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# Preliminary Findings and Recommendations



*Governor's Task Force  
on Foster Care for Children*

*July, 1980*

*Augusta, Maine*

JUL 28 1982

## SCHEDULE OF PUBLIC HEARINGS

The Governor's Task Force on Foster Care for Children is holding three public hearings to seek comments on its preliminary recommendations, which are proposed in this booklet.

Please plan to attend the hearing nearest you in order to let the Task Force know your thoughts on these recommendations.

Hearings are scheduled as follows:

DATE	CITY	LOCATION
Thursday, August 7, 1980	Augusta	Oblate Fathers Retreat House Lounge 136 State Street
Tuesday, August 12, 1980	Portland	University of Maine Law School Room 302 246 Deering Avenue
Thursday, August 14, 1980	Bangor	All Souls Congregational Church Hearth Room 10 Broadway

Each hearing will be divided into three identical sessions:

9:00 - 11:30 a.m.

1:30 - 4:00 p.m.

7:00 - 8:30 p.m.

In order to accommodate as many people as possible, the Task Force would appreciate it if you could keep your comments brief and, if possible, bring a written copy of your remarks.

If you are unable to attend any of these hearings, please feel free to submit written comments to Barbara Sparks, staff assistant to the Task Force, by August 20, 1980. Address written comments to:

Governor's Task Force on Foster Care for Children  
Department of Human Services  
State House Station 11  
Augusta, Maine 04333

Please contact Barbara Sparks at 289-2636 or any of the Task Force members in your area to discuss these recommendations. Names and addresses of the Task Force members are listed at the back of this booklet.

The Task Force looks forward to hearing your comments.



JOSEPH E. BRENNAN  
Governor

GOVERNOR'S TASK FORCE  
ON FOSTER CARE FOR CHILDREN

c/o Department of Human Services  
State House Station 11  
Augusta, Maine 04333  
Tel: 289-2636



MICHAEL R. PETIT  
Commissioner

July 25, 1980

An Open Letter to the Citizens of Maine

On behalf of the Governor's Task Force on Foster Care for Children, I am pleased to present to the public the preliminary findings and recommendations of the Task Force.

Before the Task Force issues its final report to Governor Brennan, we would like to know your views on our preliminary work. For this reason, we are sponsoring three public hearings during the month of August. We hope that you will take the time to read our findings and recommendations and express your opinions.

The Task Force was convened in September, 1979, by Governor Joseph E. Brennan. Its mandate is to study the system of foster care in Maine and to make recommendations to the Governor on how these services can be improved.

The 25-member group is comprised of private citizens and State employees, both providers and consumers of foster care services. For your information, a list of Task Force members is provided at the end of this booklet.

The findings and recommendations which are summarized in this booklet represent 10 months' work by the members of the Task Force and its three subcommittees. To develop these preliminary findings and recommendations, the Task Force gathered information on all major aspects of the foster care program. Through its subcommittees, the Task Force explored the delivery of foster care services to children and families in Maine, the placement resources available to care for foster children, and the administration of the program.

Members of the Task Force and its subcommittees interviewed many individuals involved with foster care and held seven hearings in different areas of the state. They also compared foster care policies and practices in Maine with standards set by two nationally-recognized groups involved with child welfare: the American Public Welfare Association and the Child Welfare League of America.



The Task Force was fortunate to have the competent assistance of the Human Services Development Institute of the University of Southern Maine (HSDI), which surveyed the various groups involved in foster care. These surveys included: a study of a 20% sample of all the children in foster care as of November, 1979; a survey of all resources available for caring for foster children, including licensed and approved foster families, group homes, and residential treatment centers; a survey of all Department of Human Services staff members who are involved in foster care work; and a survey of all of Maine's District and Probate Court judges.

Data from these studies provided the Task Force with valuable information on the characteristics of Maine's foster children, their histories, and needs. Unless otherwise specified, references to data in the findings which follow refer to information gathered by HSDI.

I want to thank the many concerned citizens whose hard work has helped in the development of the Task Force's preliminary recommendations: all of the individuals who took the time to respond to the foster care survey, the citizens who testified at our informational hearings, those who served on the Task Force's three subcommittees, and the members of the Task Force itself. I sincerely hope that the work of these caring individuals will help to bring about changes which will improve the lives of many of Maine's children and their families.

If you have any questions about these recommendations or the work of the Task Force, please call the Task Force's staff assistant, Barbara Sparks, at 289-2636. We are looking forward to seeing you at our hearings and receiving your comments.

Sincerely,

A handwritten signature in dark ink, appearing to read "Thomas H. Allen". The signature is fluid and cursive, with the first name "Thomas" written in a larger, more prominent script than the last name "Allen".

Thomas H. Allen  
Chairperson

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JOSEPH E. BRENNAN  
Governor

## GOVERNOR'S TASK FORCE ON FOSTER CARE FOR CHILDREN

c/o Department of Human Services  
State House Station 11  
Augusta, Maine 04333  
Tel: 289-2636



MICHAEL R. PETIT  
Commissioner

### Introduction

Approximately 2500 children are in foster care in Maine today. For the most part, they are children who have been removed from their homes due to parental abuse or neglect and placed in the care and custody of the Department of Human Services.

The plight of foster children in Maine and across the nation has received much public scrutiny in recent years. They have been called by many names: nobody's children, the throwaway children, children without homes. Significant improvements have been made on behalf of these children; significant problems still remain.

In an effort to confront some of the problems which damage the lives of Maine's foster children, Governor Joseph E. Brennan convened the Governor's Task Force on Foster Care for Children in September, 1979. Its mandate was to study the foster care program in Maine and to make specific recommendations to the Governor and to the Commissioner of Human Services by Labor Day, 1980, on ways in which this program could be improved.

The Task Force studied the foster care program from several perspectives:

- what can be done to prevent children from entering foster care?
- what is the quality of care which foster children receive?
- what are the obstacles which prevent foster children from leaving foster care and obtaining stable, permanent homes?
- what are the needs of the Department of Human Services personnel who are responsible for the foster care program?
- what impact does the structure of the foster care program--the laws, the court system, and the administrative aspects of the Department of Human Services--have on foster children?

In this booklet is the Task Force's preliminary attempt to answer these difficult questions. The findings and recommendations have been compiled by the 25-member group after ten months of interviews, informational hearings, and study.

At this time, the Task Force presents its preliminary recommendations to the public for review and comment. Public hearings will be held in three locations during the month of August. Written comments will also be accepted until



August 20. A schedule of public hearings and the address to which to mail written comments appear on the inside cover of this booklet.

Because the Task Force believes that the responsibility for Maine's foster children lies not just with the Department of Human Services but with every caring citizen of the State, it welcomes the public's response to its work.

*"We are guilty of many errors and many faults,  
But our worst crime is abandoning the children,  
Neglecting the fountain of life.  
Many of the things we need can wait,  
The child cannot.  
Right now is the time his bones are being formed,  
His blood is being made,  
And his senses are being developed.  
To him we cannot answer - tomorrow,  
His name is TODAY."*

...Gabriela Mistral  
Nobel Prize-winning poet from Chile



JOSEPH E. BRENNAN  
Governor

GOVERNOR'S TASK FORCE  
ON FOSTER CARE FOR CHILDREN

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MICHAEL R. PETIT  
Commissioner

STATEMENT OF COMMON COMMITMENT

*During its investigation and deliberations, the Task Force has been guided by the following principles:*

*We agree to seek the most effective means by which the State of Maine can serve children who enter its care or custody when the adults normally responsible for their care cannot provide them with a minimal standard of attention and security.*

*We agree that each child has different needs and interests which must be recognized by those responsible for the child's care.*

*We agree that decisions by the State affecting the welfare of a child should be made only after consultation with all of the responsible adults who are available.*

*We agree that when intervention to protect a child in jeopardy is necessary, the State should make all responsible efforts to preserve and improve the child's existing relationships with members of his or her natural family and to avoid causing any deterioration of those relationships.*

*We agree that each act or policy of the State affecting a foster child should be measured against the best interests of the child, which, once intervention is necessary, become superior to but not exclusive of the interests of the adults normally responsible for the child's care.*



## CHILDREN ENTERING FOSTER CARE

*"I was eating a peanut butter and jelly sandwich and all of a sudden I saw my grandmother and my mother come sobbing into the house. 'Susie, you got to go, boohoo, boohoo.' And I said, 'What!' And she said, 'You got to go, you can't live with me,' and I said, 'What!' So the next day here comes the social workers, tromping into the house. My mother started screaming and crying. They packed my clothes.*

*"I was scared to death because I didn't know what was happening. I didn't know what foster care was. I thought I was taken away because I wasn't acting right and my grandmother wasn't disciplining me right. Then I thought they took me away just for the fun of it. I didn't think about my mother having a drinking problem."*

...interview with a foster child, age 11.



