

## New DYFS chief meets with workers in A.C.

By PETE McALEER

Statehouse Bureau

February 28, 2004

TRENTON - In her 17 years as a caseworker, Deborah Simpson has seen plenty of failed attempts to fix the state's child-protection agency.

This latest try seems different.

"I think this time it's about the families and the children," Simpson said.

Simpson and her fellow employees at the Atlantic City office of the state's Division of Youth and Family Services, or DYFS, met their new boss Friday, Department of Human Services acting Commissioner James Davy. The workers offered reaction and advice on the state's \$125 million plan to resurrect DYFS with more staff, better pay for foster parents, improved screening procedures and increased funding for housing, job training and drug-treatment programs.

The morale and reputation of DYFS workers took a beating during the past year after highly publicized failures to protect foster children in Newark and Collingswood. Davy told the Atlantic City workers they were doing heroic, important work.

"You see things people shouldn't see," he said.

Simpson suggested caseworkers be allowed overtime to make evening follow-ups. Another worker suggested allowing college interns to receive training at DYFS during their senior year.

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Chairman Lou Greenwald, D-Camden, has said he is hesitant to approve the plan unless he can be convinced it will produce results. Gov. James E. McGreevey has said he will veto the budget if the DYFS money is not included.

Davy asked workers Friday to help him sell the plan by calling the legislature and asking for their support. Atlantic City is the first stop in an eventual tour of the state's 32 district offices.

McGreevey's former chief of operations, Davy took over responsibility for DYFS earlier this year. He has been with the governor for more than a decade, serving as his administrator when McGreevey was mayor of Woodbridge Township. Since assuming the commissioner role, Davy has held weekly press conferences to update the media on progress at the agency.

In charge of the blueprint to fix DYFS is Lisa Eisenbud, who two years ago called attention to the agency's failures with a report that chronicled what happens to foster children when they turn 18. She said she decided to join McGreevey's staff because of his commitment to children.

"Now, I'm a child advocate on the inside," Eisenbud said. "It's a whole new day. It's not just some nibbling and trying to tinker around the edges."

At Covenant House, residential program director Brian Nelson would like to share the same optimism. But first he wants to see some results. Right now the state still needs more beds at transitional facilities like Covenant House, which often has to send children to its crisis center because of a lack of space. Most important is improved screening of foster parents, he said, so runaways don't continue to show up at his door with the same horror stories.

But Nelson said he believes Davy has some good ideas for improving the agency and his visit Friday was a positive sign. Asked to recall the last time the head of the DYFS visited the Covenant House, Nelson said "I don't think they ever have."

## **Overburdened DYFS workers say kids at risk**

### **One Morris staffer is assigned 112 cases**

BY SUSAN K. LIVIO    Star-Ledger Staff    February 28, 2004

With abused and neglected children flooding into the Division of Youth and Family Services at a record rate, caseworkers are warning the state they are so swamped they can no longer vouch for the safety of children they are supposed to protect.

Six caseworkers in the Morris office filed grievances this past week saying caseloads had skyrocketed to the point that one worker is assigned to supervise 112 cases; another had 97. Only two of the workers have caseloads anywhere near the statewide average of 42 cases. "Workers who are getting case after case are so stressed out, they are losing it. Anywhere from 15 to 20 people have quit or transferred out over the last six months," said Guy Gordon, caseworker and shop steward for Communications Workers of America Local 1037.

The union says six more Morris staffers are expected to file grievances on Monday, following the lead of the Bergen County district office, which has filed at least 40 grievances for excessive workloads since December, litigation supervisor Jackie Friedman-Collins said yesterday.

"People are crying because they can't do the work," Friedman-Collins said. "There are eight people with caseloads over 100 kids, 11 others have more than 70."

The complaints come as the state's child welfare agency is planning an unprecedented overhaul at DYFS that includes

hiring 1,500 additional workers and setting caseload limits over the next 2 1/2 years. But union officials say they need help now.

Acting Human Services Commissioner James Davy yesterday acknowledged the lack of staffing is a statewide problem, particularly as the number of children under the state's supervision has climbed to a record high of 66,000.

