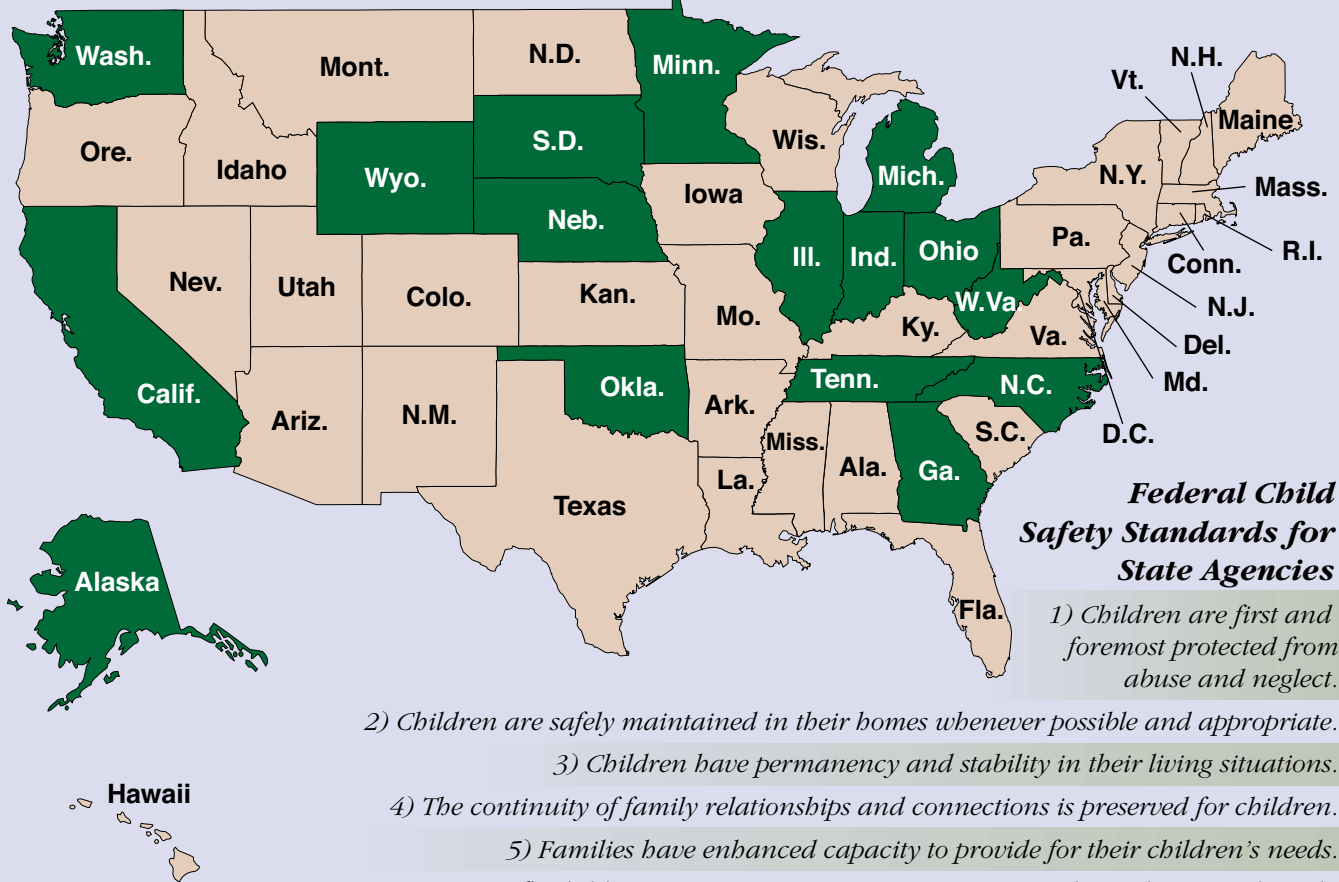
- New Jersey is planning to hire hundreds of new child welfare workers, speed investigations and reduce caseloads to no more than 25 children or 15 families per worker — down from the current maximum of more than 40 children and 20 families. Children who have lived in institutions for 18 months or more will be moved into "familylike" settings. An independent committee of child welfare experts, appointed in a lawsuit settlement, has approved the plan.<sup>6</sup>
- And Illinois has been transformed into "sort of the gold standard" for child welfare, in the words of Sue Badeau, deputy director of the Pew Commission on Children in Foster Care, a bipartisan group of political leaders and child welfare experts that promotes child welfare reform. After the state's child welfare scandal in the mid-1990s, new leadership and a new philosophy have turned the Illinois system around, says Mark Testa, co-director of the University of Illinois' Children and Family Research Center and former research director of the state children's services department.

The department reduced caseloads and focused on keeping families together or quickly placing children in alternative permanent-living situations. It obtained federal waivers from regulations preventing subsidies for placements with relatives, such as grandparents or aunts and uncles. As a result, Illinois has reduced the number of children in foster care from 52,000 in 1997 to fewer than 17,000 today, according to Testa.

## U.S. Probe Faults State Programs

No state child welfare programs fully comply with federal child safety standards, according to a three-year investigation by the Bush administration. Sixteen states did not meet any of the seven federal standards (below) used to assess children's programs, and no state met more than two of the standards.

### States That Did Not Meet Any Federal Standards (dark green)



### Federal Child Safety Standards for State Agencies

- 1) Children are first and foremost protected from abuse and neglect.
- 2) Children are safely maintained in their homes whenever possible and appropriate.
- 3) Children have permanency and stability in their living situations.
- 4) The continuity of family relationships and connections is preserved for children.
- 5) Families have enhanced capacity to provide for their children's needs.
- 6) Children receive appropriate services to meet their educational needs.
- 7) Children receive adequate services to meet their physical and mental health needs.

Source: U.S. Department of Health and Human Services

So it goes in the American child welfare system: Scandal triggers public outrage which spurs reform, leaving children's advocates and child welfare workers constantly ricocheting between hope and despair. Meanwhile, more than 900,000 American children age 17 and younger were abused or neglected in 2003.<sup>7</sup>

"Reading the newspapers of late has been more like reading a horror novel,

with case after case of abuse and neglect," said Texas state Sen. Jane Nelson, reflecting the nationwide despair generated by the unending reports of children who were mistreated while supposedly being protected by state agencies charged with doing so.<sup>8</sup> But, as the Republican author of reform legislation, Nelson also represents the potential for improvement that gives advocates hope.

Not a single state received a passing grade last year when the U.S. Health and Human Services Department (HHS) completed its review of state and local child welfare systems, and 16 states did not meet any of the seven federal child-care standards used to evaluate the programs. But the first eight states given follow-up reviews met all their initial targets for

improvement, says Wade F. Horn, the department's assistant secretary for children and families.\*<sup>9</sup>

State and local officials throughout the country agree on the need for substantial improvements in their child welfare systems, and even critics acknowledge that significant improvements are under way. Private organizations are adding to the ferment, from public-interest law firms demanding reforms in court to foundations that are supporting innovation. The Bush administration has offered up its plan for restructuring federal funding of child welfare, and both Republicans and Democrats in Congress agree not only on the need for reform but also on how that reform should be carried out.

"The consensus is: Where we can, we should protect the family," says Fred H. Wulczyn, an assistant professor at the Columbia University School of Social Work and a research fellow at the University of Chicago's Chapin Hall Center for Children. "Where we need to place kids in foster care, we should proceed to permanent placement — such as with adoptive parents — as soon as possible."

Child welfare workers, government officials and children's advocates agree that it's best for children to live with their parents in healthy families, and that agencies should help families stay together. When children must be removed from their parents because of abuse or neglect, it's best to quickly return the children home safely or to place them permanently with adoptive parents or relatives.

Failure to do so can have disastrous consequences, as Maryland residents learned in early April.

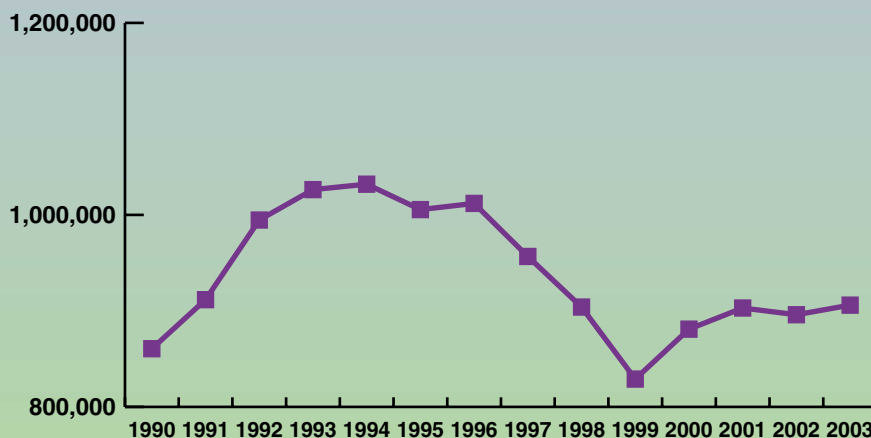
Maryland houses 2,700 children in 330 privately operated group homes that are not adequately supervised by state agencies, according to an investi-

\* The states are: Arizona, Delaware, Indiana, Kansas, Massachusetts, Minnesota, Oregon and Vermont.