FINDING 1: MANY CHILDREN ENTER STATE CUSTODY BECAUSE PREVENTIVE OR PROTECTIVE SERVICES WHICH COULD KEEP THEIR FAMILIES TOGETHER ARE LIMITED OR UNAVAILABLE.

SUMMARY: Children enter foster care because they are abused or neglected at home. Under Maine law, they may enter foster care only if the danger is so great that they can no longer safely remain at home and if all other methods of helping the family have been exhausted.

The Task Force asked two questions:

- (1) What services are available to help prevent children from being abused or neglected by their parents?
- (2) When children are being abused or neglected, what services are available to protect them without actually removing them from their homes?

The Task Force concluded that, although significant strides have been made in some cases, both preventive and protective services to families where child abuse is a problem are inadequate.

In its recommendations, the Task Force lodges the responsibility for improving grassroots services to prevent child abuse (for example, development of parent education classes, self-help groups, babysitting or child care groups) with the community. It stresses the need for locally-organized volunteer Child Abuse and Neglect Councils to coordinate these activities.

The Task Force lodges the responsibility for improving protective services (services to families where there is already an identified risk or evidence of child abuse or neglect) with the Department of Human Services. Its conclusion is that not only is there a need in many areas for more services (such as transportation or respite care) but also that those services which exist need to be more accessible and more appropriate to the needs of families in which child abuse is a problem (for example, able to work with families on weekends or after business hours).

Of special interest to the Task Force are those services which are contracted by the Department's Bureau of Resource Development with private social service agencies under the federally-funded Title XX program. The Task Force calls for an examination of Title XX contracts to determine whether or not these services meet the needs of families where child abuse is a problem.

RECOMMENDATIONS:

1 (A) CONCERNED CITIZENS IN EACH COUNTY SHOULD FORM LOCAL CHILD ABUSE AND NEGLECT COUNCILS.

The councils should include people with a variety of backgrounds and skills: parents, teachers, social workers, clergy, mental health professionals, and others. The Department of Human Services should provide the councils with information, consultation, and technical assistance in getting started.

1 (B) CHILD ABUSE AND NEGLECT COUNCILS SHOULD ALERT THE PUBLIC TO THE PROBLEM OF CHILD ABUSE AND NEGLECT AND SHOULD COORDINATE ACTIVITIES TO PREVENT ABUSE AND NEGLECT.

The councils should actively encourage the development of preventive services, such as parent education and training classes, support groups, and recreational activities for youth. In addition, the councils should provide local outreach and education programs to make prevention of child abuse and neglect a community activity.

1 (C) BUREAU OF RESOURCE DEVELOPMENT PERSONNEL SHOULD MEET WITH DEPARTMENT OF HUMAN SERVICES REGIONAL STAFF TO DETERMINE THE PROTECTIVE SERVICES NEEDED IN EACH REGION AND TO DEVELOP GUIDELINES FOR PROVIDING THOSE SERVICES THROUGH AVAILABLE RESOURCES, INCLUDING TITLE XX CONTRACTS.

1 (D) THE BUREAU OF RESOURCE DEVELOPMENT SHOULD REVIEW ALL EXISTING TITLE XX CONTRACTED SERVICES TO DETERMINE WHETHER SUCH SERVICES ARE ACCESSIBLE TO, APPROPRIATE FOR, AND EFFECTIVE WITH FAMILIES IN WHICH CHILD ABUSE OR NEGLECT IS A PROBLEM.

Those programs which are found to be inappropriate to the needs of this target client group as determined by regional staff should be given specific guidelines which require that top priority be given to the needs of this client group.

1 (E) IF ADDITIONAL TITLE XX FUNDS BECOME AVAILABLE THROUGH THE IMPLEMENTATION OF 1 (C) AND 1 (D), ABOVE, A PORTION OF THESE FUNDS SHOULD BE ALLOTTED TO EACH REGION AS SUPPORTIVE SERVICE FUNDS TO PURCHASE SERVICES FOR FAMILIES IN WHICH CHILD ABUSE AND NEGLECT IS A PROBLEM.

1 (F) FUNDING OF THE VOLUNTARY CARE PROGRAM SHOULD BE INCREASED.

When only temporary care is needed, parents should not have to surrender legal custody of their child just because voluntary care funds have been exhausted. Funding of both the V-2 and V-8 programs should be increased to accomplish this goal.

Currently, regional staff positions are funded out of the same account that funds the V-2 and V-8 programs. By providing direct State funding for these positions, the funds used for salaries could be reallocated to the voluntary programs.



FINDING 2: CHILDREN ARE SOMETIMES INAPPROPRIATELY PLACED IN THE CUSTODY OF THE DEPARTMENT OF HUMAN SERVICES.

SUMMARY: The Task Force identified four groups of children who are sometimes placed in the custody of the Department of Human Services not because they are abused or neglected at home, but because they have behavioral problems or are in need of special services for which they would not otherwise be eligible. These children are:

- children in need of out-of-home placement such as group home placement or residential treatment, for which their families are unable to pay;
- children in need of special educational services for which their local school districts are unable to pay;
- children who are juvenile offenders, committed to the custody of the Department of Human Services by the courts;
- children, generally teenagers, who are turned over to the State by frustrated parents who are unable to control them.

These situations are caused by complex problems in jurisdiction between the three State departments which are responsible for services to children: the Department of Human Services, the Department of Mental Health and Corrections, and the Department of Educational and Cultural Services. The Task Force believes that although these children may indeed need special services, no parent should have to give up custody of his/her child solely to provide that child with an opportunity for mental health treatment or special schooling.

Efforts to resolve this problem are currently underway, led by the Inter-departmental Committee (IDC). The IDC is a group headed by the Commissioners of Human Services, Mental Health and Corrections, and Educational and Cultural Services and comprised of a network of subcommittees. While progress has been slow, the IDC will be ready to implement the first steps to untangle this problem in October, 1980: at this time, new contracts with residential treatment centers will be developed, using a uniform process for rate-setting and specifying the responsibility of each of the three Departments in the care, treatment, and education of these multi-problem children.

The Task Force endorses this effort as an important step in preventing inappropriate entry of children into foster care. It also encourages the Department to routinely monitor the entry of children into foster care to see whether inappropriate entry into foster care remains a problem and to develop policy around assuming custody of children whose jeopardy is due to their own actions.

RECOMMENDATIONS:

2 (A) THE TASK FORCE ENDORSES THE EFFORTS OF THE IDC TO DEVELOP REVISED RATE-SETTING, CONTRACTING, AND REPORTING PROCEDURES FOR RESIDENTIAL TREATMENT AND GROUP HOME SERVICES BY OCTOBER, 1980.

2 (B) THE BUREAU OF RESOURCE DEVELOPMENT SHOULD ROUTINELY MONITOR THE ENTRY OF CHILDREN INTO FOSTER CARE TO DOCUMENT THE EXTENT TO WHICH CHILDREN ENTER STATE CUSTODY SOLELY TO RECEIVE SPECIAL SERVICES.

2 (C) THE DIVISION OF CHILD AND FAMILY SERVICES, WITH HELP FROM REGIONAL STAFF, SHOULD DEVELOP A CLEAR POLICY GUIDING THE INVOLVEMENT OF THE DEPARTMENT WITH CHILDREN WHO ARE IN JEOPARDY DUE TO THEIR OWN ACTIONS (FOR EXAMPLE, JUVENILE OFFENDERS, RUNAWAYS, "STREET KIDS").

Determination should be made on a Central Office level as to the appropriateness of and guidelines for assuming custody in these cases.

FINDING 3: UNNECESSARY FEAR AND CONFUSION MARK THE ENTRY OF MANY CHILDREN INTO FOSTER CARE.

SUMMARY: Any time a child has to be removed from his or her family--no matter how harmful that environment may be--the child experiences fear and confusion. However, the Task Force believes that steps which could minimize the child's pain are not often implemented by the Department of Human Services.

Testimony at public hearings revealed a lack of communication between the Department and those people involved with children in foster care: foster parents stressed that they receive poor information about the children for whom they are asked to care. Foster children felt that they are not adequately prepared for foster care, either with help in understanding the reasons for their placement or through visits to the potential foster family prior to their placement. Natural parents and their representatives reported receiving insufficient information about visiting schedules and contact with their child during placement. School officials testified to receiving poor information about a foster child's previous education and special educational needs.