"It's a problem everywhere," Davy said. "That's why we need to get the plan implemented so we get the resources we need."

The total number of children monitored by DYFS has climbed 40 percent since January 2003, when police recovered the beaten body of 7-year-old Faheem Williams from a relative's closet in Newark. The boy's death raised public awareness of child abuse and sparked outrage against the state because DYFS had closed the family's case without investigating an allegation of abuse.

No one is quite sure why the caseloads have been rising so fast, but there are theories. One is that public scrutiny and publicity during the past 13 months has prompted people to report more cases of suspected abuse. Another theory is that cases aren't getting closed as quickly anymore out of fear workers may miss something, as they did with Faheem's case.

DYFS employees in Morris County alluded to Faheem's death in a letter Thursday to Gov. James E. McGreevey, asking for his help.

"It has been a year since we were promised changes to prevent more tragedies," the letter said. "We on the front line see little improvement and have seen our caseloads continue to climb. The lives of the children we are committed to protecting are too valuable to wait months while the latest plan is implemented."

Davy said workers in Morris will get some relief next week when two employees finish training and join the 12 others who accept new cases.

Another 14 trainees -- people with less than a year on the job -- will take a small number of low-risk ongoing cases to help lighten the load. And an additional specialist will be added to help close cases that no longer need DYFS supervision.

Gordon said these interim steps are not adequate because few of the new employees are experienced enough to do field investigations of serious allegations of abuse. Gordon says he has received 14 new cases to investigate in just more than two weeks. Meanwhile he hasn't seen some children in months.

"We have so many chiefs overlooking everything right now -- they should take some of the people in the regional offices and give them a caseload," Gordon said.

The problems are not confined to Bergen and Morris county, said Hetty Rosenstein, president of CWA Local 1037. "Every office is in crisis. There's plenty of offices that are just as bad as Morris."

In the long-term, the state's reform plan addresses the problem.

The written plan contains a section on revising the way workers investigate allegations of abuse and get assigned cases. The plan envisions that employees who investigate complaints would do nothing else, and would get no more than eight new cases a month. Caseload-carrying workers would get no more than 15 cases a month.

Marcia Robinson Lowry, executive director of Children's Rights Inc., which sued the state for violating foster children's rights, said she was alarmed by the skyrocketing caseloads.

"We understand it will take a long time to get the agency functioning, but money was supposed to come in the short-term to deal with the crisis of high caseloads," Lowry said. "Children's lives may well be at stake."

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## **DYFS reviewing its actions before boy's scalding death**

### **Mother who left her 4 kids alone overnight was investigated twice last year**

BY SUSAN K. LIVIO     Star-Ledger Staff     March 03, 2004

The scalding death of a 5-year-old autistic boy left alone with his three siblings all night in their Trenton apartment is raising questions, once again, about the actions and decision-making of the state's child protection system.

Acting Human Services Commissioner James Davy asked Edward Cotton, director of the Division of Youth and Family Services, to review the case history of Alicia Day, a 30-year-old mother of four whose son, Samuel Allen III, died a week ago.

The Mercer County Prosecutor's Office believes the boy was using the bathroom sink and was unable to shut off the hot water, which fatally scalded him.

The prosecutor has charged the boy's mother with child endangerment for leaving her children unsupervised while she worked an overnight shift. Day is being held at the Trenton Psychiatric Hospital, where she is undergoing a psychiatric evaluation, said Casey DeBlasio, the prosecutor's spokeswoman.

According to state officials, Day came to work last Tuesday night after losing her baby sitter at the last minute because her boss threatened to fire her.

Twice last year, DYFS employees investigated Day -- once in October when someone reported Samuel was running naked in the development where the family lived and again in December after her oldest son told teachers he was afraid his mother would beat him because he got suspended from school. DYFS spokesman Andy Williams said the agency did not substantiate either complaint.

"I am looking to see whether a thorough investigation was done," Cotton said. The examination into the October complaint was handled "quickly and competently," but he is still reviewing the December incident.

"The commissioner is asking if anything was offered to the mother," Williams said. "Was there child care or any support services offered? Did we pursue everything we could have to help out the family?"

water, which fatally scalded him.

water, which fatally scalded him. December incident.