## Nearly 1 Million Children Are Maltreated

*More than 900,000 children in the United States were victims of abuse or neglect in 2003, about a 5 percent increase over the 1990 total. Most of the cases involved neglect, but 19 percent involved physical abuse and 10 percent sexual abuse.*

**Abused or Neglected American Children, 1990-2003 \***



\*2003 is the most recent year for which data are available

Source: Child Trends Data Bank, based on Department of Health and Human Services Reports, 1990-2003

gation by *The Baltimore Sun*.<sup>10</sup> In some of those homes, children have been denied needed medical treatment, served inadequate food, assaulted by employees and even supplied by employees with illegal drugs. At least 15 group home residents have died since 1998.

Children often are placed in group homes — which cost the state far more than foster family homes — when there is no other place for them. "There were some providers who were good, but there were others who we would have chosen not to be bothered with, but we had no choice," said Gloria Slade, former child placement supervisor for the Baltimore Social Services Department.

Maryland Human Resources Secretary Christopher J. McCabe said the state will recruit more foster parents to reduce the need for group homes. But Charlie Cooper, who manages the Maryland Citizens' Review Board for

Children, said the state must offer a wider range of children's services.<sup>11</sup>

"You have a lot of things going on at the same time" to improve services to children, says Susan Notkin, director of the Center for Community Partnerships in Child Welfare, a nonprofit organization that funds and consults with agencies implementing innovative programs. "A lot of innovation is being tested. There's a lot of interest in looking at the financing."

Madelyn Freundlich, policy director for Children's Rights, a New York-based advocacy organization, agrees. "There is a lot of energy in the field right now," she says. "There has been a joining together of public agencies and the private sector to really look at foster care, and there is a growing awareness among the general public about foster care and the support needed to provide the right services for kids and families."

But the challenge is complex. And the road from good intentions to effective accomplishments is neither short nor straight. There are stark disagreements about how much spending should be increased (or whether it should be increased at all), how much federal control should be exercised over federally funded state and local programs, and which reform proposals are most likely to be effective.

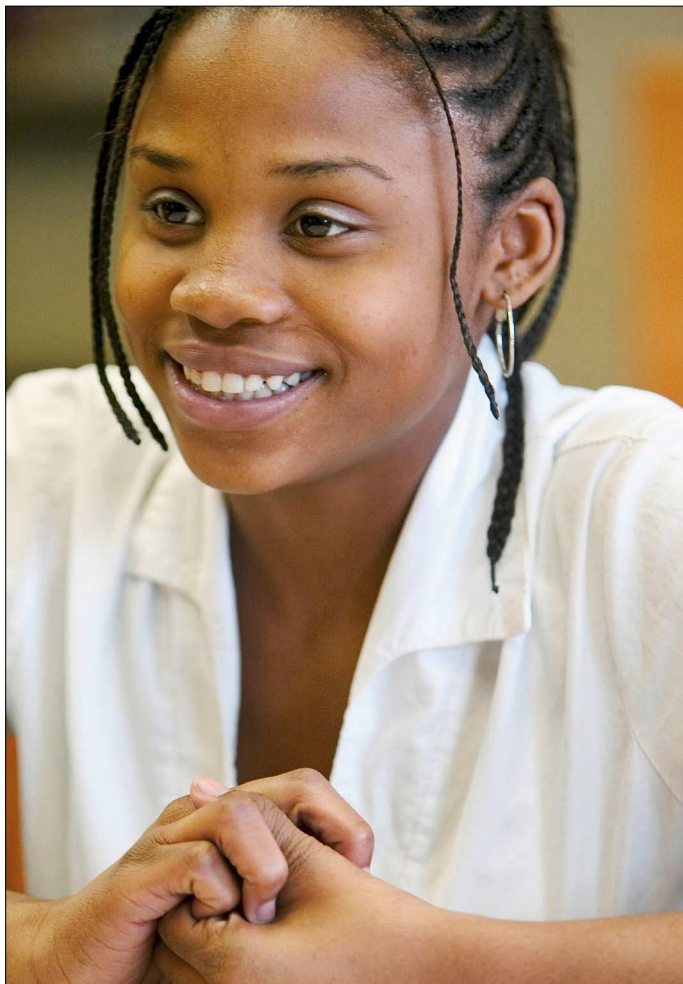
Widespread agreement on the need for reform represents just “superficial consensus,” says Douglas J. Besharov, director of the American Enterprise Institute’s (AEI) Social and Individual Responsibility Project and a former director of the U.S. Center on Child Abuse and Neglect.

“The Democrats who say they want to give states more flexibility want to make it open-ended [entitlement] spending,” Besharov, a University of Maryland public affairs professor, says. “This is just an excuse to put in more money, while Republicans say they’re looking for ways to cap expenditures. It’s just like we’re all in favor of long life and fighting cancer, but getting from here to there requires a lot more agreement than what I see.”

As the nation struggles to help children from troubled families, here are some of the questions child welfare experts are trying to answer:

### ***Do state and local governments do enough to keep families together?***

Most headline-grabbing child welfare horror stories spring from parents mistreating children whom the system has failed to protect. But many child welfare experts believe the more



*Foster child Daphane Irvin, a senior at Chicago’s South Shore High School, hopes to become an actress. Only 2 percent (1,900) of all foster care adoptions in 2002 were older teens, ages 16 to 18. Another 19,500 teens “aged out” of foster care without being adopted and must face the transition to adulthood alone.*

Getty Images/Melanie Stetson Freeman

there’s still a long way to go.

Illinois’ newfound reputation for quality stems in part from cutting its foster care population by two-thirds since the mid-1990s and removing fewer than half as many children from their parents each year, Testa says. Improvement in New York City’s system is marked by a foster care caseload that dropped from just under 50,000 in the mid-1990s to just below 20,000 today, according to Columbia University’s Wulczyn.

Nationwide, the foster care caseload also is declining, but it did not peak as early and is not falling as rapidly as in Illinois and New York. In 1999, nearly 570,000 American children lived in foster homes — an historic high. That number dropped to just above 520,000 in 2003, the most recent figure available. But the dip wasn’t because fewer

children were removed from their homes; it was because states did a better job of returning foster children to their parents or placing them in other permanent homes.<sup>12</sup>

Because child welfare systems differ from state to state, Wulczyn says, “it’s hard to come up with one overarching statement about where the system is, except to say that it’s not as good as it should be, but it’s better than it was.”

Illinois succeeds, Testa says, because it is “doing a better job making family assessments, working with families who can take care of their kids in the home

## Judges' Hearings Help Kids Feel Loved

So, I [see] you want to be a cosmetologist," Judge Patricia Martin Bishop said to the teenager sitting before her. "What's that?" the girl asked.

"Someone who fixes your hair, does your nails — things like that," Bishop replied.

"I can't even do my own hair," the girl exclaimed. "I want to be a lawyer."

Bishop, the presiding judge in the Child Protection Division of Cook County Circuit Court in Chicago, looked at the girl's caseworker, who explained why she had changed the girl's answer on a questionnaire about her future. "I changed it to cosmetologist because she's reading at such a low level she'll never be a lawyer."

But Bishop quickly set the caseworker straight: "I'm not convinced she can't become a lawyer until we help her get through high school and give her the support she needs to get into college and get her through college and get her through law school. Until we've made some concerted effort to help her achieve her dreams, I'm not prepared to channel her to our dreams for her."

That moment, Bishop says, demonstrated exactly why she created "benchmark hearings" for teenagers.

Since 1997, Illinois has reduced its foster care rolls from 52,000 to fewer than 17,000, thus reducing demands on the court. Bishop was able to relieve Judge Patricia Brown Holmes of her regular caseload, and now they both conduct special hearings for unadopted teens about to leave foster care for independence.

The benchmark hearings are held when the child is 14, 16 and 17½. The children, as well as their caseworkers, teachers, doctors, coaches and other adults with whom they have important relationships, attend the meetings, which can last up to two hours. "I require the psychiatrist to face me and tell my why this kid's on meds," the judge explains. "I make the basketball coach come in and tell me how basketball helps or hurts this kid."

Every Illinois foster child attends a juvenile court hearing every six months, but they can be brief, Bishop says. The benchmark meetings tend to be longer because the judges want to get a clear picture of the child's capabilities and needs.

"The idea is to look at kids more holistically," Bishop explains, "to coordinate with the agencies, to help [the teens] for the present and for their dreams for the future. If there are unresolved issues after a benchmark hearing, I keep it on my benchmark calendar and have follow-up hearings."

The needs for follow-up can vary widely. "A girl came to one of my benchmarks wearing sandals and a short skirt in dead of winter," the judge says. "She had moved from one group home to another, and her allowance hadn't kept up with her so she couldn't buy the things she needed. I kept the case on my benchmark hearing calendar until we were able to resolve the allowance problem."



Cook County Courthouse

*Presiding Judge Patricia Martin Bishop of Chicago created "benchmark" hearings to protect teens' rights — and their dreams.*

At another hearing, Bishop discovered that a boy had maintained a relationship with his mother, whose parental rights had been terminated years before — a not uncommon occurrence. "His mother had continued drugging," Bishop says. "My position was, if he's maintained this relationship it's incumbent upon us to make it work as best we can. We put the mother back into [drug-treatment] services. She got clean. We sent this kid back home before he turned 18."