Department personnel agreed with the need for these types of pre-placement services but stated that the large number of children who have to be moved under emergency circumstances prevent them from doing the necessary pre-placement "leg work" in all cases.

The Task Force recommends an extensive series of services, which should be implemented on behalf of every child entering foster care. These include communication directly with the child, his/her natural family, and the potential foster family. The Task Force also calls for increased attention to the need for adequate emergency shelter programs for those children who enter foster care in crisis situations, in order to allow workers to take proper steps to assure them an appropriate foster care placement.

RECOMMENDATIONS:

3 (A) DEPARTMENT OF HUMAN SERVICES WORKERS AND THEIR SUPERVISORS SHOULD PROVIDE EACH CHILD WHO ENTERS FOSTER CARE WITH THE FOLLOWING SERVICES:

- 1 or more pre-placement visits to the prospective foster family,
- health assessment,
- psychological evaluation if deemed necessary by the worker,
- mutual determination of what the child should take, including such important "ties to the past" as pictures, addresses, and possessions,
- a written plan for visits with the natural family, developed by the worker, family, foster family, and child (if appropriate),
- involvement of the child's present school with the new one to ensure continuity of educational experience.

3 (B) DEPARTMENT OF HUMAN SERVICES WORKERS AND THEIR SUPERVISORS SHOULD PROVIDE THE NATURAL FAMILY OF EVERY CHILD ENTERING FOSTER CARE WITH THE FOLLOWING SERVICES:

- a jointly developed written agreement outlining agency expectations of the parent and parental expectations of the agency,
- a written visiting plan developed by the worker, family, foster family, and child, if appropriate,
- a written statement of legal rights and responsibilities of all parties,
- consideration of the family's preferences for the child's placement (e.g., race, religious affiliation),
- a written agreement concerning financial obligations of the family while the child is in custody.

3 (C) DEPARTMENT OF HUMAN SERVICES WORKERS AND THEIR SUPERVISORS SHOULD PROVIDE FOSTER FAMILIES WITH ADEQUATE INFORMATION ABOUT THE CHILD FOR WHOM THEY ARE ASKED TO CARE. THIS SHOULD INCLUDE THE FOLLOWING:

- strengths, needs, and behavior of the child,
- reasons for placement,
- information about the child's family relationships which might affect his or her placement,
- important life experiences of the child which may affect his or her behavior, feelings, or adjustment,
- expected duration of placement and case plan.

3 (D) THE BUREAU OF RESOURCE DEVELOPMENT SHOULD WORK WITH DHS REGIONAL STAFF TO ASSESS THE NEED FOR EMERGENCY PLACEMENT RESOURCES IN EACH REGION AND TO ALLOCATE FUNDS ACCORDINGLY.

The Task Force recognizes the scope and complexity of this problem and stresses the need for further study of the types of resources necessary as well as possible avenues for funding these resources.

FINDING 4: WITHOUT ADEQUATE, EARLY CASE PLANNING, MANY MAINE CHILDREN LINGER NEEDLESSLY IN FOSTER CARE.

SUMMARY: Maine's child welfare law recognizes that "uncertainty and instability" are harmful to children. Accordingly, it requires the Department of Human Services to work towards the "rehabilitation and reunification" of the child's own family or the "early establishment of permanent plans" for children who cannot return to their families.

The major tool for accomplishing this objective is the case plan developed by the worker for each child in foster care and his or her family. Ideally, the first step in moving a child out of foster care is the development of a thorough case plan prior to his or her entry into foster care.

The Task Force believes that the quality of case planning for many children in foster care is not adequate. Furthermore, significant obstacles to improving case planning exist.

Independent reviewers who examined the case plans of a sample of foster children felt that a large percentage (40% of the plans reviewed for children under age 15) reflected unrealistic program objectives. The Task Force also found that for approximately half of the children in foster care the most recent case plan was not shared with the child or his/her natural parent. Many experts on foster care feel that to be useful a case plan must not only be shared but also be developed with the active participation of the worker, the natural parent, the foster parent, and the child (when appropriate).

One of the major obstacles to improving case planning lies in Maine law itself. Over half of Maine's foster children enter foster care under a temporary custody order (called a "preliminary protection order"). Temporary custody is not time-limited; it may last indefinitely. While a child is in temporary custody, the Department cannot begin to develop a permanent plan for the child. In cases where a parent is absent, inaccessible, or unable to make a good faith effort to change, the Department must "mark time" until the court issues a full custody order (called a "final protection order"). This move may be delayed for years due to continuances granted to lawyers and crowded court dockets.

Once a child is in full custody, the Department must use "return home" as the goal for the child for at least another three months before other options can be explored. Until the new child welfare law went into effect on July 3, 1980, this mandatory "return home" period was one year. Thus, more valuable time was lost before realistic case plans could be made for some children in foster care.

The Task Force recommends a statutory change which would limit the duration of temporary custody and an improvement in Department policy and practice concerning case planning.

RECOMMENDATIONS:

4 (A) THE 110TH LEGISLATURE SHOULD AMEND SUBCHAPTER VI OF P.L. 1979, CHAPTER 733, TO SPECIFY THAT THE HEARING ON A FINAL PROTECTION ORDER MUST BE HELD WITHIN 90 DAYS OF THE FILING OF THAT ORDER.

The law should further state that continuances on such cases may only be granted after a hearing is held and good cause for delay can be shown.

4 (B) THE DIVISION OF CHILD AND FAMILY SERVICES SHOULD DEVELOP A POLICY ON CASE PLANNING SEPARATE FROM THE EXISTING CASE RECORDING POLICY. PLANNING SHOULD BE SPECIFICALLY TIED TO TIME-LIMITED OBJECTIVES LEADING TO THE GOAL OF PERMANENCE FOR EACH CHILD. THE CASE PLAN SHOULD BE DEVELOPED WITH THE PARTICIPATION OF PARENTS, FOSTER PARENTS, AND THE CHILD, IF APPROPRIATE.

4 (C) THE DEPARTMENT OF HUMAN SERVICES SHOULD IMPLEMENT MANDATORY TRAINING FOR ALL CHILD WELFARE STAFF IN THE DEVELOPMENT OF EFFECTIVE CASE PLANS.

## CARING FOR FOSTER CHILDREN

*"When my first child was born, 4½ years after my marriage, I asked my doctor, 'How do you love more than one person at a time?' He said that would come naturally. And with each child I had, my ability to love would increase.*

*"That was 18 years ago. And now I have so much love to give there aren't enough kids around to use it all up."*

...letter from a foster parent





FINDING 5: MAINE'S NARROW RANGE OF SUBSTITUTE CARE PLACEMENT RESOURCES CRIPPLES THE DEPARTMENT'S ABILITY TO PROVIDE EACH FOSTER CHILD WITH A PLACEMENT SUITED TO HIS OR HER INDIVIDUAL NEEDS.

SUMMARY: When a child needs to be removed from his or her home, it is the responsibility of the Department of Human Services to place that child in a living situation which best meets his or her unique needs. To do this, workers must take into account several factors. These include: proximity of the placement to the child's own family to allow frequent visiting, numbers and ages of other children present in the home, racial and religious characteristics of the child and family, and the willingness and skill of the family or facility to deal with any special behavioral, intellectual, or physical problems which the child might have.

The Task Force studied the characteristics of the 2450 children currently in foster care and the acceptance criteria of Maine's 1000 foster families and 36 group homes and residential treatment centers. It concluded that many of Maine's foster children present special challenges to those who care for them: over half of the children in foster care today are teenagers; almost half have at least one behavioral, intellectual, or physical problem which requires special attention. (These problems may range from emotional disturbance to drug or alcohol abuse to mental retardation to serious illness such as cerebral palsy or epilepsy.) In addition, approximately 5% are minority children (black or Native American), for whom placement with a minority family is preferable.

In contrast, the Task Force found that many of Maine's foster families are unable to accept placement of special needs children, due to lack of training, lack of support, or an understandable unwillingness to disrupt the lives of their family members to so great a degree. Many group homes and residential treatment centers do accept these children, but the number of available spaces is limited.

The Task Force identified 4 groups of children who are the most underserved by currently available placement resources: teenagers, younger children in need of therapeutic care, developmentally disabled or multiply handicapped children, and minority children.

The recommendations of the Task Force in this area call for increased recruiting of foster families, changes in home study and licensing procedures to encourage a wider spectrum of families to become foster families, and focusing of special attention on development of resources for hard-to-place children.