Mr. Ryan, the state's child advocate, said on Wednesday that his review, which is continuing, found no evidence that the agency offered child care or other support services to Ms. Day's family and that workers did not adequately assess potential risks to the children in her home.

"In this way, the investigations were shallow," said Mr. Ryan, who added, "This is textbook case of a family in need who was not being served."

The advocate also noted that just four days before Samuel's death, a supervisor at the agency noticed that Ms. Day's file was being considered for closing, but recommended that field workers re-establish contact with the family.

"There was a notation that this case will not be closed until you do this and this," Mr. Ryan said. "This is the first time I've seen that kind of statement in a case file in a long time."

That sentiment, Mr. Ryan said, may demonstrate that despite its continuing failings, the child welfare agency is regarding itself and its cases with a more exacting eye after a year in which state officials, including Gov. James E. McGreevey, conceded that the system was perilously flawed.

Last month, as part of the settlement of a federal lawsuit against the state's foster care system, the agency unveiled a nearly 200-page plan to overhaul the system. The plan, expected to cost about \$125 million in the next fiscal year, calls for hiring about 1,000 child welfare workers and creating teams of specially trained investigators who would handle allegations of abuse and neglect.

The proposal also calls for broadening the agency's support for families, including offering greater child care and baby-sitting for families who need it.

Mr. Ryan said that the kind of proposals suggested in the agency's overhaul might help prevent the deaths of children who are harmed when they are left unsupervised, as the authorities believe Samuel had been.

The agency opened an investigation into Ms. Day's family in October, when workers received a report that a naked Samuel was playing in the neighborhood. Two months later, the agency visited Ms. Day's home again when teachers reported that Ms. Day's eldest child had told them that he would be beaten if school officials called home to report that he had misbehaved in school.

Both reports were marked "unsubstantiated" in the agency's files.

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## **DYFS contests claim of mishandled case**

BY SUSAN K. LIVIO      Star-Ledger Staff      March 05, 2004

Top Human Services officials yesterday disputed the state Child Advocate's conclusions that child welfare workers mishandled a case last year when they investigated a mother now charged in the death of her son.

Acting Human Services Commissioner James Davy said state workers had repeatedly asked a Trenton mother of four whether she wanted outside help taking care of her family. Workers also verified that she had child care by speaking to her baby-sitters.

The Mercer County Prosecutor's Office charged Alicia Day, 30, with four counts of child endangerment for leaving her

children alone when she went to work the overnight shift at a manufacturing plant Feb. 24. During the night, her 5-year-old autistic son, Samuel Allen III, was scalded to death by water from a bathroom faucet that he could not shut off.

State Child Advocate Kevin Ryan on Wednesday said the death might have been prevented if DYFS had better handled two investigations involving the mother last year.

DYFS investigated Day in October when someone reported Samuel was running naked in the neighborhood. DYFS was back in December after Day's 9-year-old son told teachers he was afraid his mother would beat him

page proposal, which would spend \$320 million over the next 2 1/2 years to improve the state's system of protecting abused and neglected children. But others said the plan still falls short in the effort to change a system state officials admit has been underfunded, understaffed and mismanaged for decades.

The plan to revamp the Division of Youth and Family Services was crafted as part of the settlement of a class-action suit claiming the state does not adequately protect foster children. The New Jersey Child Welfare Panel, created by the settlement, must decide by March 18 whether the plan is ambitious enough.

Foster care is one of the key areas acting Human Services Commissioner James Davy wants to change. The plan calls for foster parents to be paid more to care for children and be assigned their own caseworker to help them through the training process and with potential problems once children are placed in their homes.

While foster parents said they support these moves, some





She said that placing children close to troubled birth families could create "some messy situations."

Jerome Jackson, another caseworker, also questioned a plan to enlist birth families and their communities in deciding the best way to care for a foster child.

"Most families do not sit down together to have a meal, let alone sit down to determine a course of action for their children," he said.

Before the hearing, Department of Human Services Acting Commissioner James Davy visited a foster home in Haddonfield, where he heard an earful about the plan from two mostly content foster parents.