Adolescents need relationships that will help them make the transition to adulthood when they leave foster care, Bishop explains. Sometimes the relationship can be as unlikely as with a drug-addicted mother who had lost her parental rights. Sometimes it can continue to be the child welfare system.

Bishop is authorized to keep a foster child within the jurisdiction of the Department of Children and Family Services until age 21. And, using private donations, the department can even provide higher-education assistance until age 23.

Bishop doesn't have empirical data to establish the value of benchmark hearings, but she has heard encouraging anecdotes. "Lawyers who didn't want to do this now are requesting that I extend this down to age 12," she says. "Kids come and say, 'I want Judge Holmes to have my case, or Judge Bishop to have my case.'

"The state is such a poor parent. We [judges] can look a child in the eye and talk about what he or she hopes to do in the future. They feel as if they're heard. They feel as if they've gotten attention. They feel loved."

and not putting those children unnecessarily into foster care." Child welfare experts would like to see that approach expanded throughout the country.

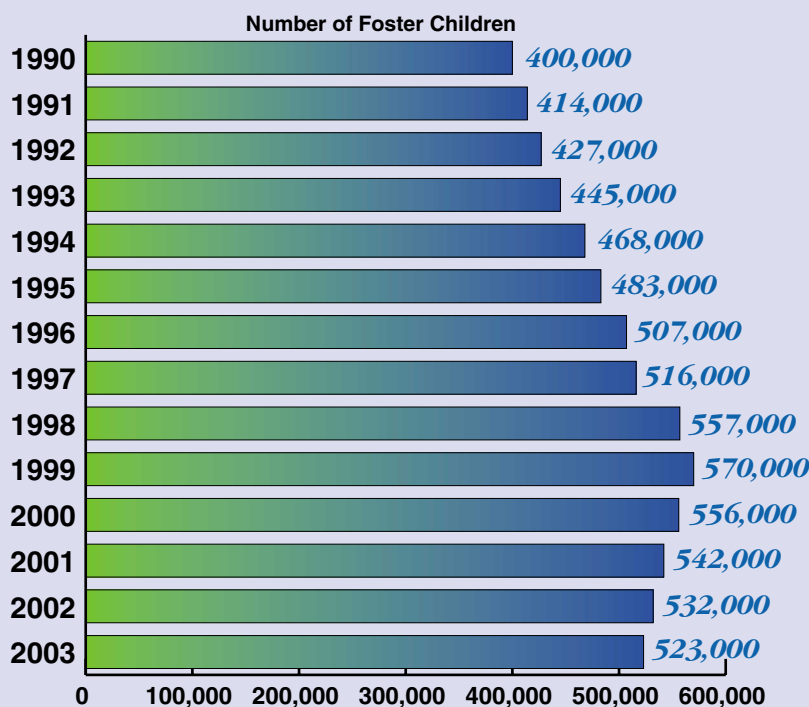
"Most places do not have the services and support that families need, so they would never get put into the child welfare system in the first place," says Judy

Meltzer, deputy director of the Center for the Study of Social Policy, who serves on panels monitoring court-ordered reforms in New Jersey and Washington,

## Number of Foster Kids Has Declined

The number of foster children began declining after peaking in 1999, due largely to a rise in adoptions. Even so, more than a half-million American children were in foster care in 2003, a 31 percent increase over 1990.

**Number of Foster Children  
Ages 17 and Under, 1990-2003\***



\* 2003 is the most recent year for which data are available

Source: Child Trends Data Bank, based on Department of Health and Human Services Reports, 1990-2003

D.C. “The infrastructure does a really bad job of being able to reach out and work with families before they get to the point where crises occur and kids have to be removed from their homes.”

Meltzer and others say that even the best child welfare agencies can’t provide those services by themselves. “If we think child welfare agencies alone will do it, we will always be stuck,” says Wanda Mial, senior associate for child welfare at the Annie E. Casey Foundation, a leading operator and funder of programs for disadvantaged children.

“Government can’t do it alone,” either, says Notkin, whose Center for Community Partnerships promotes cooperation among many public and private organizations.

Parental substance abuse causes or exacerbates 70 percent of child neglect or abuse incidents, says Kathryn Brohl, author of the 2004 book *The New Miracle Workers: Overcoming Contemporary Challenges in Child Welfare Work*.<sup>13</sup> Abuse also stems from poverty, poor housing, ill health, lack of child care, parental incompetence, domestic violence, arrest and imprison-

ment, Brohl adds. Some children enter the child welfare system because they run afoul of authorities by committing a crime or frequently skipping school, says Mial, a former child welfare worker in Philadelphia.

To avoid removing children from their parents in these circumstances, Brohl and other experts say, child welfare workers must be able to call on other agencies to address such problems as soon as they are discovered — or even before.

According to social psychologist Kristin Anderson Moore, who heads the Child Trends research organization, the most effective ways to deter child abuse and neglect include “helping people establish healthy marriages before they have children, helping teenagers delay child-bearing and helping parents delay having second births.”

Some “very rigorous studies” have shown that starting home-visitation programs shortly after birth can reduce abuse and neglect by 50 percent, says Shay Bilchik, president of the Child Welfare League of America. A visiting nurse trains new parents, monitors the well being of the child and arranges for additional services needed by the family. “If you track those babies 15 years down the road,” Bilchik says, “home visitation has been shown to reduce those babies’ entering into the criminal world.”

Rep. Wally Herger, R-Calif., chairman of the House Ways and Means subcommittee that oversees child welfare, noted that the federal government spends 10 times as much on state and local foster care and adoption services as it does on programs designed to hold families together.

“As a result,” he said, “rather than focusing on the prevention of abuse and neglect, today’s funding structure encourages the removal of children and breakup of families. That is unacceptable.”<sup>14</sup>

There are deep disagreements about how that problem should be fixed, however.

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“I don’t have any doubt Wally cares about kids,” says Rep. Jim McDermott of Washington, the ranking Democrat on Herger’s subcommittee. “It’s a question of how you do it.”

***Does the federal government give state and local child welfare agencies enough financial support and flexibility?***

As they lobbied on Capitol Hill last month, volunteers from the Child Welfare League of America boldly proclaimed their top legislative priority on oversized campaign buttons pinned to their lapels: “No caps on kids!”

The slogan is shorthand for their opposition to President Bush’s proposal to convert the main source of federal child welfare funding — the foster care entitlement — into a flexible, capped block grant, or a single grant that the states can spend in various innovative ways with less federal control.

Under current law, states are entitled to federal reimbursement for every foster child whose parents would have qualified for welfare under the old Aid to Families with Dependent Children program in 1996. Overall, the federal government pays about half the nation’s \$22 billion child welfare bill, according to an Urban Institute study, while the rest comes from state and local governments.<sup>15</sup>

The welfare league argues that not only should the existing entitlement regime be preserved but also that the federal government should increase spending on various child welfare programs.

However, HHS Assistant Secretary Horn says groups like the Child Welfare League “live in a dream world where money grows on trees,” adding that he himself prefers to live “in the world of the achievable.”

Both sides agree that child welfare agencies should be able to spend more federal money on helping families stay together and on alternatives to traditional foster care, which receives the bulk of federal aid today. The administration con-

tends this can be accomplished by letting states spend their existing federal foster care allotment for other activities, such as helping troubled families or supporting guardians. But many child welfare advocates argue that the agencies need more money and warn that eliminating the entitlement could leave them with less in the long run.

The administration proposes giving states the option of accepting a block grant that could be spent on foster care and other services. Unlike the entitlement, the grant would not rise and fall with changes in the foster care caseload. For the first five years, each state would receive the same amount it would have received under the entitlement program based on the caseload change during the previous five years. That means states that had declining caseloads would receive less federal money. After five years, Congress would decide how to continue to fund the program.

Some states have implemented well-regarded innovations by obtaining waivers from federal regulations, leading administration officials to contend that allowing flexibility works. Pointing to the drop in welfare rolls that followed similar welfare reforms in the mid-1990s, the administration also argues that flexibility allows the states to be more effective while cutting costs.<sup>16</sup>

“We think if states are better able to focus money on prevention — which is cheaper than intervention — there would be less need for expensive out-of-home-care, in the same way that when states focused on work instead of simply cash, welfare caseloads declined,” Horn says.

States would be hard pressed to shift money from foster care to other services, however, because child welfare systems already are underfunded, contends Liz Meitner, vice president for government affairs at the Child Welfare League. “We think a better strategy is to increase investments for prevention that will ultimately reduce the number of kids in foster care,” Meitner says.

The Pew Commission on Children in Foster Care proposed maintaining the entitlement and beefing up federal aid while increasing flexibility.<sup>17</sup>

The commission calculated it would cost \$1.6 billion annually just to extend federal aid to all foster children. Acknowledging the pressure to contain federal spending, the commission proposed extending aid to all but cutting the amount given for each child, so total federal aid would not rise. The commission suggested hiking other, more flexible, federal grants by \$200 million the first year and by 2 percent above inflation in later years.

“Every child who experiences abuse or neglect deserves the protection of both the federal and state governments,” said commission Chairman Bill Frenzel, former Republican representative from Minnesota, making a key argument against ending the entitlement.<sup>18</sup>

“Child welfare has traditionally been the safety net for vulnerable children and families,” Freundlich of Children’s Rights says. “It does not have waiting lists. It’s had to be there for the children.”