RECOMMENDATIONS:

RECRUITMENT OF FOSTER FAMILIES:

5 (A) THE BUREAU OF RESOURCE DEVELOPMENT SHOULD EMPLOY ONE FULL-TIME STAFF MEMBER TO COORDINATE STATEWIDE RECRUITING EFFORTS FOR FOSTER FAMILIES AND TO PROVIDE TECHNICAL ASSISTANCE TO THE REGIONS.

5 (B) EACH REGIONAL DHS OFFICE SHOULD DESIGNATE ONE STAFF MEMBER TO GIVE TOP PRIORITY TO LOCAL RECRUITMENT EFFORTS.

These workers should not be considered as direct service staff in the distribution and computation of caseload size.

5 (C) REGIONAL RECRUITMENT SPECIALISTS AND THE CENTRAL OFFICE COORDINATOR SHOULD MEET ON A MONTHLY BASIS TO EXCHANGE INFORMATION AND SHARE IDEAS.

5 (D) INNOVATIVE METHODS SHOULD BE USED FOR RECRUITMENT AND A SEPARATE DHS BUDGET LINE SHOULD BE IDENTIFIED FOR RECRUITMENT EXPENSES. THE RECRUITMENT COORDINATOR SHOULD EXPLORE THE USE OF THE MEDIA, PRIVATE AGENCIES, FOSTER PARENTS, ETC. LOCAL RECRUITMENT SPECIALISTS SHOULD MAKE USE OF EXISTING COMMUNITY NETWORKS, E.G., CHURCHES, CLUBS, PTA'S.

HOME STUDIES AND LICENSING FOR FOSTER FAMILIES:

5 (E) IN SELECTING FOSTER FAMILIES, THE DEPARTMENT SHOULD DEVELOP CRITERIA THAT (a) PUT PRIMARY EMPHASIS ON PARENTING ABILITY AND (b) ALLOW FOR ENOUGH FLEXIBILITY TO MEET THE DIVERSE NEEDS OF CHILDREN IN FOSTER CARE.

A uniform procedure for thorough home studies of potential foster families should be developed by the Division of Licensing, with the participation of the Division of Child and Family Services, regional staff, a representative group of foster parents, and representatives of the community (educators, mental health practitioners, parents, etc.). This group should determine the best way of assessing potential foster parenting ability.

5 (F) APPROPRIATE DEPARTMENT PERSONNEL SHOULD RECEIVE TRAINING IN CONDUCTING HOME STUDIES OF FOSTER FAMILIES.

5 (G) FOR FAMILIES WHO HAVE THE PERSONAL CHARACTERISTICS TO BE FOSTER PARENTS BUT WHOSE HOMES DO NOT MEET DEPARTMENT LICENSING STANDARDS, ASSISTANCE FROM THE DEPARTMENT SHOULD BE AVAILABLE.

The Department should refer such families to resources which might resolve housing problems (e.g., CETA housing rehabilitation crews, Voc Tech school crews, etc.) and, in cases of special need, make limited payments to help prospective foster parents meet licensing standards which are above the standard of safety of the normal home in their community.

5 (H) THE DIVISION OF LICENSING SHOULD SPECIFY IN WRITING THOSE LICENSING STANDARDS NOT CLEARLY RELATED TO THE HEALTH OR SAFETY OF CHILDREN WHICH CAN BE WAIVED BY THE DIVISION, AND SHOULD DEVELOP A CLEAR PROCEDURE FOR WAIVING SUCH STANDARDS IN APPROPRIATE CASES.

RESOURCES FOR HARD-TO-PLACE CHILDREN:

5 (I) THE DEPARTMENT SHOULD DEVELOP AND IMPLEMENT INNOVATIVE APPROACHES TO THE PLACEMENT OF ADOLESCENTS.

These approaches may include:

- increased use of single foster parents
- increase use of semi-independent living arrangements (including clarifications of guidelines on semi-independent living)
- hostel-type programs, contracted out to private agencies, for the housing of "street kids" who are in the custody of the Department and refuse other placement options.

5 (J) THE DEPARTMENT SHOULD DEVELOP SPECIFIC CRITERIA FOR FOSTER HOMES WHICH CAN BE CERTIFIED AS THERAPEUTIC HOMES.

These criteria should include specific training requirements and a more precise definition of the required personal and family characteristics.

5 (K) THE DEPARTMENT SHOULD DEFINE A SEPARATE AND HIGHER RATE OF PAY FOR CERTIFIED THERAPEUTIC FOSTER HOMES.

See Recommendation 6 (D).

5 (L) THE BUREAU OF RESOURCE DEVELOPMENT IN CONJUNCTION WITH REGIONAL OFFICES, SHOULD DEVELOP CONTRACTS WITH COMMUNITY AGENCIES (E.G., MENTAL HEALTH CENTERS, TRAINING RESOURCES) TO PROVIDE ADDITIONAL SUPPORT, SUPERVISION, AND CONSULTATION FOR THERAPEUTIC FOSTER PARENTS.

5 (M) FOR SEVERELY DISTURBED CHILDREN WHO CANNOT LIVE IN A COMMUNITY SETTING, THE DEPARTMENT OF MENTAL HEALTH SHOULD BE SUPPORTED AND ENCOURAGED IN THE DEVELOPMENT OF SPECIALIZED FACILITIES TO SERVE THIS POPULATION.

5 (N) COMMUNITY GROUPS INVOLVED WITH CHILD HEALTH SHOULD PROVIDE OUTREACH AND SUPPORT SERVICES TO NATURAL AND FOSTER PARENTS OF DEVELOPMENTALLY DISABLED CHILDREN.

5 (O) THE BUREAU OF RESOURCE DEVELOPMENT SHOULD CONTRACT WITH PRIVATE AGENCIES TO PROVIDE ADDITIONAL GROUP HOME SLOTS FOR DEVELOPMENTALLY DISABLED AND MULTIPLY HANDICAPPED CHILDREN.

5 (P) THE DEPARTMENT SHOULD ACTIVELY WORK TO DEVELOP ENOUGH MINORITY PLACEMENT RESOURCES SO THAT ALL MINORITY CHILDREN CAN BE ENSURED PLACEMENT IN A SETTING WHICH ENCOURAGES THEIR POSITIVE CULTURAL IDENTIFICATION.

5 (Q) THE DEPARTMENT SHOULD WORK WITH REPRESENTATIVES OF RESERVATION AND OFF-RESERVATION NATIVE AMERICANS TO DEVELOP THE FOLLOWING:

- appropriate methods for recruitment of Native American foster families,
- a procedure for licensing Native American foster homes which takes into account cultural and economic factors, and
- consultation and technical assistance to Native American agencies to enable them to conduct recruitment and home studies of Native American families.

FINDING 6: FOSTER FAMILIES ARE UNDERSUPPORTED, UNDERTRAINED, AND UNDERPAID.

SUMMARY: The Department's expectations for foster families have changed dramatically in recent years. While at one time foster parents were simply expected to love and nourish a foster child, foster parents are increasingly asked to serve as part of a "treatment team" for troubled children and troubled families. The Task Force believes that foster parents are being asked to perform a professional's duties without the support, training, and pay which a professional deserves.

Types of support which the Task Force believes that foster parents need in order to provide quality care for difficult children are: regular respite care, to allow foster parents of special needs children a "breather;" liability insurance, to protect foster parents from suit by natural parents; and support of active Foster Parents Associations, to give foster parents a chance to share experiences and learn from each other.

The Task Force also advocates a much broader foster training program than that which currently exists. To provide incentive for attendance of training, the Task Force calls for a system of certification of foster parents, whereby foster parents who attain higher levels of skill through attendance of training or other related experiences can earn a stipend in addition to the regular room-and-board reimbursement.

Finally, the Task Force unanimously agrees that the current system of reimbursing foster families for room, board, and clothing expenses is grossly inadequate. At present, foster families receive between \$138 and \$219 per month to provide a child's room and board. Clothing allowances range from \$11 per month for an infant to \$28 per month for a teenager. The Task Force calls for a citizen's committee comprised of Task Force members and other interested parties to study the complex reimbursement question and to make further recommendations to the Commissioner and the Governor on better ways to approach this issue.

RECOMMENDATIONS:

SUPPORT SERVICES FOR FOSTER FAMILIES:

6 (A) THE DEPARTMENT OF HUMAN SERVICES SHOULD PROVIDE EASILY ACCESSIBLE RESPITE CARE AS A REGULAR ASPECT OF FOSTER CARE FOR SPECIAL NEEDS CHILDREN. UNDER SPECIAL CIRCUMSTANCES RESPITE CARE SHOULD ALSO BE AVAILABLE FOR FOSTER PARENTS WHO CARE FOR CHILDREN NOT DESIGNATED AS HAVING SPECIAL NEEDS.