Lawyer Julie Smith and investment banker Joan Taylor, both 41, have an infant and three toddlers in their five-bedroom home. They took issue with some aspects of the plan they said created financial incentives for people to become foster parents.

One part of the plan calls for the state to fund repairs to homes to make them suitable for foster children.

Smith told Davy it wouldn't be safe for the children nor fair to the foster parents to put them so close to their former homes as to allow encounters with potentially enraged birth-parents.

They also urged Davy to do what he could to streamline the court process, which they said is fragmented and filled with delays.

"It goes on and on and on," Smith said.

Overall, the couple said they loved being foster parents.

## **State awards contract for DYFS computer system**

TRENTON— The New Jersey Department of

## Provide appropriate interfaces with other information systems to coordinate information and communication with the courts, Work First New Jersey (TANF), Medicaid, and child support enforcement

## Enhance DYFS' ability to meet Federal AFCARS (Adoption and Foster Care Analysis and Reporting System) and NCANDS (National Child Abuse and Neglect Data System) reporting requirements - translating into increased Federal reimbursements including Title IV-E (foster care)

## Enhance the capacity of DYFS to allocate and monitor the expenditure of funds for third party contracted social services from private providers to support its child protection/child welfare efforts.

To alleviate problems and to expedite implementation, New Jersey's SACWIS system will be based upon the successful system AMS developed for Wisconsin. Called eWiSACWIS, Wisconsin's system supports nearly 3,000 caseworkers with about 800 concurrent users daily. The system being transferred also has the potential to provide mobile and remote functionality to workers and providers, allowing the system to be used in the field and eventually by community groups and service providers.

In addition to Wisconsin, AMS has developed SACWIS systems for Alaska, Connecticut, Illinois, New Mexico and Rhode Island. The company has also led SACWIS design projects in Alabama and Louisiana.

Seven vendors originally supplied bids which were subsequently reviewed for compliance by the Department of Treasury's Division of Purchase and Property. Bidders were required to meet New Jersey procurement regulations and were subjected to extensive review including reference checks, on-site visits and program demonstrations. Installed through a series of modules, the system will be operational within 24 months with the first module rolling out statewide within the first year. Recognizing the importance of providing staff with the tools they need to serve New Jersey's children and families, the Division recently deployed several interim applications to help track visits with children as well as foster care placements which can lead to better documentation and additional Federal reimbursement for Title-IV E (foster care).

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## **State probes parents' treatment of foster children**

### **Pair says locked doors, nailed-shut windows aren't signs of abuse**

BY SUSAN K. LIVIO AND MARY JO PATTERSON    Star-Ledger Staff    March 06, 2004

A South Jersey family who adopted at least eight foster children is under scrutiny after a child welfare worker found several children locked inside their home. Many of the house's windows also were nailed shut.

Egg Harbor Township police, who were called to the scene, broke a kitchen window in order to enter the house of Irene and Karey Smalley, said police Lt. Blaze Catania. Inside were two adopted sons, ages 12 and 16, another child, 3, and an adult sibling.

The Smalleys have numerous grown biological children, as well as the children they adopted through the state Division of Youth and Family Services.

DYFS subsequently removed the 12- and 16-year-olds out of concern for their safety, said Laurie Facciarossa, spokeswoman for the state Department of Human Services. A Superior Court judge, meanwhile, allowed seven other children to remain in the home, she said. Facciarossa did not name the

"has ordered a complete review and investigation into the state's involvement with the family," she said.

In an interview at their home yesterday, the parents denied mistreating any of their children.

The chain of events began Monday when a DYFS worker tried to make an unannounced visit. The agency was monitoring the family because, in May 2003, one of the Smalleys' daughters alleged that two younger brothers were being abused, according to sources who saw the family's file.

The teenager alleged that the boys -- the same boys who were found locked in on Monday -- were being locked in their bedrooms and denied use of a bathroom as well as adequate food, the sources said.

Yesterday, the Smalleys said they had not neglected or abused any of their kids. They described themselves as very religious and dedicated parents.