Block grant opponents point to the crack cocaine epidemic that devastated many families and caused child welfare caseloads to soar in the 1980s and ’90s. Without the entitlement, states would have had to spend much more of their own money or agencies could not have cared for all the children coming through their doors. Many warn methamphetamine abuse could become the next crack. They also note that, over time, block grant programs haven’t kept pace with inflation, and funding for some has declined.

The Social Services Block Grant, for example, dropped from \$3 billion in 1981 to \$1.7 billion in 2003, according to the Child Welfare League. Had it tracked inflation, she says, it now would total more than \$6 billion.

But Assistant HHS Secretary Horn replies that if states reduce foster rolls they would receive more money through a block grant program than through

an entitlement program. That's because the entitlement, which is based on the number of children served, would drop if the rolls dropped, while the block grant would not. If caseloads rise significantly, he adds, the administration plan includes an emergency fund that states could tap.

The federal government can't afford to give states both flexibility and an entitlement, the American Enterprise Institute's Besharov argues. "The only way to give states flexibility in a federal grant program is to cap it. Otherwise, they will steal you blind."

Besharov suggests extending the waiver option, which gives the states supervised flexibility, and "tying it to rigorous evaluations" to document what works best.

Testa, of the Children and Family Research Center, also supports more waivers, although he doesn't share Besharov's fear of entitlements. "We have to invest a lot more in demonstrations that will prove what works," he says. "We should be giving states permission to innovate but requiring them to demonstrate that what they're doing is working."

Because states have to match the federal funds under current law, he adds, they will not be motivated to spend more than they need.

### ***Does the child welfare system prepare foster adolescents for adulthood?***

Mary Lee's foster care judicial reviews always seemed the same. She'd wait for hours in the courthouse, then have what felt like a one-minute session during which the judge would "pat me on the back and say everything's great."

Then, when she was 16, a judge actually asked: "Mary, what do you want for your life?" And she told him.

"I said I want a family," she recalls. "I want to be adopted. I want to know that when I go to college I'm going to have a family to come home to, that I'm going to have a dad to walk me down the aisle and grandparents for my chil-

dren. And if I stay in foster care, when I leave I'm not going to have anything. I'm going to be totally on my own."

A week before her 18th birthday, after five years in foster care, Mary was adopted by Scott Lee, her caseworker, and his wife in Montgomery County, Tenn. Now 23, Mary has graduated from Vanderbilt University and plans to attend law school. She traces her good life and bright future to that moment the judge asked her about her dreams.

"Adoption is not about your childhood," she explains. "It's about the rest of your life. You always need a mom and a dad. You always need your grandparents. You always need the family support."

Mary's happy-ending story is, unfortunately, rare. According to the latest available statistics, 92,000 teens ages 16 to 18 lived in foster homes in 2002 — 17 percent of the total foster population. Just 1,300 of them were adopted that year — 2 percent of all foster care adoptions. That same year, 19,500 teens "aged out" of foster care, usually by turning 18, and many of them faced the transition to adulthood the way Mary Lee feared she would face it — alone.<sup>19</sup>

Four years after leaving foster care, nearly half of these older teens had not graduated from high school, a quarter had been homeless, 40 percent had become parents and fewer than a fifth were self-supporting, according to the Jim Casey Youth Opportunities Initiative, which works with those young people.<sup>20</sup>

"Effective middle-class families parent their kids into their 20s, and these kids are cut off at 18," Moore of Child Trends notes. "From age 18 to 24 is a time kids need contact and care and monitoring from adults."

After Chris Brooks left foster care in Nevada at age 19, he slept in a car and on friends' couches. At age 18, Terry Harrak figured out how to sleep and scrounge food amid the bustle of a busy hospital in Northern Virginia.

But both Chris' and Terry's stories have happy endings, thanks to serendipitous relationships with caring adults. A professor studying homeless youth "took me under his wing" and "became kind of like an uncle," Chris says. Now 23, he attends college in Las Vegas and mentors homeless youth. While living in a shelter, Terry met a Child Welfare League staff member who was looking for homeless young people to testify before Congress. Now 25, she attends college and works as the league's youth leadership coordinator, staffing an advisory council on which Chris and Mary serve.

Chris and Terry both say they were ill-prepared for independent living. And both cite the need for ongoing relationships and training in such basic skills as balancing a checkbook, filling out a tax form and applying for college aid.

"Historically, in child welfare we never thought about the permanent lifetime relationships that these kids need," says Gary Stangler, head of the Casey program for older teens and former director of the Missouri Social Services Department. "If we got them to age 18 alive, we did our job."

"Adoption, especially the older you get, is difficult and uncommon. So the solution was training for independent living, which is the opposite of permanent lifetime relationships."

Stangler has observed "an awakening to the fact that we were doing a very poor job for kids once they left the foster care system without the support we take for granted for our own kids." Slowly, he says, things are getting better.

Legislation passed in 1999 provides federal aid for housing and education for former foster youths, but many young people do not know how to apply for it. States are allowed to keep them on Medicaid beyond age 18, but most don't. Private organizations and some states are helping older teens build the adult relationships they need. And a few courts are institutionalizing

*Continued on p. 356*

# Chronology

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## 1800-1900

**Charitable organizations open “orphan asylums.” Courts allow child protection societies to remove children from homes. Later, child-protection organizations pay families to take in homeless children.**

**1853**

Children’s Aid Society of New York is founded and begins sending homeless children to Western families on “orphan” or “baby” trains in 1854.

**1872**

New York Foundling Asylum begins putting unwanted infants and toddlers on westbound “baby trains.”

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## 1900-1930s

**First juvenile courts created. Child welfare agencies increase supervision of foster homes.**

**1912**

U.S. Children’s Bureau established.

**1935**

Social Security Act provides federal funds for rural children’s services, social-worker training.

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## 1960-1970s

**Federal role expands, focus intensifies on preserving families and alternatives to adoption.**

**1961**

Federal aid extended to poor foster children; more children’s services are offered in urban and rural areas.

**1962-69**

Child-care professionals are required to report suspected abuse.

**1974**

Child Abuse Prevention and Treatment Act provides federal funds for protecting endangered children.

**1976-79**

Child welfare agencies try to reduce need for foster care. California, New York and Illinois subsidize adoptions.

**1977**

Foster care caseloads total about 550,000.

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## 1980s-2000

**Single-parent households, unmarried births, child abuse and neglect reports all soar. Demands for reform increase. Lawsuits force improvements in state and local child welfare systems.**

**1980**

Congress creates federal adoption-assistance program. Social Security Act becomes main source of federal child welfare support.

**1986**

Foster caseload drops below 300,000; crack cocaine epidemic soon causes foster care rolls to soar.

**1993**

Federal government grants waivers for states to test innovative child welfare services.

**1993-94**

Discovery of 19 children living in squalor; death of another, spur shake-up of Illinois child welfare system.

**1995**

Foster caseloads hit nearly 500,000.

**1997**

Adoption and Safe Families Act increases federal support for adoption, family preservation.

**1999**

Foster caseloads peak at 570,000. Federal government increases aid for youths aging out of foster care.

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**2000s** **Courts get federal money to reduce abuse and neglect backlogs, improve information technology.**

**2001**

Federal government offers new education assistance for aging-out youths.

**2002**

Authorities report 900,000 confirmed cases of child abuse or neglect nationwide, including 1,390 deaths.

**2003**

Foster rolls decline to 525,000. General Accounting Office says high caseloads and low salaries inhibit recruitment and retention of effective child welfare workers.

**2004**

Concern arises that a methamphetamine epidemic could raise foster care rolls. Pew Commission on Children in Foster Care argues that states need more child welfare money and flexibility. About 20 states receive waivers to offer support services not normally funded by federal programs.

**2005**

President Bush asks that federal foster care funding be converted to block grants. Illinois, now representing child welfare’s “gold standard,” cuts foster care population by two-thirds since mid-1990s and reduces average caseload from more than 50 to fewer than 20.

## How Illinois Reformed a Broken System

Three times, the Illinois Children and Family Services Department took Joseph Wallace away from his mentally ill mother, and three times the youngster was returned to her. There was no fourth time, because on April 19, 1993, she tied an extension cord around the 3-year-old's neck and hanged him from a transom in their Chicago apartment.<sup>1</sup>

Early the next year, Chicago police discovered 19 children living in a squalid, two-bedroom apartment with a half-dozen adults. Again, the department knew about six of the children but had left them with their mothers.<sup>2</sup>

Although the tragedies were only tiny tips of an enormous iceberg of bureaucratic failure, they shined a media spotlight on the Illinois child welfare system and outraged the public. In the end, they spurred dramatic reforms in the system, making it a font of successful innovation.

"They've addressed preventing kids from coming into foster care in the first place, as well as strengthening reunification for children who return home safely and strengthening alternative forms of permanency through subsidized guardianship and adoption," says Sue Badeau, deputy director of the Pew Commission on Foster Care, who says the system is now the "gold standard" of child care.

The Illinois system was "sort of average" in the 1980s, became "a mess" by the mid-'90s and now is one of the best, says Jill Duerr Berrick, associate dean of the School of Social Welfare at the University of California, Berkeley. "We've seen tremendous innovation coming out of Illinois."