6 (B) THE LEGISLATURE SHOULD AUTHORIZE FUNDING FOR LIABILITY INSURANCE FOR FOSTER PARENTS. THE DEPARTMENT OF HUMAN SERVICES SHOULD EITHER PROVIDE SUCH COVERAGE THROUGH A POLICY OF ITS OWN OR REIMBURSE FOSTER PARENTS FOR COVERAGE UNDER THE MAINE FOSTER PARENTS ASSOCIATION'S POLICY.

6 (C) DEPARTMENT STAFF AND THE COMMUNITY SHOULD PROVIDE FOSTER PARENTS, WHEN-  
EVER POSSIBLE, WITH RECOGNITION FOR A JOB WELL DONE.

Banquets, awards, newspaper features, and spotlighting of foster parents of the month can be used.

6 (D) THE DEPARTMENT OF HUMAN SERVICES SHOULD ENCOURAGE THE DEVELOPMENT OF ACTIVE  
FOSTER PARENTS ASSOCIATIONS IN ALL REGIONS AND INSURE THE PROVISION OF STAFF  
SUPPORT FOR THESE ASSOCIATIONS.

TRAINING OF FOSTER PARENTS:

6 (E) THE DEPARTMENT OF HUMAN SERVICES SHOULD DEVELOP AND IMPLEMENT A CERTIFICATION  
PROCESS FOR FOSTER FAMILIES.

This certification process should involve specifying levels of skill which foster parents could attain by attending training programs or equivalent life experiences. Foster parents who attain higher skill levels should receive additional stipends above the basic board rates for foster children.

6 (F) THE DEPARTMENT OF HUMAN SERVICE'S STAFF EDUCATION AND TRAINING UNIT SHOULD  
DEVELOP A COMPREHENSIVE FOSTER PARENT TRAINING CURRICULUM, INCLUDING AN ORIENTATION  
PROGRAM, ON-GOING GENERAL TRAINING, AND TRAINING IN THE NEEDS OF SPECIAL CHILDREN.  
IT SHOULD REFLECT THE STANDARDS SET BY THE CERTIFICATION PROCESS.

6 (G) THE BUREAU OF RESOURCE DEVELOPMENT SHOULD DESIGNATE ONE STAFF MEMBER TO  
COORDINATE IMPLEMENTATION OF TRAINING EFFORTS.

The Staff Education and Training Unit and regional staff should be involved in implementation.

6 (H) EACH REGIONAL DHS OFFICE SHOULD DESIGNATE A STAFF MEMBER TO BE RESPONSIBLE  
FOR COORDINATING TRAINING ON THE LOCAL LEVEL AND FOR COMMUNICATING LOCAL TRAINING  
NEEDS TO THE BUREAU OF RESOURCE DEVELOPMENT.

These workers should meet regularly with a representative group of foster parents to identify training needs. They should not be considered as direct service workers in the distribution and computation of caseload size.

6 (I) THE DEPARTMENT OF HUMAN SERVICES SHOULD REIMBURSE FOSTER PARENTS FOR  
BABYSITTING AND TRANSPORTATION COSTS INCURRED WHILE ATTENDING TRAINING OR OTHER  
ACTIVITIES RELATED TO THEIR PERFORMANCE AS FOSTER PARENTS.



6 (J) THE DEPARTMENT'S STAFF EDUCATION AND TRAINING UNIT SHOULD DISCUSS WITH THE UNIVERSITY OF MAINE THE DEVELOPMENT OF AN A.A. DEGREE PROGRAM IN FOSTER PARENTING.

PAYMENT FOR FOSTER FAMILIES:

6 (K) REIMBURSEMENT FOR THE BOARD AND CLOTHING COSTS OF FOSTER CHILDREN MUST BE INCREASED TO COVER AT LEAST 100% OF THE COST OF CARING FOR THE CHILD AND A BETTER METHOD MUST BE DEVELOPED FOR FOSTER CARE RATE-SETTING.

The Foster Care Implementation Committee described in the General Recommendations below should study this question further and make specific recommendations by December, 1980.

FINDING 7: CONTINUED INVOLVEMENT OF THE NATURAL PARENT IS CRITICAL IF A FOSTER CHILD IS TO RETURN HOME. IN SOME CASES, DEPARTMENTAL PRACTICES AND LACK OF RESOURCES MAY DISCOURAGE NATURAL PARENTS' INVOLVEMENT WITH CHILDREN IN FOSTER CARE.

SUMMARY: The Task Force believes that certain practices of the Department and a lack of community resources may discourage parents from maintaining contact with their children in foster care.

One aspect of this problem is a pattern of poor communication between the Department and both natural and foster parents concerning the role of natural parents while their children are in foster care. The Task Force found that communication with natural parents, especially around plans for visiting their child, was often non-existent or non-specific. For children who were in care one year or less, the Department was involved with the natural parent in planning for the care of their child in only 28% of the cases surveyed.

Foster parents also are confused about their relationship with natural parents. Approximately 65% of the foster parents surveyed stated that the Department should clarify or change its policies concerning the role and rights of natural parents.

Another factor which discourages contact is lack of stringent rules requiring parents' financial support of their children in foster care. The Task Force recognizes that the payment of support (either voluntary or court-ordered) encourages continued parental involvement in the care of their child; it also believes that when return home is a goal, parents have a moral and legal obligation to continue supporting their child. Only 4.5% of parents of children in foster care pay any kind of support for their child.

Finally, the Task Force recognizes that lack of adequate transportation resources also discourages contact. Little public transportation exists in most areas of the state and the Department's rules forbid the reimbursement of a natural parent's mileage costs, even though placements are often at some distance from the parent's home.

The Task Force recommends increased usage of service agreements with natural parents throughout the child's placement, increased requirement of support payments, and explorations of options for increasing transportation services, including use of volunteers and reimbursement of natural parents' mileage costs.

RECOMMENDATIONS:

7 (A) DURING A CHILD'S FOSTER PLACEMENT THE DEPARTMENT SHOULD ACTIVELY USE AND IMPLEMENT THE WRITTEN AGREEMENTS WITH NATURAL PARENTS DESCRIBED IN RECOMMENDATION 3 (B), ABOVE.

7 (B) TO ENCOURAGE PARENTS TO MEET THEIR MORAL AND LEGAL OBLIGATIONS AND TO STAY INVOLVED WITH THEIR CHILDREN IN FOSTER CARE, THE DEPARTMENT SHOULD DEVELOP AND IMPLEMENT POLICIES REGARDING VOLUNTARY SUPPORT AGREEMENTS AND SHOULD REQUEST COURT-ORDERED SUPPORT IN APPROPRIATE CASES.

7 (C) IN CASES OF FINANCIAL HARDSHIP THE DEPARTMENT SHOULD REIMBURSE NATURAL PARENTS FOR MILEAGE COSTS INCURRED IN VISITING THEIR CHILDREN IN FOSTER CARE OUTSIDE THEIR OWN COMMUNITY.

7 (D) THE BUREAU OF RESOURCE DEVELOPMENT SHOULD INVESTIGATE THE USE OF TITLE XX TRANSPORTATION FUNDS TO REIMBURSE NATURAL PARENTS FOR SUCH MILEAGE COSTS OR TO PROVIDE TRANSPORTATION DIRECTLY.

7 (E) THE BUREAU OF RESOURCE DEVELOPMENT SHOULD INVESTIGATE THE USE OF VOLUNTEERS TO TRANSPORT NATURAL PARENTS.

Either the Department should hire volunteer coordinators to develop and train a network of volunteers to transport parents or it should use Title XX funds to subcontract with private agencies to provide such volunteer programs.

FINDING 8: SOME CHILDREN IN FOSTER CARE ARE DEPRIVED OF AMPLE OPPORTUNITIES FOR EDUCATION, NORMAL EMOTIONAL DEVELOPMENT, AND ADEQUATE PREPARATION FOR ADULTHOOD.

SUMMARY: Foster children who move from home to home suffer disruptions in their education, emotional growth, and preparation for adulthood.

The Task Force found that in some cases school personnel are not informed ahead of time of a foster child's enrollment, nor are they provided with adequate information on the child's educational background. These factors add to the "normal" difficulties any child experiences when changing schools, increasing the likelihood of educational problems.

