

The mission of MCWAP is to assure that the state system is meeting the safety, permanency, and well-being of children and families through assessment, research, advocacy and greater citizen involvement. Our goal is to promote child safety and quality services for children, youth and families.

Maine Child Welfare Advisory Panel

November 5th, 2021 / 9 a.m.- 11 a.m.

Virtual: Meeting held over Zoom

Co-Chair: Bobbi Johnson

Co-Chair: Deb Dunlap

Panel Coordinator: Kathryn Brice

Minutes

9:00 a.m.- Welcome and Introductions

Virtual attendance: Donna Bailey, Betsy Boardman, Kathryn Brice, Travis Bryant, Ahmen Cabral, Adrienne Carmack, Kelly Dell'Aquila, Susan Denoncour, Deb Dunlap, Jim Jacobs, Todd Landry, Andrea Mancuso, Ashley McAllister, Libby McCullum, Deb McSweeney, Julian Richter, Tammy Roy, Erin Whitham

Approval of September and October Minutes: Unanimous votes to approve both the September and October minutes.

Confidentiality Agreement Reminder: The Executive Committee has reached out to Blake Jones for technical assistance regarding the scope of the updated confidentiality agreement. In the meantime, members were asked to sign the agreement that was recently distributed and submit to Kathryn via email.

Survey Findings: Kelly, Betsy, Andrea and Deb D. compiled and analyzed the data generated from the parent/caregiver and provider surveys. Members were asked to review these findings (previously emailed) as they will be discussed in greater detail at the Panel's next meeting.

OCFS Updates: Casey Family Programs and their partners at Collaborative Safety recently submitted their report to OCFS. The Department has since released its initial response to these recommendations and is looking forward to collaborating with stakeholders, legislators and others in continuing these efforts. On November 10th, members from OCFS, Casey Family Programs and Collaborative Safety will be speaking at the Government Oversight Committee meeting; Kathryn will forward the link for those who wish to watch the meeting.

9:15 a.m.- New Business

Panel Recommendations: Members were thanked for their efforts in proposing recommendations to the Panel, OCFS and the broader child welfare system. These recommendations will be discussed today, and subcommittees will have the chance to consider any feedback provided today before the recommendations will be compiled and distributed for electronic vote.

Panel Process Recommendations

1. Parent and Provider Surveys- Improvement

The Panel should engage the services of an outside evaluator to bolster the content and process of the Parent and Provider Surveys that are administered every three years.

The Panel has developed two surveys to receive input from community service providers and parents who are impacted by the child welfare system. These surveys are administered every three years to meet Panel requirements under the Children's Justice Act. The origin of the Provider Survey is uncertain but may have been developed by a former OCFS CAPTA Coordinator position. The Parent Survey was developed in 2018 by Panel members. These surveys could benefit from content review and updates to the administration process by a skilled professional evaluator. The Panel should consider investing some dedicated Panel funds for this service.

Members recommended continually distribution of the survey but collecting data every three years (i.e.: posting a link to the survey on the CRP website). Members also suggested strengthening the recommendation by adding a timeline around when the evaluator would be engaged and clarifying how the evaluator would be funded.

The Panel wondered how resource parents are represented in the surveys- do they fall into the parent survey, or provider survey? Members also noted that while the surveys do not collect information from children, youth voice is captured through collaboration with YLAT (for example, the YLAT survey). Despite this, Panel members recognized the need to be strategic in accessing feedback from youth who are not connected to YLAT.

Feedback Summary: add timeline; clarify funding; consider youth and resource parent surveys

2. Parent and Provider Surveys- Internal Feedback

OCFS should provide MCWAP with an annual report on how often and by which method OCFS is surveying parents, youth and families to inform child welfare practice and system improvements. OCFS will provide this report by the last day of March and will present the findings at the April MCWAP meeting.

A role of MCWAP is to gather and utilize citizen feedback in creating priorities and recommendations. A report that outlines the data already gathered will inform panel members and ensure that we are not asking citizens to provide input that has already been gathered.

The Panel recognized that the feedback provided to directly to OCFS may be different than the feedback provided to a non-OCFS entity. With that, members suggested that it might still be appropriate for the MCWAP surveys to explore similar topics as those explored by OCFS.