In an interview, Irene Smalley said she went shopping and forgot to leave her sons a key with which to open the deadbolt lock. The windows on the front and side of the house were nailed shut for security reasons, she said.

Irene Smalley said that one of the refrigerators in the house had a padlock, but displayed another that was unlocked and stocked with food. The padlocked refrigerator stored her husband's diabetes medicine, she said.

Her two sons were home on Monday because they are home-schooled, she said. The other children attend regular school, she said.

If anyone is guilty of neglect, it is DYFS, Irene Smalley said. The mother said she pleaded with DYFS in September to give her additional help with her 16-year-old, who is defiant and difficult, or put him in foster care. No one helped, she said.

"I'm not guilty of what they say they're going to charge me with," she said. "Before they starve, I'll starve. That's the way it is."

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## **Don't shortchange DYFS**      Star-Ledger Editorial      March 08, 2004

The price tag for reforming the state Division of Youth and Family Services is a big one: \$320 million over the next 2 1/2 years, \$125 million from the budget the Legislature is working on now.

The children who died or suffered abuse under DYFS's care paid dearly to drag New Jersey toward this reform. Now the Legislature must find a way to fund every cent required to execute it, in their name.

The \$320 million price tag is, in fact, the cost of having left too many things undone for too long. Start with the computerized tracking system DYFS is building to help caseworkers easily identify what has been accomplished and remains to be done for each family. Some kids might not have slipped through the cracks had the system been operational. It should have been up and running long ago.

But the Legislature kept freezing the funds as 3,200 desktop computers became obsolete waiting for completion of the system. That kind of waste cannot be tolerated this time.

The reform plan calls for \$58 million to expand drug treatment. That will help DYFS because a high percentage of its cases involve addicted parents. But drug abuse is also clogging our prisons and courts. For every person in treatment, three more are on a waiting list for state-subsidized rehab.



saw two to four children each day spending significant time in district offices.

- End the practice of allowing newborns to remain in hospitals after they are medically cleared to leave.

**Status:** Of 21 “boarder babies” in New Jersey hospitals on Jan. 14, one remains in a hospital. The child has severe medical problems and is awaiting placement in a pediatric group home. All told, there are 15 boarder babies statewide as of today. Two veteran DYFS workers continue working in the Newark area – which has about 75 percent of the state’s boarder baby cases – to target this problem. Last week, three family team conferences were held in Newark to discuss active boarder baby cases. In two cases, relatives were identified to provide a home for the child. Background checks and home studies are underway. A total of seven boarder babies were discharged from hospitals last week, and four were placed with relatives.

- Redo safety assessments of 6,000 children in out-of-home placement.

**Status:** To date, 1,589 DYFS workers and 697 community agency staff members were trained in the new assessment protocol. One additional training session has been scheduled. DYFS workers and their community agency counterparts have held 189 pre-assessment conferences and completed 45 assessments through the end of last week. No safety concerns were noted.

Davy also announced an additional 500 safety assessments will be re-done. The Child Advocate raised issue with these assessments as part of his Collingswood report several weeks ago. These assessments were originally done when the worker was completing the required monthly placement visit as part of the adoption process. The assessments should have been done as a separate visit said Davy.

- Bolster foster parent recruitment and retention.

**Status:** The Hispanic Information Center – which has a contract to develop 10 foster-care beds for Hispanic children – has identified five potential foster homes in Hudson County and one in Passaic County. In addition, DHS officials continue working with the child welfare panel to develop a \$1.5 million initiative to recruit resource homes in targeted communities. Davy said he expects the final plan will be finished in the next few weeks.

- Expedite medical examinations of children going to foster homes and other placements.

**Status:** DYFS continues interviewing applicants to fill 12 positions for nurses who will handle medical screenings for children moving from one foster placement to another. In addition, pediatricians are available in all 21 counties to examine children going into foster care and other out-of-home placements. To date, 19 DYFS offices – out of 38 field offices in the state – have allocated private space to conduct medical exams. The remaining offices are still working to identify appropriate space.