Emotional difficulties are also likely; first, because of foster children's history of abuse or neglect by their families and, second, because once in foster care they tend to move from home to home frequently. Yet the Task Force found significant problems in the delivery of mental health services to foster children. Medicaid reimburses therapists at a rate which is significantly lower than that which they can receive from non-Medicaid clients. Thus, both private practitioners and community mental health settings may give a low priority to foster children. In addition, poor communication between the Department of Human Services and mental health providers in some cases results in situations where social worker and therapist may be working towards different goals for the same child.

Finally, the Task Force believes that children who experience multiple foster care placements are less prepared to live as independent adults than are other children. These foster children may lack many of the social and survival skills which children ordinarily learn from their families.

In its recommendations, the Task Force calls for better communication between the Department and the schools, improvements in the delivery of mental health services to foster children, and efforts on the part of the Department and local school systems to provide children coming of age in foster care with better preparation for adulthood.

RECOMMENDATIONS:

EDUCATION OF FOSTER CHILDREN:

8 (A) WHEN A FOSTER CHILD CHANGES SCHOOLS, THE SOCIAL WORKER SHOULD VISIT THE CHILD'S OLD SCHOOL AND NEW SCHOOL TO GATHER AND COMMUNICATE INFORMATION ON THE CHILD'S HISTORY AND SPECIAL EDUCATIONAL NEEDS. IF VISITS ARE NOT FEASIBLE, THESE MATTERS SHOULD BE DISCUSSED OVER THE TELEPHONE.

8 (B) FOR CHILDREN ENTERING FOSTER CARE, THE DEPARTMENT SOCIAL WORKER SHOULD ENCOURAGE AND FACILITATE A VISIT TO THE CHILD'S NEW SCHOOL BY THE CHILD AND HIS OR HER NATURAL FAMILY (SEE ALSO RECOMMENDATIONS 3 (A) AND 3 (B)).

8 (C) THE DEPARTMENT SOCIAL WORKER SHOULD DISCUSS THE CHILD'S EDUCATIONAL HISTORY AND NEEDS WITH HIS OR HER FOSTER PARENTS.

Once a child is placed in a foster home, the foster parent should assume responsibility for contact with the child's school, with the social worker serving only as a coordinator between old and new schools.

MENTAL HEALTH SERVICES FOR FOSTER CHILDREN

8 (D) THE DEPARTMENT OF MENTAL HEALTH AND CORRECTIONS SHOULD EXERCISE THE FULL EXTENT OF ITS AUTHORITY TO ENSURE THAT COMMUNITY MENTAL HEALTH CENTERS PROVIDE QUALITY MENTAL HEALTH SERVICES TO FOSTER CHILDREN AND FAMILIES IN WHICH CHILD ABUSE OR NEGLECT IS A PROBLEM.

8 (E) TO ENSURE AVAILABILITY OF HIGH QUALITY MENTAL HEALTH SERVICES FOR CHILDREN IN FOSTER CARE, THE LEGISLATURE SHOULD APPROPRIATE ENOUGH STATE FUNDS TO ALLOW MAINE TO RECEIVE THE MAXIMAL AMOUNT OF AVAILABLE FEDERAL MEDICAID FUNDS FOR MENTAL HEALTH SERVICES. THE BUREAU OF MEDICAL ASSISTANCE SHOULD THEN RAISE THE RATE OF MEDICAID REIMBURSEMENT FOR THERAPISTS.

8 (F) TO MAKE MENTAL HEALTH SERVICES AVAILABLE FOR OTHER INDIVIDUALS WHO ARE INVOLVED WITH FOSTER CHILDREN (E.G., NATURAL PARENTS, FOSTER PARENTS, ADOPTIVE PARENTS), THE LEGISLATURE SHOULD APPROPRIATE STATE FUNDS TO ENABLE THE DEPARTMENT TO PURCHASE SUCH SERVICES FROM APPROPRIATE PRIVATE AGENCIES.

PREPARATION FOR ADULTHOOD

8 (G) THE DIVISION OF CHILD AND FAMILY SERVICES SHOULD CONTINUE ITS CURRENT EFFORT TO REWRITE POLICY CONCERNING PREPARATION OF FOSTER CHILDREN FOR INDEPENDENT LIVING.

8 (H) THE ROLE OF THE DEPARTMENT IN SUPPORTING COLLEGE OR VOCATIONAL TRAINING FOR FOSTER CHILDREN SHOULD BE CLEARLY OUTLINED IN THE FOSTER PARENT'S MANUAL.

8 (I) THE DEPARTMENT SHOULD EITHER PROVIDE OR CONTRACT WITH PRIVATE AGENCIES TO PROVIDE SUPPORT GROUPS FOR ADOLESCENTS IN CARE WHO ARE APPROACHING AGE 18. THESE GROUPS SHOULD ALLOW FOSTER CHILDREN TO SHARE THEIR FEELINGS AND CONCERNS ABOUT LEAVING FOSTER CARE AND TO PREPARE FOR THEIR TRANSITION TO INDEPENDENT LIVING.

8 (J) LOCAL ADULT EDUCATION SERVICES SHOULD OFFER COURSES FOR BOTH FOSTER AND NATURAL PARENTS ON PREPARING CHILDREN FOR ADULTHOOD. IN ADDITION, SCHOOL SYSTEMS SHOULD IMPLEMENT OR AUGMENT FAMILY LIFE CURRICULUM TO INCLUDE PRACTICAL INDEPENDENT LIVING SKILLS SUCH AS BUDGETING, CONSUMER SKILLS, ETC.

8 (K) THE DEPARTMENT'S STAFF EDUCATION AND TRAINING UNIT SHOULD INCLUDE TRAINING ON PREPARATION OF FOSTER CHILDREN FOR ADULTHOOD IN ITS FOSTER PARENT TRAINING CURRICULUM.

See Recommendation 6 (F).

FINDING 9: NO EFFECTIVE SYSTEM CURRENTLY EXISTS FOR ON-GOING REVIEW OF THE CASES OF CHILDREN IN FOSTER CARE.

SUMMARY: To prevent children from remaining unnecessarily in foster care, their cases must be reviewed regularly. Reviews may be either internal (conducted by Department supervisory or administrative staff) or external (conducted by the court or a volunteer citizens' group). Although there have been some recent gains in this area, the Task Force believes that case review in Maine is still inadequate: Both internal and external case review systems are necessary.

At present Department supervisors are supposed to review the foster care cases of the workers whom they supervise. The Task Force found that supervisory workloads are too high to allow for adequate review of these cases (See Finding 17). Another possibility for effective case review is regular examination of children's cases by Department Central Office administrative staff. Presently, no system of administrative case review exists, nor is there a computerized case management system to track children in foster care and print out a list of those cases ready for review at regular intervals.

As of July 3, 1980, Maine law does require a judicial review of the cases of all children entering foster care within 18 months of the final protection order. At this review, the judge may either continue the child in foster care or return the child to the custody of his/her parents. The Task Force endorses this review process as an important step. It also recognizes the success which trained, volunteer citizens' review boards have had in other states and urges the Department to work with citizens' groups (perhaps local Child Abuse and Neglect Councils) to establish a regular system of citizen review of foster care cases.

RECOMMENDATIONS:

9 (A) FOR EACH CHILD WHO REMAINS IN CARE AT LEAST 6 MONTHS, THE DIVISION OF CHILD AND FAMILY SERVICES SHOULD IMPLEMENT AN ADMINISTRATIVE CASE REVIEW AFTER 6 MONTHS AND EACH YEAR THEREAFTER.

9 (B) THE EXISTING COMPUTERIZED INFORMATION SYSTEM USED BY THE DEPARTMENT SHOULD BE PROGRAMMED TO TRACK CHILDREN IN FOSTER CARE AND TO PRINT OUT LISTS OF THOSE DUE FOR CASE REVIEW.

9 (C) THE COMMISSIONER OF HUMAN SERVICES OR HIS DESIGNEE SHOULD WORK WITH VOLUNTEER CITIZENS' GROUPS TO DEVELOP AND IMPLEMENT A PROCESS OF REGULAR CITIZENS' REVIEW OF CASES OF SELECTED FOSTER CHILDREN.

Child Abuse and Neglect Councils may be used to fulfill this function. All reviewers should receive mandatory training and the relationship between Department staff and citizens' groups should be clearly specified.





## CHILDREN LEAVING FOSTER CARE

"Ours has been the proverbial uphill climb. We have hollered at each other. We have tested and manipulated each other. We have frustrated each other. We have mistrusted each other. And yet somehow, through it all, we have subtly and painfully come to love each other. I cannot explain the process; I can only feel its awesome presence. As parent and child, as father and son, we have initiated the process of belonging to each other. Not bone of my bone, nor flesh of my flesh, but heart of my heart--a family conceived.