Illinois probably ran America's worst child welfare system

in the mid-1990s, says Mark Testa, co-director of the University of Illinois' Children and Family Research Center. It had the nation's highest prevalence of children in foster care — 17.1 per 1,000 — where they remained in care longer than children in other states. The total foster care rolls soared from 20,000 in the late-'80s to 52,000 in 1997. But when horror stories repeatedly hit the media, public outrage triggered changes.

Feeling intense pressure from the public, the state legislature and a lawsuit by the American Civil Liberties Union, Republican Gov. Jim Edgar appointed a new department director, Jess McDonald. He launched a comprehensive overhaul of the system and hired Testa as in-house research director.

"Lawsuits are critical to reform," says Marcia Robinson Lowry, executive director of Children's Rights, a New York organization that sues local and state governments to get them to improve child welfare systems. "There is sustained pressure for reform because of a court order."

McDonald and Testa discovered a system engaged in self-destruction. It was taking custody of thousands of children who didn't need to be removed from their homes, which limited caseworkers' ability to take care of children who really were in danger.

"The state was stepping in and taking these kids into protective custody because they were living with someone other than their parents — grandmother, aunt, uncle — even though they were living safely," Testa explains. "Children were building up in long-term foster care because there were no pathways for moving kids into more permanent homes, and folks

*Continued from p. 354*

the kind of court procedure that turned Mary Lee's life around.

In Chicago, the Cook County Circuit Court's Child Protection Division conducts "benchmark hearings" when foster children turn 14 and 16 and six months before they age out. (*See story, p. 351.*) The hearings can last up to two hours. Participants include the most important individuals in the children's lives, such as caseworkers, teachers, doctors and adults with whom the children have or might build long-lasting relationships.

"All of us were grappling with how could we, the court, get a handle on this road to being independent," says Patricia Martin Bishop, the division's presiding judge, who established the hearings. "The thought was, if we had more time to concentrate on each of these

kids, we'd get a better handle on what needs they have that aren't met."

Among the questions Bishop requires the children to answer during the hearings: "What do you want to do when you get out of school? What do you intend to do with your life?" ■

## BACKGROUND

### Orphan Trains

In the beginning, America's child welfare system provided a kind of residential vocational education: Families took in needy children, then fed, clothed and trained them in a trade. Such ap-

prenticeships were common, even for youngsters who were not parentless or poor. But it was considered an especially attractive way to place orphans and other children whose parents couldn't care for them. The child got a home and learned a trade; the host family benefited from the child's work.<sup>21</sup>

In the early 19th century, religious and charitable organizations began opening orphan asylums, which became the most common means of caring for children without parents between 1830 and 1860.

Also in mid-century, Charles Loring Brace organized the Children's Aid Society of New York, which created the "orphan train" or "baby train" movement. Urban centers like New York attracted hordes of immigrants who took difficult, dangerous and sometimes

were't asking the relatives if they were willing to adopt. There was this myopia of only recognizing nuclear families, and if you're not in a nuclear family you're taken into the child welfare system."

The new managers forced the department to stop taking children who were living safely with relatives and start offering those families services available to nuclear families. "That reduced the number of kids coming into foster care right off the bat," Testa says. "But large numbers were still remaining in long-term foster care, so moving kids out needed attention."

The Illinois child welfare system delivers most foster care services through private contractors rather than local government agencies. "The financial incentives were all geared toward keeping kids in foster care," Testa explains, because they were paid only for foster children. "There was no reward for moving kids into permanent homes."

The state began paying incentives for adoption and reunification with parents, and the foster rolls dropped again.

The state also sought a waiver from federal rules in order to use some of its federal foster care funds to subsidize guardianships. Guardianship does not require termination of parental rights as adoption does, but it creates a permanent relationship between the child and the guardian and removes state supervision. Many relatives willing to care for children do not want to adopt, Testa says, because that would require termination of the biological parents' rights.

Since obtaining the waiver in 1997, Illinois has moved more than 8,000 children from foster care to guardianship, Testa says,

reducing state costs and freeing caseworkers to concentrate on families that really are in trouble. During the decade of reform, the average worker's caseload has dropped from more than 50 cases to fewer than 20, Testa says.

"Illinois takes far fewer kids into foster care than many other states," he explains, "because we're doing a better job making family assessments and working with families who can take care of their kids with some help."

Now the department's biggest challenge is helping older adolescents who remain in foster care and are less likely to be adopted. "The solution is to attach every child as early as possible to a permanent family, a mentor, someone who's going to care about them," Testa says.

One hurdle to adoption is that older adolescents lose foster services that help in the transition to adulthood. The department has obtained a new federal waiver to extend those services after adoption or while the child is in guardianship. The department also is working with universities to support former foster children while they're in school. And it's developed a program to recruit families to host college students during vacations and to maintain connections with them during the school year.

"The Illinois system has not achieved perfection," Berrick says, "but it's certainly made a remarkable turnaround."

<sup>1</sup> Phillip J. O'Connor and Zay N. Smith, "Woman Charged In Son's Hanging," *Chicago Sun-Times*, April 20, 1993, p. 3.

<sup>2</sup> Phillip J. O'Connor and Ray Long, "Police Rescue 19 Kids In Filthy Apartment," *Chicago Sun-Times*, Feb. 2, 1994, p. 1; Colin McMahon and Susan Kuczka, "19 Kids Found In Filth," *Chicago Tribune*, Feb. 2, 1994, p. 1.

deadly jobs. Diseases like typhoid, diphtheria and cholera also hit the poor especially hard. Deceased adults left orphans or single parents who couldn't support their children. And as immigrants or the offspring of immigrants, many of the children had no extended families they could turn to for support.

Besides worrying about the children's well being, Brace warned they might grow up to be violent criminals, referring to them as the "dangerous classes." He convinced businessmen to support shipping the children west, where they presumably would live healthy and wholesome lives on farms.

The first orphan train carried children to Dowagiac, Mich., in 1854. Over the next 80 years, some 150,000 to 200,000 children were shipped to states in the West. In 1872, the New York

Foundling Asylum, which took in unwanted babies, began putting infants and toddlers on the trains, a practice that lasted into the 20th century. As in colonial days, the farmers benefited from the labor of the children they took in.

In the 1870s growing public concern about child abuse and neglect spurred the founding of societies for the prevention of cruelty to children, and courts began to empower them to remove children from neglectful homes.

What we now know as foster care took root in the last two decades of the 19th century, when some child protection organizations began to pay families to take in homeless children so the children would not have to work. As the century neared its end, states began to organize charity boards

that tended to favor home placements over institutional care.

The modern child welfare system began taking shape in the early 20th century. In 1912, the federal government created the U.S. Children's Bureau, now part of the Health and Human Services Department, to conduct research and distribute information to state children's agencies. States began to create separate juvenile court systems, which ordered more children into government care. In the 1920s, child welfare agencies began to exercise greater supervision of foster homes. And the New Deal brought federal money into the picture.

The Social Security Act of 1935 made the Children's Bureau responsible for administering the new Aid to Dependent Children program, later known as Aid to Families with Dependent Children, or

AFDC. Congress intended the program to preserve poor families that otherwise might not be able to afford to keep their children at home. Aimed primarily at widowed mothers, it supported state aid programs for children living with a parent or other relative. States also received federal assistance to establish or strengthen children's services in rural areas and to train child welfare workers.

The federal government didn't extend aid to foster children and to urban services until 1961. To receive that aid, the foster child had to come from a family with income low enough to qualify for AFDC. Assistance also was offered for a broader range of child services, including family preservation.

### Child Abuse and Crack

Also during the early 1960s, Denver physician Henry Kempe called public attention to the "battered child syndrome," revealing that many hospitalized youngsters whose injuries had been attributed to accidents actually had been abused by a parent or other caregiver. Before the decade ended, all 50 states passed laws requiring doctors, teachers and other child-care professionals to report suspected abuse. Congress followed suit in 1974 with the Child Abuse Prevention and Treatment Act (CAPTA), which provided federal funds for child protection services, including procedures for re-



*Linda and Mike Hurley and adopted daughter Courtney pose for their first family photo after signing adoption documents in Tampa on June 4, 2004. Child welfare agencies around the nation are seeking adoptive parents or guardians to help older foster children make the transition to adulthood.*

AP Photo/Steve Nesius

porting and investigating abuse and protecting endangered children.

During the late-'70s, child welfare agencies began focusing on moving children from foster care into permanent homes and on helping families avoid the need for out-of-home placements in the first place. Advocates of the shift in focus said it was better for children and would cost less than foster care.

Congress established a national adoption-information exchange program in 1978. California, New York and Illinois became the first states to subsidize adoptions in order to counteract the financial penalty suffered by foster parents who lose their foster payments when they finally adopt their foster children.

In 1980, Congress created a federal adoption-assistance program and merged it with the old AFDC foster care funds. Known as Title IV-E of the Social Se-

curity Act, it is now the main source of federal support for child welfare. The law required states to make "reasonable efforts" to keep children with their parents or return them as soon as possible. When families couldn't be reunited, the law declared placement with relatives or adoption to be superior to long-term foster care.

These efforts collided with the crack cocaine epidemic and other social pathologies from the mid-1980s through early-'90s.