Feedback Summary: change 'surveying' to 'gathering feedback from'; Executive Committee and OCFS to weigh in on the timeline identified in the recommendation; inquire about the methods that are being used by OCFS to gather feedback

3. Parent Feedback

The Panel should increase the diversity of parent feedback.

The Maine Child Welfare Advisory Panel periodically collects feedback from parents with lived experience in the child welfare system as well as from community providers through the distribution of two surveys. In distributing this survey in the future, the Panel shall seek to work collaboratively with Maine's Permanent Commission on the Status of Racial, Indigenous and

Maine Tribal Populations and other community partners that represent or support Maine's underserved populations to enhance the diversity of respondents. As the Panel seeks to find ways to support citizen engagement, particular attention shall be given to supporting the engagement of parents with lived experience in the child welfare system who identify as persons of color or as members of Maine's indigenous populations.

The Panel discussed the limitations of relying on members to distribute the surveys, noting that doing so may not yield responses from diverse populations. Members also contemplated expanding what constitutes 'parent' feedback, and suggested that surveys be extended to kinship families, extended family members, etc.

Feedback Summary: change 'Maine's indigenous populations' to 'indigenous populations in Maine'.

4. Panel Recommendations Outcomes

OCFS will compile a written report that contains all recommendations made by MCWAP since January 2018 and the outcome/action steps that have been taken as a result of those recommendations. OCFS will submit this report to MCWAP no later than January 31, 2022 and will present findings at the MCWAP meeting on February 4th, 2022.

Panel members need to look at strengthening the internal structure and accountability to ensure effectiveness and accountability to the communities we represent. We need to be able to tell families and new citizen members what happens as a result of their input and recommendations.

The Panel wondered if outcomes from the other two tiers of recommendations- Panel and broader child welfare system- should also be included in the report requested. Members discussed needing to consult with OCFS on this requested timeline.

Feedback Summary: insert 'to OCFS' between 'made' and 'by' in the first sentence of the recommendation; develop report on Panel process and broad system outcomes; Executive Committee to look at timelines/deadlines and develop realistic calendar of reports from OCFS; clarify language to reflect that this is a request for historic outcomes, not those being recommended in this year's report; develop process for Panel to review recommendations made for Panel process and to broader child welfare system.

OCFS Recommendations

5. Effective Communication and Coordination- Family Team Meetings

OCFS should invest in Family Team Meetings as a framework for coordination and communication between child welfare and community providers. This should include funding designated staff to provide skilled meeting facilitation, investing in ongoing training and coaching for OCFS caseworkers and supervisors, and providing training to educate and engage community providers in the Family Team Meeting model and promote best practices in team decision making.

The Panel has been focusing for several years on ways to improve effective communication and coordination among community providers and child welfare. Many evaluations, including [OPEGA](#) in 2018, MCWAP Provider Survey results in 2018 and 2021, and the report that

was recently issued by Casey Family Programs have emphasized the need to improve communication and coordination between child welfare and community providers who serve families. Family Team Meetings are a nationally-recognized proven framework to support these practices, and Maine was an early leader in this practice. However, changes in leadership and investment priorities have resulted in inconsistent practice in the Family Team Meeting model over time and geographic regions. Sustained, focused investment in statewide Family Team Meeting training and infrastructure will support improved coordination and communication across the many providers who make up the broader child welfare system and promote shared responsibility for the child protective process.

Members noted that FTMs are great avenues for effective communication when they are well facilitated but reported that there is inconsistency in practice. Member also noted that FTMs are particularly successful when the family's providers are present: if OCFS supports electronic meetings, participation at FTMs will likely increase.

The Panel requested that the recommendation outline whether funding is intended for additional training and support for caseworkers, or if it would fund additional positions to facilitate these meetings.

Feedback Summary: clarify 'skilled meeting facilitation' (i.e.: designative facilitators? Or building skills for caseworkers?); acknowledge gap between updated FTM policy and inconsistency in practice by caseworker/district.

6. Parent Engagement

OCFS should provide a report to the Panel on the provision of information to parents who are involved with child welfare by February 28, 2022.