"Ours is still a fetal family, though, embryonic by legislated law. Our birthing rite hinges on court dates and hearings, on approvals, and policies. In my need to give birth, in my child's need to belong after nine "forever" years, we have come to know patience as an elusive taunt. He asked me on the eve of our first year, 'When you gonna 'dopt me?' The truth seemed almost cruel. 'I don't know. I don't know...'"

...testimony of an adoptive parent



FINDING 10: THE DEPARTMENT OF HUMAN SERVICES IS NOT PROVIDING PERMANENT HOMES FOR SOME CHILDREN WHO NEED PERMANENT LIVING ARRANGEMENTS.

SUMMARY: "Permanency planning" is a national effort to provide foster children with secure, stable living situations. For most children, this means returning to their own families or being adopted. (For some, neither of these options are appropriate; the needs of these children will be addressed in Finding 13).

The Task Force asked the question: to what extent is the Department of Human Services succeeding in providing permanent homes for those children who need them? Its research revealed the following: for some children in foster care, foster care is what it should be: a temporary haven from the risk of abuse or neglect. These children enter care in response to family problems and return home fairly quickly, often within one year.

However, for a significant number of other children, foster care becomes a way of life. Data show that as of November, 1979, 40% of the children in foster care had been in care for 2-5 years; another 43% had been in care 6 years or over.

Efforts are underway within the Department of Human Services to increase the number of children who can be returned home or adopted. These efforts have included the hiring of two new staff members for the Division of Child and Family Services and the delivery of training to Department personnel on the implementation of permanency planning.

Department social workers expressed some discontent with the permanency planning efforts which the Department is making. In testimony to the Task Force, they stressed that moving children out of foster care involves taking some risks, and they do not perceive support either from upper-level Department personnel or from the community in taking these risks.

The Task Force believes that the benefits of a comprehensive permanency planning program far outweigh its drawbacks. Accordingly, it endorses Department efforts to move children out of foster care into permanent homes and stresses the need for community education on the benefits and risks of permanency planning.

RECOMMENDATIONS:

10 (A) THE TASK FORCE ENDORSES THE CURRENT EFFORTS OF THE DEPARTMENT OF HUMAN SERVICES TO IMPLEMENT PERMANENCY PLANNING FOR CHILDREN IN FOSTER CARE.

To make this effort more effective, it should be accompanied by strong administrative support for staff and a comprehensive community education program to inform the public about permanency planning, its risks and benefits.

10 (B) THE FOSTER CARE IMPLEMENTATION COMMITTEE DESCRIBED IN THE GENERAL RECOMMENDATIONS, BELOW, SHOULD MONITOR THE DEPARTMENT'S EFFORTS OVER THE NEXT YEAR AND REPORT TO THE GOVERNOR AND COMMISSIONER BY LABOR DAY, 1981.

FINDING 11: LACK OF CLEAR DEPARTMENTAL GUIDELINES AND APPROPRIATE COMMUNITY TREATMENT RESOURCES ADD TO THE DIFFICULTY OF RETURNING MANY FOSTER CHILDREN SAFELY TO THEIR FAMILIES.

SUMMARY: To return a foster child to his/her family, the Department of Human Services must be convinced that the circumstances which led to abuse or neglect of the child have changed significantly. The Task Force found two problems in this area: first, a lack of clarity in workers' guidelines for making this decision and, second, a lack of appropriate resources to treat families in which child abuse and neglect has been a problem.

The Task Force recognizes the difficulty involved in deciding whether or not a foster child should return home: returning a child home too soon may result in serious harm to the child; maintaining a child in a lengthy, "temporary" foster placement may be emotionally damaging. For this reason, it is the conclusion of the Task Force that explicit criteria for evaluating the feasibility of returning a child home are needed. Criteria such as those developed and published by the Oregon Permanency Planning Project would be helpful.

Families also need more help if they are to be successful in changing lifelong patterns of child abuse or neglect. The Task Force reviewed literature and testimony on the treatment of this problem. It concluded that although treatment of child abuse or neglect is difficult, certain non-traditional approaches hold much promise. Among these are use of self-help groups, such as Parents Anonymous, and use of volunteer parent aide programs in conjunction with traditional therapy. Additional community-based treatment resources are needed if more foster children are to be able to safely return home.

The Task Force recommends adoption of specific criteria for returning children home and Departmental support of self-help and other non-traditional approaches to the treatment of child abuse and neglect.

RECOMMENDATIONS:

11 (A) THE DEPARTMENT OF HUMAN SERVICES SHOULD ADOPT THE OREGON PROJECT'S CRITERIA FOR "MINIMUM SUFFICIENT LEVEL OF CARE" NECESSARY TO RETURN CHILDREN HOME OR DEVELOP SIMILAR CRITERIA.

Workers and supervisors should receive training in the application of these criteria.

11 (B) THE BUREAU OF RESOURCE DEVELOPMENT SHOULD CONTRACT WITH PRIVATE AGENCIES TO IMPLEMENT VOLUNTEER PARENT AIDE PROGRAMS OR THE DEPARTMENT SHOULD PROVIDE SUCH PROGRAMS DIRECTLY.

Training should be provided for the parent aides in working with the Department and with troubled families.

11 (C) THE DEPARTMENT SHOULD CONTINUE ITS SUPPORT OF PARENTS ANONYMOUS.

The Department should continue to support Parents Anonymous' statewide organization. Where P.A. chapters exist, workers should be encouraged to refer all appropriate clients. In areas where no chapters exist, the Department should encourage qualified individuals in the community (mental health workers, teachers, etc.) to sponsor a chapter.

FINDING 12: ATTITUDINAL, ADMINISTRATIVE, LEGAL, AND JUDICIAL OBSTACLES  
GENERALLY DELAY AND OFTEN PROHIBIT THE FREEING OF FOSTER CHILDREN FOR ADOPTION.

SUMMARY: When a foster child cannot return home, adoption is often a highly desirable plan because it allows the child the security of membership in a permanent, legally-recognized family unit. In studying adoption, the Task Force subdivided the adoptive process into 5 stages: deciding to work toward adoption, freeing the child for adoption, selecting a family, placing the child with a family, and delivering follow-up services to child and family. At every stage of this process, the Task Force found obstacles which seriously deter successful adoption of foster children.

Deciding to work towards adoption: The Department social worker and his/her supervisor may make this decision after work with the natural parents indicates that they are unable or unwilling to parent the child. For some children, workers rule out adoption (and leave the child in long-term foster care) because of the age or handicapping condition of the child. However, nationally it has been shown that many children who were formerly considered "unadoptable" can be successfully adopted. These children include: teenagers, handicapped children, mixed race or minority children, and sibling groups.

In other cases, workers decide not to pursue adoption because they fear that re-involvement by the natural parents may be detrimental to the child, especially in cases where a child has been in long-term foster care with one family for many years. Workers fear that when the Department petitions to free a child for adoption, the judge may instead order the child returned to his/her natural parents. Task Force research supported their perceptions: a significant number of District and Probate Court judges acknowledged a predisposition to return children to natural parents rather than to free them for adoption. To avoid this risk, workers may opt to let children remain in long-term foster care.

Freeing the child: If a worker does decide to pursue adoption, he or she must legally free the child for adoption. This involves an administrative and a judicial procedure. The administrative process is a lengthy one, requiring careful documentation of the child's parentage, history, and legal status. Department workers testified that this process is cumbersome and confusing; administrative personnel maintained that this documentation is necessary to prevent a child's adoption from being contested later in his/her life. The policy on adoption was rewritten in June, 1980, and training has begun to clarify procedures.

When a child has "administrative clearance," the Department may petition the court for termination of all of the parent's rights to the child. This is a new procedure, enacted by the 109th Legislature and effective July 3, 1980. The Task Force endorses it as a positive move, but feels that the grounds for termination stated in the new law may be too narrow; it is the belief of the Task Force that Maine should explicitly cite abandonment and desertion as sufficient grounds for termination of parental rights. At present, the law states that the parent must be found to be "unable or unwilling" to parent the child and that these circumstances are unlikely to change.

A second problem related to bringing adoption cases to court is lack of adequate legal support to help workers to prepare their cases. This problem will be examined more fully in Finding 19.

Selecting a family: The Task Force believes that there are families available to adopt troubled children. However, developing a pool of families from which to select entails community education, examination of adoption eligibility requirements, and financial support for adoptive families.