From 1980 to 1994, single-parent households increased from 22 percent to 31 percent of all families. Births to unmarried teens soared from 27.6 per 1,000 females in 1980 to 44.6 in 1992. In 1993, 2.9 million child

abuse and neglect reports were filed, up from 1.7 million in 1984.<sup>22</sup>

Foster caseloads — which dropped from a little more than 500,000 in 1977 to fewer than 300,000 in 1986 — soared back to nearly 500,000 by 1995.<sup>23</sup>

Federal and state governments, with support and prodding from private organizations, continued to press for family preservation and adoption as better alternatives to foster care.

In 1993, Congress authorized \$1 billion over five years to help states strengthen troubled families. More federal money was distributed to help courts improve their handling of foster care and adoption cases. Congress gave the Health and Human Services secretary authority to grant waivers so states could use federal child welfare grants to finance innovative programs.

President Clinton declared adoption to be a national priority in 1996,

saying “no child should be uncertain about what ‘family’ or ‘parent’ or ‘home’ means.” The 1997 Adoption and Safe Families Act provided more incentives for adoption and family preservation. The Foster Care Independence Act of 1999 increased federal funding for counseling and other services for youths making the transition from foster care to adulthood. The money could be used for housing and other living expenses, and states could extend Medicaid coverage beyond the youths’ 18th birthday.

In 2000 Congress authorized federal aid to help courts reduce backlogs of abuse and neglect cases and improve information technology systems. New federal educational assistance for so-called aging-out youths — those leaving the system — was authorized in 2001. ■

## CURRENT SITUATION

### Rigid Rules and Budgets

When Katie Sutton’s grandchildren wanted to sleep over at a friend’s house, Philadelphia child welfare caseworkers had to investigate the friend’s family first. If she wanted to take a child to the doctor, she had to get a caseworker’s instructions. When she wanted to take them across the nearby border into New Jersey, she had to get a caseworker’s permission.

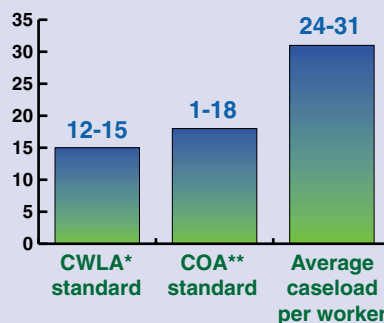
To Sutton, who had custody of five grandchildren as a foster parent, this was more than a nuisance.

Investigating a friend’s family felt like “a way of invading their privacy and just automatically assuming that they have a bad background,” she explained. For the grandchildren, the frequent involvement of caseworkers sent the message that “we’re foster care

### Caseloads Are Double Recommended Levels

*The average American child welfare caseworker oversees two-dozen or more children — twice as many as child advocate and accreditation organizations recommend. Some caseworkers manage as many as 110 cases.*

Number of cases per child welfare worker



\* Child Welfare League of America

\*\* Council on Accreditation for Children and Family Services

Source: “HHS Could Play a Greater Role in Helping Child Welfare Agencies Recruit and Retain Staff,” U.S. General Accounting Office, March 2003

kids, we don’t belong anywhere, we have a label and we’re different from everyone else.”<sup>24</sup>

The children don’t feel different anymore, because Sutton has become their permanent legal guardian, and they have left government supervision behind them. She hadn’t wanted to adopt because she didn’t want to terminate her son’s parental rights. He’s not a bad father, she said, just immature and emotionally and financially unable to care for his offspring. She couldn’t afford to keep them outside the foster care system until Pennsylvania offered to subsidize her guardianship.

Her story encapsulates the state of the U.S. child welfare system today. Rigid rules and tight budgets make it difficult for agencies to tailor services to the specific needs of individual children and families.

But federal, state and local governments — often in cooperation with private organizations — are moving toward more flexible policies that emphasize holding families together and placing children in alternative permanent homes when that’s not possible.

It’s common for relatives not to want to adopt, even when they’re willing to make permanent homes for grandchildren, nieces or nephews, Testa at the University of Illinois says. “They don’t want to get embroiled in an adversarial battle with a daughter or sister,” he explains. “Many of them feel it’s odd that they’d have to adopt someone to whom they were already related.”

In Sutton’s case, Pennsylvania uses state funds to help her give the grandchildren a stable home. Sixteen other states do the same, while nine redirect surpluses from their share of the federal welfare program. Another nine have negotiated waivers with the HHS to spend some of their federal foster-care funds on subsidies for guardians.<sup>25</sup>

Waivers have become an important vehicle for reform of the child welfare system, just as they were for welfare reform in the mid-1990s. About 20 states have used them in varied ways, including for guardian assistance, drug-abuse treatment for parents, training of staff in private and public child services agencies, adoption promotion and other services to children and families not covered by federal foster care assistance.<sup>26</sup>

### Whole Child Approach

Some state and local agencies have teamed up with private organizations and volunteers to improve the way they do business.

## CHILD WELFARE REFORM

Some 70,000 volunteer court-appointed special advocates — or CASAs — represent the interests of children under court supervision throughout the country, for instance. Started in Seattle in 1976, the CASA movement has grown to 930 local programs that are united in the National Court Appointed Special Advocate Association.<sup>27</sup> The volunteer builds a relationship with a child and tells the court whether the child is receiving the care and services the judge has ordered.

Child welfare workers often don't have enough time to keep close watch on the children in their charge, says Kenneth J. Sherk, who helps lead an organization that supports CASAs and children in the Phoenix-area child welfare system. "They're overworked and underpaid and all bogged down in red tape, and often as not things just don't get done for these kids," Sherk explains. "The CASAs tell the court and the Foster Care Review Board here when a child needs counseling, dental work, new clothes, school books — the basic needs."

In 2002 child welfare agencies in St. Louis, Louisville, Cedar Rapids, Iowa, and Jacksonville, Fla., agreed to work with the Center for Community Partnerships in Child Welfare. The center funds and advises efforts to bring a broad array of public and private organizations and individuals together to help troubled families. It's now working in 80 communities, Director Notkin says.

"The problems of families at risk of child abuse and neglect are complex," Notkin explains. "Therefore, it's necessary to develop a neighborhood network of services and support that involves public agencies, private agencies, non-

profits, the business community, the faith community, neighbors and relatives."

The center also stresses creation of a unique plan for each family, Notkin says. "If substance abuse is a problem, make sure someone from substance-abuse treatment is at the table," she explains. "If job training is needed, the job-training folks need to be there."

A key component is the participation of neighborhood volunteers who may tutor the parents in the skills of parenting, help to care for the children and help integrate the family into the community. "Our fundamental principle is that in order to have safe children we need strong families, and strong families need healthy communities that they're connected to," Notkin says.



*Stephen McCall of Brooklyn, N.Y., has been a foster parent for five years for, from left, Marshawn, Maleek, Brandon and Marcus. New York's child welfare agency is encouraging more potential foster parents to take adolescent and special-needs children.*

Getty Images/Chris Hondros

Comprehensive approaches must be advocated, says Rosemary Chalk, director of the National Academy of Sciences Board on Children, Youth and Families, because "there's no sense of overall accountability for the whole child within the child welfare system."

"We know these kids are in bad shape and in many cases may have serious health problems or serious educational deficits," she explains. "But no one is stepping up and saying we're

prepared to deal with the whole child."

Such services work, child welfare experts say, but the demand exceeds the supply. In a study of mothers who received drug abuse treatment, for example, slightly more than half had custody of their children before entering treatment while three-quarters had custody six months after completing treatment, the Child Welfare League reported. Three-quarters of parents with children in the child welfare system need treatment, the league said, but only a little more than 30 percent receive it.<sup>28</sup>

In 2003 authorities received about 2 million child abuse or neglect reports involving more than 3 million children. Agencies found that more than 900,000 of the children had been neglected or abused and that 1,390 had died. Most of the confirmed cases involved neglect, but 19 percent involved physical abuse and 10 percent sexual abuse.<sup>29</sup>

Although most agencies prefer to keep children with their parents, about 525,000 lived in foster homes in 2003, a number that has steadily declined since peaking at 570,000 in 1999. The Congressional Budget Office estimates that the number of federally supported foster care children will drop from 229,000 this year to 225,000 next year and 162,000 by 2015. Because federal aid goes only to children from families with very low income, only about half of the foster caseload receives a federal subsidy.<sup>30</sup>

Many child welfare workers complain that this caseload exceeds the capabilities of the work force, and the Government Accountability Office (GAO) has endorsed that view. "A stable and highly skilled child welfare work force

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# At Issue:

## *Should states be allowed to convert federal foster care funds into capped block grants?*

**WADE F. HORN, PH.D.**  
*ASSISTANT SECRETARY FOR CHILDREN AND FAMILIES, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES*

WRITTEN FOR THE *CQ RESEARCHER*, APRIL 2005

**S**tates should be allowed to convert the Title IV-E foster care entitlement program into a flexible, alternative-financing structure. President Bush's proposed Child Welfare Program Option would allow them to do that. But the president's proposal is not a block grant. Its very name, Child Welfare Program Option, says it all: It is an option. If a state does not believe it is in its best interest to participate in this alternative, it may continue to participate in the current title IV-E entitlement program.

The states for many years have criticized the Title IV-E program as too restrictive. For instance, it only provides funds for the maintenance of foster children who have been removed from a home that would have been eligible for assistance under the old welfare program and for child welfare training. Under current law, Title IV-E funds cannot be used for services that might prevent a child from being placed in foster care in the first place, that might facilitate a child's returning home or that might help move the child to another permanent placement.