The Panel has received feedback from parents with open child protective cases who have indicated they are not receiving the information they need, in a manner they can understand, to fully participate in their reunification plans. Title 22 statute requires that DHHS/OCFS make "good faith efforts to seek parent participation" in the development of a reunification plan when children are removed from their custody, and "to cooperate with the parent in the pursuit of the plan." These efforts include providing the parent with information about their responsibilities for completing services; how to contact the assigned caseworker; a supervised visit schedule; and a way to measure the extent to which parents have made progress in the reunification plan. The Panel is requesting that OCFS provide a report on the manner and content of information that is currently provided to parents, as well as any gaps.

The findings from the survey highlighted that 72% of respondents reported not fully and clearly understanding their rights at the time their children were removed; this recommendation seeks to explore why parents are not understanding the information provided to them, assuming it is being provided to them. With that, members clarified that this recommendation has to do with the provision of information to parents throughout the life of the case, not just through the reunification plan.

The Panel also highlighted that there have been several proposed recommendations so far that involve OCFS writing a report in a limited timeframe. The Executive Committee agreed to discuss this timeline at its next meeting.

Feedback Summary: clarify OCFS timelines and consider if this report could be combined with another; highlight that the purpose of the request is to help the Panel understand what information the Department provides- how, when, and to whom

7. Parent and Youth Engagement

OCFS will identify and invest in programs that support parent and youth engagement in the child welfare process and in quality improvement efforts, including membership on citizen review panels. This is to be completed by June 30, 2022, and OCFS will provide status updates at least every six months.

National best practice and legislation requires family and youth centered engagement in creating system change. Since 1998, Maine DHHS has provided support and partnership to the Youth Leadership Advisory Team (YLAT), a nationally recognized program that brings young people and adult partners together to improve outcomes for all youth in care. Maine had been a national leader by investing in the Parents as Partners approach for over eleven years, but discontinued funding in June 2021. Parent Partners supported parents to engage with the child welfare system, trained all new child protective caseworkers, and served on numerous state advisory panels, including two of Maine's Citizen Review Panels. Currently, OCFS is not investing in any models to engage parents with lived experience in child welfare service delivery and improvement.

Feedback Summary: Members suggested referencing the Casey Family Programs report.

8. Domestic Violence Response Policies and Practices

By December 31, 2022, OCFS shall update its domestic violence response policies and practices to ensure that children are not being removed, or threatened to be removed, from non-offending parents for "failure to protect" the child from exposure to domestic violence committed against the non-offending parent by the offending parent without:

- 1. Finding that exposure has caused or is causing significant emotional harm to the child;**
- 2. Having first ensured the non-offending parent has necessary practical resources available to them to separate themselves and their child(ren) from the parent using abuse; and**
- 3. Having ensured that the abusive parent is held accountable for their failure to comply with any orders regarding their obligations and conduct.**

Members discussed the use of the word 'ensure' in the recommendation, suggesting that the Department make policy changes without considering the legal implications of 'failure to protect'. Several members volunteered to form a workgroup to continue this conversation and make edits to the recommendation as necessary.

Feedback Summary: explore legal restrictions on policy and practices, including those that could limit the ability of OCFS to implement the recommendation; clarify the purpose of the recommendation (for OCFS to have appropriate policy and response, and the roles of education and implementation)

9. Domestic Violence Response Policies and Practices

Perpetrators of domestic violence must have their own service plans that require: cessation of verbal, emotional, physical and sexual abuse of all family members; cessation of interference with the other parent's efforts to parent the children safely; compliance with protection orders and other court-ordered mandates; and attendance at certified domestic violence intervention programs.

No fewer than eleven narrative responses from the 2021 provider feedback survey specifically name the child welfare system's struggle to hold perpetrators of domestic violence accountable for their own behavior as either a problem that continues to hinder the system's response to maltreated children or the most important change to make to improve the response. The above requirements should serve as the minimum required in a service plan for a parent who is being abusive to the other parent.

Members highlighted that parents have their own reunification plans, whether or not there are concerns of intimate partner violence (IPV). When IPV is flagged as a concern, OCFS should be holding separate meetings, visits, etc. for each parent. Despite this, members reported inconsistencies in the practice. The workgroup who will be meeting to discussion Recommendation #8 will also discuss this recommendation.

Feedback Summary: explore language in the recommendation; clarify scope of training and managing implementation of policies in the field.

10. OCFS Discretionary Funds

By December 2022, the State should provide adequate funding to OCFS to implement a process whereby assessment caseworkers have discretion to authorize up to \$1,000 per family to help cover expenses identified by the family as necessary to help them meet the needs of their child(ren) and/or the expectations of the Department.