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**RELEASE:** March 8, 2004

[Previous Screen](#)

### **Human Services announces initiative to expedite behavioral health services for children in detention**

**TRENTON** – The Department of Human Services (DHS) announced today it will assign two youth case managers to the Camden County Youth Center (CCYC) and free up an additional \$600,000 to add five treatment homes in South Jersey over the next few weeks so children can move more quickly out of the overcrowded detention facility and into more appropriate settings where they can get the behavioral health services they need.

Under the direction of Acting Commissioner Jim Davy, senior DHS staff worked throughout the weekend developing a

strategy to address the continuing overcrowding problems and difficult situation facing CCYC and the children it



## MOUNT LAUREL

At first the little girl didn't completely understand.

A state Division of Youth and Family Services therapist had told 6-year-old Delimar Vera of Willingboro the story of a mommy and daddy who thought they lost their baby in a fire.

After hearing the tale last week, Delimar romped around the DYFS office and finally jumped into the lap of DYFS supervisor Karen Stoever of Berlin Borough.

"She told me they (the mother and father) lost their baby in the fire. Then I told her she was the baby," said Stoever, saying Delimar finally began to understand.

"We loved, hugged and kissed her day by day. She needed nurturing and we provided it," Stoever said of the worker giving attention to Delimar, who was allegedly kidnapped from a Philadelphia home that was apparently set on fire in 1997.

Stoever and three other employees worked on the case to place the kindergartner in a foster family two weeks ago and then helped reunite her last week with her biological parents from Philadelphia.

Those employees gave an exclusive interview to the Courier-Post Thursday in the presence of their boss, James Davy, acting commissioner of the New Jersey Department of Human Services.

He came to their DYFS office on Howard Avenue in Mount Laurel to praise them for their work in making the girl's transition so smooth. They in turn thanked him for coming to tell them. **ADVERTISEMENT - CLICK TO ENLARGE OR VISIT WEBSITE**

"What you did in the Delimar Vera case was so special. It was caring, compassionate and quality work," Davy said.

"We shouldn't be painted with a broad brush when bad things happen because we're doing God's work in the vineyard every day," he said, alluding to adverse publicity on some other cases.

In Delimar's case, Stoever praised her separated parents, Luz Cuevas and Pedro Vera, for acting responsibly and complying with all of DYFS' wishes. "They didn't want to do anything to hurt her," she said.

### **DYFS workers praised in case of 6-year-old once believed dead**    March 13, 2004

MOUNT LAUREL, N.J. -- The state's acting Human Services Commissioner praised child welfare caseworkers for their efforts in the case of a girl who was reunited with her biological parents six years after authorities believed she died in a fire.

James Davy told workers last week that they did "caring, compassionate and quality work" in taking care of the child until she was returned to her birth parents.

Police allege that the girl \_ named Delimar Vera at birth \_ was kidnapped from her crib in Philadelphia when she was 10 days old. The woman who was raising the 6-year-old girl now faces kidnapping and arson charges.

The Division of Youth and Family Services placed the girl with a foster family two weeks ago and then helped reunite her last week with her biological parents in Philadelphia.

The agency has been criticized following a series of high-profile cases, including the discovery last October of four boys allegedly starved by their adoptive parents in Collingswood.

"We shouldn't be painted with a broad brush when bad things happen because we're doing God's work in the vineyard every day," Davy told workers, according to the Courier-Post of Cherry Hill.

DYFS' Mount Laurel office manager Francine Scott said all cases should receive as much individual attention, but she noted the agency is overburdened.

"It was the epitome of how we'd like every case to proceed in placing a child," she said.

Police allege that Carolyn Correa, 42, of Willingboro snatched the child in December 1997 and then torched the house to cover her crime and raised the infant as her own.

Correa, a cousin by marriage of the girl's father, Pedro Vera, was charged with arson, kidnapping and 13 other counts. She has been held on \$1 million bail since her arrest March 2.



to the health, safety, and welfare of the child."

The court also said DYFS can immediately seek to end the parental rights of those convicted of serious crimes, such as murder or rape of a child, or someone whose parental rights regarding another child were terminated in another case.