Under the proposed Program Option, states could choose to administer their program more flexibly, with a fixed allocation of funds over a five-year period. States would be able to use funds for foster care payments, prevention activities, permanency efforts, case management, administrative activities and training of child welfare staff. They would be able to develop innovative systems for preventing child abuse and neglect, keeping families and children safely together and quickly moving children toward adoption and permanency. They also would be freed from burdensome income-eligibility provisions that continue to be linked to the old welfare program.

Although states would have greater flexibility in how they use funds, they would still be held accountable for positive results. They would continue to be required to participate in Child and Family Services Reviews and to maintain the child safety protections, such as conducting criminal-background checks and licensing foster care providers, obtaining judicial oversight for removal and permanency decisions, developing case plans for all foster children and prohibiting race-based discrimination in placements. States also would be required to maintain their existing level of investment in the program.

Thus, the proposal allows — but does not force — states to enhance their child welfare services while relieving them of unnecessary administrative burdens. This option for flexible funding represents good public policy.

**SHAY BILCHIK**  
*PRESIDENT AND CEO, CHILD WELFARE LEAGUE OF AMERICA*

WRITTEN FOR THE *CQ RESEARCHER*, APRIL 2005

**i**t is too common an occurrence to read a newspaper or listen to the news and learn about yet another seriously abused or neglected child or a child welfare system struggling to protect the children in its care. Recently, every state, the District of Columbia and Puerto Rico had the performance of their child welfare system measured as a part of a federal review. States fell short in a variety of areas, including having excessive caseloads, inadequate supervision, inadequate training and lack of treatment services.

Each of these shortcomings relates to a failure to provide resources that would support high-quality performance — resources that should be provided through investments made by the federal, state and local governments responsible for protecting abused and neglected children.

Yearly, states confirm nearly 900,000 reports of abuse and neglect. There are more than 550,000 children in the nation's foster care system. Too many of these children stay in foster care far longer than necessary because of the lack of appropriate support services. In fact, nearly 40 percent of abused and neglected children don't receive treatment to address the emotional trauma they have experienced. In addition, much of this abuse could have been avoided through prevention services.

There is indeed a need for greater flexibility in the use of federal funds to help address these service gaps. Proposals that condition flexibility on capping federal funding, however, are shortsighted and reflect a lack of responsiveness to the results of the federal review. While it may seem difficult to argue against an option being presented to the states that trades funding level for flexibility, it actually is quite easy when it is being presented as the federal government's solution to the problems facing our nation's child welfare system. Such a proposal is tantamount to a freeze on the federal commitment to protecting children and contradicts the vital role that the federal government plays in keeping children safe.

Flexibility is needed, but new federal investments are also needed so that fewer children are hurt and more parents can safely care for their children. The federal review clearly tells us that this is the case. It seems a fair demand, therefore, that our federal leaders bring forward a reform proposal that presents serious solutions to the trauma and horror that confront our abused and neglected children — and no less.

Continued from p. 360

is necessary to effectively provide child welfare services,” Congress’ nonpartisan investigating arm said in a 2003 report.<sup>31</sup> However, workers’ salaries tend to be too low to attract and maintain a well-qualified staff, and caseloads tend to be higher than those recommended by widely recognized standards, the agency found. (See graph, p. 359.)

“Large caseloads and worker turnover delay the timeliness of investigations and limit the frequency of worker visits with children,” the GAO said.<sup>32</sup> In reviewing the performance of state child welfare agencies, HHS attributed many deficiencies to high caseloads and inadequate training.<sup>33</sup>

The Child Welfare League suggests a caseload of 12 to 15 children per worker, and the Council on Accreditation for Children and Family Services recommends no more than 18, GAO said.<sup>34</sup> Actual caseloads last year ranged from nine to 80, with medians ranging from 18 to 38 depending on the type of cases a worker was handling, according to a survey by the American Public Human Services Association.<sup>35</sup>

Beginning caseworkers earned a median salary of about \$28,500 in 2002, and the most experienced workers about \$47,000, the Child Welfare League reported.<sup>36</sup> Child welfare administrators complain about losing workers to jobs in schools, where the workers can continue to work with children while earning more in a safer environment.<sup>37</sup> Child welfare staff turnover ranges from 30 to 40 percent annually.

To induce workers to stay in their jobs, Rep. Stephanie Tubbs, D-Ohio, has introduced legislation to forgive their college loans. Ohio Republican Rep. Mike DeWine introduced a similar bill in the previous Congress but had not done so again this year. ■

## OUTLOOK

### Hope and Fear

Children’s advocates view the future of child welfare with optimism and concern. Their hope springs from the reform movements spurring changes in

many state and local programs, the trends in child welfare policies that seem to be moving in effective directions and the agreement among liberals and conservatives that more attention must be focused on early services to troubled families and speedy placement of foster children into permanent homes.

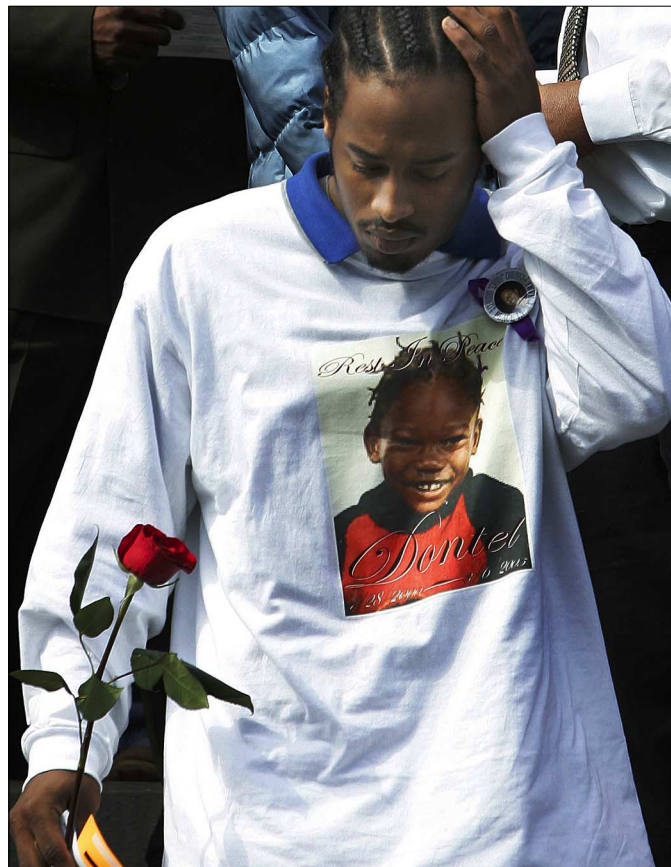
They worry that the federal financial squeeze might strangle child welfare funding and that a threatened increase in methamphetamine addiction could imitate the devastating crack cocaine epidemic of the 1980s and ’90s and cause caseloads to soar once more.

“You have a lot of things going on, a lot of innovation being tested, a lot of interest in looking at the financing,” says Notkin, of the Center for Community Partnerships in Child Welfare. “You also have, in the last few years, some really horrific stories coming to the attention of the public that dramatize the crisis in child welfare.

“The question is whether there will be enough political will to honestly confront the problems of the child welfare system, which are reflective of and connected to other problems in our society.”

The Child Welfare League’s Bilchik foresees “a three- to five-year window where we’re going to see tremendous change in practice and a continuing push for reduction of federal support. Either states are going to ratchet up their support in tough economic times or we’re going to see a reduction in the level and quality of care.

“I think we’re going to go through another cycle where they push for less investment, which will result in more harm for children and that will lead to recognition that more resources are needed,” he says. “At the same time, good



A mourner leaves the funeral service of Dontel Jeffers, 4, in Boston’s Dorchester section on March 16, 2005, wearing a photo of the abused child on his shirt. Dontel died in a foster home where he had been placed by the Department of Social Services. The boy’s relatives claim his foster mother beat him.

AP Photo/Elise Amendola

practices will be adopted as we get better at keeping kids closer to home, reducing the number of times they move and placing them more often with kin.”

Columbia University’s Wulczyn predicts foster care rolls will shrink because “we’re doing a better job of providing appropriate services,” but he adds a caveat: “as long as we don’t experience an unexpected social upheaval that mimics the crack cocaine epidemic.”

The Casey Foundation’s Stangler expects agencies to do “a much better job of promoting permanency arrangements for older youth. And I expect states to get better at connecting the dots between emancipating youth, education and the work force.”

He looks to expansion of current programs through which families volunteer to provide home-like relationships to former foster children, offering them a place to come home to during college vacations, for instance, and adults to whom they can turn for parent-like guidance year-round.

An important challenge, says Meltzer, of the Center for the Study of Social Policy, is getting other parts of society to solve problems that shouldn’t have been left to child welfare agencies to fix. “Ultimately, the child welfare systems have become services of last resort for a lot of problems related to poverty, mental health and substance abuse,” she explains. “Figuring out how you build up resources so fewer kids and families need child welfare intervention is where you want to go.”

HHS Assistant Secretary Horn is confident that the government and child welfare community know more today than 15 years ago about how to prevent child abuse and neglect. “I’m very encouraged by the renewed focus on helping families form and sustain healthy marriages,” he adds, “because two parents in a healthy marriage don’t come home one day and decide to abuse and neglect their children. Parents in unhealthy, dysfunctional and violent households do.”