Countless narrative survey responses from providers identified a critical need for better access to practical resources for families. Many providers specifically cited the need for more services to be available (such as mental health services and substance use services). However, many providers also cited a need for increased (and timelier/less bureaucratic) access to things like childcare, transportation, food, rental assistance, job training, etc. Many providers noted that current structures for connecting families in crisis to resources are too slow or insufficient to meet needs. For many families, the stress of trying to meet basic needs interferes with their ability to attend to other concerns that may be driving their involvement with child welfare.

Members discussed Recommendation 10 and 11 simultaneously; see Recommendation 11 for more information.

Broad Child Welfare System Recommendations

11. Flexible resource fund for families to be access outside of OCFS

By December 2022, the State should provide no less than \$200,000 to designated external community partners to provide flexible cash assistance to families at risk of having their

children removed – to specifically include any family for whom OCFS has an open assessment. These funds should be highly flexible, with the only criteria being that they are used to help cover expenses identified by the family as necessary to help them meet the needs of their child(ren). The State should consider external partners such as the existing [Regional Care Teams](#), who currently provide similar support for justice involved youth, or statewide non-profit agencies that provide support and advocacy for families experiencing poverty, such as Maine Equal Justice.

Members expressed agreement on the need for flexible fund support and discussed their experiences with these types of funds through veteran services and services for survivors of domestic violence. The Panel requested clarification about how much money a family could request and how often they would be able to do so. A workgroup of volunteers was formed to discuss this recommendation along with #10.

Feedback Summary: who should this recommendation be made to; considerations related to scope- number of families, criteria, disbursement, where would funds come from, etc.

12. Earlier Access to Legal Representation

By December 2022, Maine should provide adequate funding to the Maine Commission on Indigent Legal Services (MCILS) to create a pilot program in a selected region to provide legal advice and representation to all families as soon as the Office of Child and Family Services opens an assessment.

Members noted that Casey Family Programs put together a piece of this issue, along with different models that have been tried and the data related to these efforts: <https://www.casey.org/preventive-legal-support/>. A workgroup of volunteers has formed to further discuss this recommendation.

13. Domestic Violence Response Training

All professionals working within the child welfare system, including Guardians ad Litem, should receive additional training in domestic abuse and intimate partner violence by December 2022.

Members discovered exposure to domestic violence as it relates to an Adverse Childhood Experience (ACEs). A workgroup has agreed to form to discuss this recommendation, along with #8 and #9.

14. Support and Oversight of Guardians ad Litem

By December 2022, in partnership with interested community stakeholders, the Guardian ad litem review board and the Maine Judicial Branch should bring forward a proposal to better support guardians ad litem in developing their skills and expertise, as well as to bring a higher level of substantive oversight of their work. This process should include recommended mechanisms and metrics for identifying appropriate mentors within Maine's guardian ad litem community, opportunity for case consultation by guardians *ad litem* with their peers, and a process for periodic case review. The legislature should fund this work and the resulting process. The Maine Child Welfare Advisory Panel should remain engaged in this conversation,

up to and including providing legislative advocacy for funding and any needed statute or rule changes.

In July 2006, OPEGA issued a report to the Maine Legislature's Government Oversight Committee that concluded judges could not be confident that they were receiving complete and accurate information from GALs, and GALs were not reliably providing well considered recommendations. Though some reforms have been enacted since that time, there is a wealth of information that has been discussed and reviewed by members of Maine's Child Welfare Advisory Panel over the last year to conclude that this continues to be a problem negatively impacting families.

The Panel agreed that this is an important recommendation, highlighting that this topic was also raised during the community stakeholder listening sessions that OCFS hosted in 2020. The workgroup that will be discussing Recommendation 12 will also consider this recommendation.

Members were notified that a follow-up email would be circulated shortly with a summary of the feedback for each recommendation. Once the workgroups and/or subcommittees have had a chance to consider the feedback, the updated recommendations will be compiled and distributed for electronic vote.

11:00 a.m.- Adjourn and Next Steps

Kathryn to send Confidentiality Agreement in Word rather than PDF.

Kathryn to send link to GOC meeting on 11/10/2021.

Next Panel Meeting: Virtual Meeting, December 3rd, 2021, 9 a.m.- 11 a.m.