The decision, written by Justice Virginia Long, upholds a ruling made by a state appellate court which developed the definitions the top court affirmed in its ruling. It stems from a 2001 case in which DYFS tried to end a New Jersey man's parental rights regarding his three children, ages 16, 10, and 9.

They children were placed with their grandparents in Florida after the 10-year-old came to school with bruises and welt marks. Their father was charged with assault and child abuse and later admitted to the beating as a form of discipline, but said it was a "grievous error" and unsuccessfully sought to have the children returned. They are now in foster care because their grandparents health has deteriorated.

While the Supreme Court's ruling requires the trial judge to take another look at the father's case, it did not overturn the decision to terminate his parental rights.

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## **DYFS revamp likely to gain an agreement**

### **Conditional approval would allow agency to start implementing the \$320 million plan**

BY SUSAN K. LIVIO      Star-Ledger Staff      March 19, 2004

After daylong negotiations yesterday, state officials and a court-appointed panel of experts are expected to announce today an "agreement in principle" on plans to remake the failing Division of Youth and Family Services, sources close to the talks said last night.

The conditional agreement would allow the state Department of Human Services to start implementing its \$320 million reform plan while continuing to negotiate changes sought by the New Jersey Child Welfare Panel, which is monitoring the effort as part of a federal court settlement.

Human Services Commissioner James Davy yesterday asked for the panel's approval for the reform plan he and Gov. James E. McGreevey announced a month ago. But the meeting turned into a marathon negotiating session as panel members called on the state to commit to additional changes, according to sources who spoke on condition of anonymity.

The closed-door discussions continued until about 9:30 last night, with debate over issues that included setting a firmer limit on the number of children a caseworker monitors and restructuring the DYFS bureaucracy, according to three

sources close to the negotiations.

Panel chairman Steve Cohen said yesterday he would have no comment on the negotiations until a 2 p.m. press briefing today.

The state needs the panel's approval for its reform plan under the terms of a settlement the McGreevey administration reached in June with Children's Rights Inc. The New York-based advocacy group had sued the state in 1999 alleging DYFS violated foster children's civil rights by trapping them in a mismanaged bureaucracy that put them at risk of abuse and neglect.

If the Child Welfare Panel rejected the state's plan, Children's Rights could haul DYFS to court and ask U.S. District Judge Stanley Chesler to impose a reform program.

One change on which the panel and Davy agreed yesterday is enactment of a policy preventing a child from being

## Panel approves DYFS reform plan

By TOM BELL The Associated Press 3/19/2004, 5:07 p.m. ET

TRENTON, N.J. (AP) — After ordering a number of revisions, the independent panel put in place to oversee reform of New Jersey's child welfare agency tentatively approved a plan to overhaul the agency's oversight group that has sought to end the state's child abuse of

and provide a successful implementation of the child welfare reform plan. The panel's report says that the current system is "broken" and that a new system is needed to ensure the safety and well-being of children. The panel's report also calls for a number of other reforms, including the creation of a new oversight group and the implementation of a new case management system.

## DYFS panel accepts state overhaul plan

Published in the Asbury Park Press 3/20/04

By TOM BALDWIN  
GANNETT STATE BUREAU

TRENTON -- An independent panel monitoring reform of the state child-welfare system has agreed in principle with Jersey 's plan to remake a system scarred by incidents where children have starved or died, officials announced yesterday.

New

"Today we take a giant, historic step forward," said James M. Davy, the acting commissioner of the Department of Human Services, which includes the existing Division of Youth and Family Services and would add two new divisions, under the plan.

The New Jersey Child Welfare Panel was appointed by a U.S. District Court judge to oversee the state's reform plans. Davy cautioned that the changes will not occur overnight.

The state



## **Panel approves DYFS overhaul**

### **N.J. would hire 1,500 caseworkers and add 1,000 foster homes under a \$321 million proposal to improve the agency.**

By Mitch Lipka

Inquirer Trenton Bureau

March 20, 2004

New Jersey has agreed to add workers to its failed child-welfare system more quickly than originally planned as part of a \$321 million overhaul that was approved in principle yesterday by an oversight panel.

Nearly 1,500 workers would be added to the Division of Youth and Family Services in the next 2 1/2 years. The plan also calls for adding 1,000 foster homes.