Rep. McDermott concedes the possibility of “some improvements here or there. But, if you’re digging the kind of debt hole we’ve created, the first ones who are sacrificed into the hole are the kids.”

“Republicans and Democrats do care a lot about kids,” says Mial of the Casey Foundation. “What it comes down to is how well connected are they to what’s happening.”

Research and education are needed, for child welfare workers as well as for politicians, she adds.

And despite Horn’s optimism about knowledge gained in the last 15 years, she says, “We know how to send kids to adoption. We don’t necessarily know how to keep kids in a family or how to reunite them with their family.” ■

## Notes

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<sup>9</sup> “Trends in Foster Care and Adoption,” U.S. Department of Health and Human Services, Administration for Children and Families, August 2004, available at [www.acf.dhhs.gov/programs/cb/dis/afcars/publications/afcars.htm](http://www.acf.dhhs.gov/programs/cb/dis/afcars/publications/afcars.htm).

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<sup>11</sup> Rockoff and O’Donnell, “Leaders Vow To Fix Group Homes,” April 14, 2005, p. 1A.

<sup>12</sup> Child Welfare League of America press release, 2004.

<sup>13</sup> House Ways and Means Committee, Human Resources Subcommittee, “Hearing to Examine Child Welfare Reform Proposals,” July 13, 2004,

## About the Author

**Tom Price** is a Washington-based freelance journalist who writes regularly for *The CQ Researcher*. Previously he was a correspondent in the Cox Newspapers Washington Bureau and chief politics writer for the *Dayton Daily News* and *The Journal Herald*. He is the author of two Washington guidebooks, *Washington, D.C., for Dummies*, and the *Irreverent Guide to Washington, D.C.* His work has appeared in *The New York Times*, *Time*, *Rolling Stone* and other periodicals. He earned a bachelor of science in journalism at Ohio University.



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<sup>15</sup> "Budget in Brief, Fiscal Year 2006," U.S. Department of Health and Human Services, pp. 6 and 98, available at <http://hhs.gov/budget/06budget/FY2006BudgetinBrief.pdf>.

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## FOR MORE INFORMATION

**Annie E. Casey Foundation**, 701 St. Paul St., Baltimore, MD 21202; (410) 547-6600; [www.aecf.org](http://www.aecf.org). Advocates, conducts research and supports programs to benefit disadvantaged children and families; known for its Kids Count Data Book, an annual compilation of state-by-state statistics.

**Child Trends**, 4301 Connecticut Ave., N.W., Suite 100, Washington, DC 20008; (202) 572-6000; [www.childtrends.org](http://www.childtrends.org). Conducts research about children and publishes reports and statistics on its Child Trends Data Bank.

**Child Welfare League of America**, 440 First St., N.W., Washington, DC 20001; (202) 638-2952; [www.cwla.org](http://www.cwla.org). America's oldest and largest child welfare organization advocates, suggests standards and educates welfare workers.

**Children and Family Research Center**, University of Illinois, 1203 W. Oregon St., Urbana, IL 61801; (217) 333-5837; <http://cfrcwww.social.uiuc.edu>. Leading university-based institution for studying children, families and child welfare services.

**Children's Bureau**, 370 L'Enfant Promenade, S.W., Washington, DC 20447; (202) 205-8618; [www.acf.hhs.gov/programs/cb](http://www.acf.hhs.gov/programs/cb). Agency of the U.S. Health and Human Services Department that supports states' delivery of child welfare services, publishes reports and data on its Web site, maintains hotlines for reporting child and domestic abuse and runaway, missing or exploited children (1-800-4ACHILD).

**National Court Appointed Special Advocate (CASA) Association**, 100 W. Harrison, North Tower, Suite 500, Seattle WA 98119; (800) 628-3233; [www.nationalcasa.org](http://www.nationalcasa.org). Provides leadership, consultation and resources for more than 900 CASA programs across the country whose nearly 70,000 volunteers serve as advocates for 280,000 abused or neglected children.

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<sup>34</sup> *Ibid.*, p. 14.

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**Shirk, Martha, and Gary Stangler, *On Their Own: What Happens to Kids When They Age Out of the Foster Care System*, Westview Press, 2004.**

A journalist (Shirk) and the former director of the Missouri Social Services Department (Stangler) who now runs a program for older foster children offer alternately inspiring and heartrending stories of 10 young people who must leave foster care and learn to live on their own without the family and community relationships that most young people lean on as they make the transition from teen to adult.

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The reporter exposes a dysfunctional Los Angeles children's home.

**Rockoff, Jonathan D., and John B. O'Donnell, "A Failure to Protect Maryland's Troubled Group Homes," *The Baltimore Sun*, April 10-13, 2005.**

In a four-part exposé, the authors reveal child abuse, neglect and even death within Maryland's state-supervised group homes for children.

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**"Fostering the Future: Safety, Permanence and Well-Being for Children in Foster Care," the Pew Commission on Children in Foster Care, May 18, 2004, available at <http://pewfostercare.org/research/docs/FinalReport.pdf>.**

This influential report by a blue-ribbon panel headed by two former U.S. representatives — Republican Bill Frenzel of Minnesota and Democrat William H. Gray III of Pennsylvania — explores the need to improve the child welfare system. The commission argues for more flexibility and more federal funds while acknowledging need to moderate federal spending.

**"HHS Could Play a Greater Role in Helping Child Welfare Agencies Recruit and Retain Staff," General Accounting Office (now the Government Accountability Office), March 2003, available at [www.gao.gov/new.items/d03357.pdf](http://www.gao.gov/new.items/d03357.pdf).**

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# The Next Step:

## *Additional Articles from Current Periodicals*

### ***Budget Cuts***

**Salladay, Robert, "Battle Over the State's Foster Care System Has Kids in Middle,"** *The San Francisco Chronicle*, Jan. 14, 2004, p. A4.

Gov. Arnold Schwarzenegger wants to overhaul California's foster care system but has angered child-welfare advocates by proposing budget cuts and overturning revised rules designed to help children escape homelessness or group homes.

**Wagner, John, "Ehrlich's Proposals For Children Mask Cuts, Advocates Say,"** *The Washington Post*, Jan. 30, 2005, Sunday, p. C1.

Maryland Gov. Robert Ehrlich has proposed cutting \$3 million from a program designed to help low-income parents afford day care.

### ***Child Abuse and Death***

**Barnhardt, Laura, "County Says It Didn't Find Evidence that Dundalk Boy's Life Was in Danger,"** *The Baltimore Sun*, March 17, 2005, p. 1A.

Baltimore social workers visited the home of 3-year-old Roy Lechner Jr. more than 150 times in the two years before he died of suspected abuse.

**Jones, Richard, "New Jersey Failed Basic Checks As Boys Starved, a Report Finds,"** *The New York Times*, Feb. 13, 2004, p. A1.

Four boys found severely malnourished had been systematically starved by their adoptive parents while child welfare workers failed to make even the most basic checks on the boys over a dozen years.

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In what some call a dangerous experiment, a federal judge in 2002 barred city workers from removing children from a parent just because the parent was a victim of domestic violence or because the parent failed to protect the child from witnessing abuse.

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often ignores obvious warning signs, such as past child abuse in a home or a caretaker's mental illness, and that children die with little or no intervention from the courts or social services.

### ***Criticisms of Child Welfare Systems***

**Borders, Christine, and Ariel Coyote, "Foster Care is Un-American,"** *The San Francisco Chronicle*, May 2, 2004, p. E5.

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Activists say they are targeting adoption's dark side: The trauma of women coerced into giving up babies, adoptees denied their heritage and a billion-dollar industry that focuses more on profits than child welfare.

### ***Custody Battles***

**Dolan, Maura, "After Gay Parents Split Up,"** *Los Angeles Times*, July 22, 2004, p. A1.

In a growing number of custody cases involving same-sex couples, new reproductive technologies and non-traditional families collide with old legal principles, particularly the formulas used to decide parenthood after a couple breaks up.

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An Illinois court reinstated a woman's parental rights to

her son, even though she had been convicted of killing a child, angering child protection advocates who say a child killer should not be a mom.

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A judge has ruled that a 6-month-old girl will likely be returned to her mother, who gave her up for adoption and then changed her mind.

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**Kirp, David, "Life Way After Head Start,"** *The New York Times Magazine*, Nov. 21, 2004, p. 32.

New research shows that federal programs designed to benefit poor children have a positive long-term impact.

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The number of children placed in New York City foster homes has dropped by 40 percent, enabling the city to cut ties to foster care agencies with the worst scores on its evaluations of child safety and child placement, but it hasn't done so.

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The Community Service Society helps New Yorkers on the cusp of homelessness by educating them about the more than 70 government programs that can offer them help.

## Social Workers

**"Social Workers Embattled but Not Embittered,"** *Los Angeles Times*, Jan. 4, 2004, p. A13.

In many states, social workers complain of excessive caseloads, low salaries and a lack of appreciation, but remembering what they can accomplish boosts their morale.

**James, George, "An Ex-Foster Child With a Message,"** *The New York Times*, Aug. 1, 2004, Sect. 14NJ, p. 4.

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Colorado child-protection workers are overwhelmed with paperwork and climbing caseloads.

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