The state's Department of Human Services initially had intended for the next round of hiring to start on July 1, but the panel wants 276 people to be hired as soon as possible.







"The sooner the state implements its promise to release children into appropriate placements, the better," Ryan said.

Marcia Robinson Lowry, executive director of Children's Rights, Inc., said she fully expects the hospital will be shut.

"Brisbane needs to be closed. We think it's a harmful place for children," Lowry said. "If it were not to be closed, (we) would go back into court over it."

Overall, Lowry said she was "very satisfied with the plan" except for one point -- Davy's refusal to create a new cabinet-level department for children's services. DYFS is one division in an \$8.3 billion Department of Human Services that also includes agencies serving the poor and the mentally, developmentally and physically disabled.

Cohen said the expert panel also wanted to see a new department created to focus solely on children's services but did not insist on that change at this time.

"We are willing to defer to (Davy's) judgment, given the fact he has to run this," Cohen said. "We have reserved the right to come back in 18 months, and if we believe the structure isn't working, we won't hesitate to do something about that."

Davy, however, said any problems will be addressed within the Office of Children's Services, which is in his department.

"We will not be creating a separate agency," he said.

Cecilia Zalkind, executive director of the Association for Children of New Jersey, a statewide advocacy group, agreed with Davy, saying that to create a new bureaucracy "would take needed energy away from implementing the immediate steps that are urgently needed."

Other changes the state agreed to make in its reform plan include:

"Strengthening and further professionalizing" the DYFS work force by hiring supervisors with master's degrees and offering financial incentives for current staff to further their education. Within a year, the EFF00Arors with master's degree offering

## Star-Ledger Editorial

### DYFS off the drawing board

Sunday, March 21, 2004

The state's plan for reforming the Division of Youth and Family Services has won preliminary approval with minimal changes. That means the agency can begin hiring more caseworkers, expanding foster care and providing the training, supervision and backup to keep children safe.

The plan was cleared by the panel of child welfare experts assigned to look over DYFS's shoulders as part of a lawsuit the state settled with a children's advocacy group. There was never much doubt about approval because panel members sat at DYFS's elbow and offered advice as the plan was drafted.

What matters is not what is written but whether things get done. That requires a commitment from the Legislature to provide all the funding the agency needs: \$320 million over 2 1/2 years. Most of DYFS's horror from the Legislature to provide all the

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Steve Cohen, chairman of the independent panel of experts monitoring the state's reform progress on behalf of a federal judge, called this short-term effort "not a bad place to start."

"It's a pretty reasonable plan," said Cohen, a senior fellow at the Annie E. Casey Foundation. "The need for additional foster homes is clear and they have done a pretty good job ... consistent with what they are trying to do in the (larger) reform plan -- working with community agencies, and getting people through the (foster home licensing) process quickly and respectfully."

The plan would award \$175,000 contracts to three existing foster home recruitment agencies to find and manage 45 homes for teens in Middlesex, Essex and Camden counties -- targeting youths waiting to leave detention centers and shelters.

The state also will spend \$150,000 to find 15 foster homes for "boarder babies," newborns who are drug-addicted or sick and cannot leave the hospital maternity ward because they have no home.

The state also will award \$150,000 each to four religious organizations to recruit 60 foster homes in Newark, Camden, Trenton and Paterson, where there is a high concentration of foster children. Unless the children would not be safe in their neighborhoods, Davy said, "The state wants to keep them close to home so they have consistency of relationships, -- with the faith-based community, with their schools, their friends, their teachers, with the coaches, neighbors."

The plan also directs \$332,000 to find, support and manage 25 foster homes for Hispanic children in Cumberland, Hudson and Passaic counties.

Walter X. Kalman, a foster parent and executive director of the New Jersey chapter of the National Association of Social Workers, said the state's interim plan sounded promising. He hopes the state ensures these new foster parents are prepared to care for challenging kids, some of whom will no doubt have behavioral and mental health problems.

"These foster parents need support and training, and intensive case management," Kalman said. "Recruiting is one thing, supporting is another. Are they are going to be doing both adequately?"

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