Community education means making the public aware that special needs children are available for adoption and, in fact, are being successfully adopted by other families. Education efforts which are underway to various extents in Maine and other states include: use of picture listing services, which describe individual adoptable children; media coverage which "advertises" specific children who are in need of families, and use of adoptive family groups to publicize the rewards of adopting special children.

Finding appropriate families for special children also means a change of Departmental attitude from "screening families out" to "screening families in." The Task Force believes that rules which govern eligibility of families for adoption should be examined in an effort to encourage non-traditional families to become adoptive parents.

Finally, families who adopt special needs children must be assured adequate financial support. This support may be in the form of either short- or long-term subsidies to families who adopt handicapped children. They may cover specific needs (such as medical treatment) or general costs of caring for the child. Subsidies may be equal to or less than the state share of the child's foster care board payment.

The Task Force believes that the current Adoption Subsidy program is not sufficient to meet the needs of families who adopt children with special problems. Furthermore, minimum income requirements mean that some Maine families are too poor to qualify for a subsidy. The Task Force salutes recently-passed (but as yet unfunded) federal legislation which would allow a foster child's Medicaid coverage to follow the child into adoption, regardless of the income of the adopting family, and recommends a review of state rules governing the subsidy program to make it more accessible to lower-income families.

Placing the child and delivering follow-up services: As more special needs children have been cleared for adoption, private adoption agencies have developed new techniques for handling the placement of these difficult children and follow-up services to child and family. The Task Force recognizes that as more children are freed for adoption in Maine, the Department will need to provide training to its workers on these specialized services or to contract placement and follow-up services out to private specialized adoption agencies.



RECOMMENDATIONS:

12 (A) THE 110TH LEGISLATURE SHOULD AMEND P.L. 1979, CHAPTER 733, §4055, TO INCLUDE ABANDONMENT AND DESERTION AS GROUNDS FOR TERMINATION OF PARENTAL RIGHTS.

"Abandonment" should be defined as demonstrating through words or actions the intent to never resume care of a child. "Desertion" should be defined as having no contact or only incidental contact with a child for a period of one year or more.

12 (B) EITHER AN ASSISTANT ATTORNEY GENERAL SHOULD BE ASSIGNED TO EACH REGION TO WORK ON ADOPTION (AND ALL OTHER CHILD WELFARE) CASES OR THE DEPARTMENT SHOULD EXPLORE CONTRACTING WITH PRIVATE ATTORNEYS TO PROVIDE THESE LEGAL SERVICES.

In either case, attorneys should be subject to supervision of the Department's Legal Services Section Chief. See also Recommendation 19 (C).

12 (C) THE DEPARTMENT SHOULD IMPLEMENT ON-GOING TRAINING OF DIRECT SERVICE WORKERS AND SUPERVISORS IN FREEING CHILDREN FOR ADOPTION. THIS TRAINING SHOULD INCLUDE ADMINISTRATIVE, LEGAL, AND SOCIAL/EMOTIONAL ASPECTS OF THIS PROCESS.

12 (D) THE TASK FORCE ENDORSES THE CURRENT EFFORT OF THE DIVISION OF CHILD AND FAMILY SERVICES TO DEVELOP POLICY CONCERNING LEGAL-RISK ADOPTIONS AND THE CONSIDERATION OF SUCH CASES ON A CASE-BY-CASE BASIS UNTIL THE POLICY IS IMPLEMENTED.

Legal-risk adoptions refer to the placing of a child with an adoptive family when the child is not completely legally clear. It is generally used when the child's adoptive clearance is held up due to a technicality.

12 (E) THE CHIEF JUSTICE SHOULD EXPLORE OPTIONS FOR IMPLEMENTING SPECIAL PROGRAMS FOR JUDGES TO INFORM THEM ABOUT THE NATIONAL MOVEMENT FOR PERMANENCY PLANNING FOR FOSTER CHILDREN. THE DEPARTMENT OF HUMAN SERVICES SHOULD OFFER ASSISTANCE IN THE PREPARATION OF SUCH PROGRAMS.

12 (F) THE TASK FORCE ENDORSES THE CURRENT EFFORTS OF THE DIVISION OF CHILD AND FAMILY SERVICES TO DEVELOP A STATEWIDE LISTING SERVICE FOR ADOPTABLE CHILDREN. REPRESENTATIVES OF DHS REGIONAL STAFF AND ADOPTIVE PARENTS' GROUPS SHOULD BE INVOLVED IN THIS PROCESS.

12 (G) ALL CHILDREN WHO ARE LEGALLY FREED FOR ADOPTION SHOULD BE LISTED ON THE STATE LISTING SERVICE IF A SUITABLE HOME IS NOT FOUND WITHIN THREE MONTHS OF THE CHILD'S LEGAL CLEARANCE.

Children who do not have permanent homes within 6 months should be listed in regional and then national adoption exchanges. Maine's statewide listing service should be sent to any agency or adoptive parents' groups who request copies.

12 (H) THE DIVISION OF CHILD AND FAMILY SERVICES SHOULD ARRANGE MEDIA COVERAGE TO PUBLICIZE SPECIFIC CHILDREN WHO ARE AWAITING FAMILIES. NEWSPAPER, RADIO, AND TELEVISION COVERAGE SHOULD BE EMPLOYED.

12 (I) REPRESENTATIVES OF THE DIVISION OF CHILD AND FAMILY SERVICES AND DIVISION OF LICENSING SHOULD MEET WITH REPRESENTATIVES OF ADOPTIVE PARENTS' GROUPS, PRIVATE ADOPTION AGENCIES, AND DEPARTMENT REGIONAL STAFF TO EXAMINE RULES FOR LICENSING OF CHILD-PLACING AGENCIES WITH ADOPTION PROGRAMS AND THE DEPARTMENT'S POLICIES REGARDING ELIGIBILITY GUIDELINES FOR ADOPTIVE FAMILIES. THIS GROUP SHOULD DETERMINE WHETHER SUCH GUIDELINES SHOULD BE MADE MORE FLEXIBLE.

12 (J) REPRESENTATIVES OF THE BUREAU OF RESOURCE DEVELOPMENT, DEPARTMENT REGIONAL STAFF, AND PRIVATE ADOPTION AGENCIES SHOULD EXPLORE THE FEASIBILITY OF PURCHASE-OF-SERVICE ARRANGEMENTS COVERING VARIOUS COMPONENTS OF THE ADOPTIVE PROCESS.

While it is understood that the Department must make the decision to free a child for adoption and undertake the necessary administrative and legal steps to clear him/her, consideration should be given to subcontracting for such services as: recruitment of families for particularly hard-to-place children, preparation of child and family for placement, and follow-up and support services.

12 (K) THE DIVISION OF CHILD AND FAMILY SERVICES, ALONG WITH REPRESENTATIVES OF DHS REGIONAL STAFF, FOSTER PARENTS, AND ADOPTIVE PARENTS, SHOULD REVIEW CURRENT RULES PERTAINING TO THE ADOPTION SUBSIDY PROGRAM.

This group should make recommendations to the Commissioner concerning changes in eligibility requirements (including the minimum income requirement) which discourage the program's use.

FINDING 13: FOR SOME CHILDREN, DEVELOPING APPROPRIATE PERMANENT PLACEMENT  
OPTIONS PRESENTS A SPECIAL CHALLENGE.

SUMMARY: Return home or adoption is not the answer to the question of permanency for every child in foster care. The Task Force identified three groups of children who may require other options. These are: older adolescents, who are in conflict with their own family and don't want another family; children who have strong allegiances to biological families which are unable to care for them; severely handicapped children, for whom adoption is still not a reality.

For the small percentage of children who cannot return home or be traditionally adopted, the Task Force explored alternatives which are gaining acceptance in Maine and around the nation. Among them are:

Open adoption: This term refers to a redefinition of the traditional adoption arrangement. Although the adoptive parents have all the rights of parenthood, the child may retain a relationship with his/her biological family. Such an arrangement is beneficial for those children who need a permanent family, but have knowledge of and some relationship with their biological family. Its drawback is that it may be stressful for the adoptive family to "share" the child with his/her natural parent.

Subsidized custody: In this arrangement, the court transfers the custody of a foster child from the Department to another individual (foster parent or relative, for example). This transfer gives the custodian those powers which the Department holds for children in foster care (signing for medical treatment, granting permission for marriage of a minor, etc.). Because the natural parent's rights have not been terminated the child cannot be adopted and the natural parent retains visitation rights. The custodian may receive a subsidy, if need indicates.

The positive point of such an agreement is that it removes the stigma of state custody from a child. Its negative point is that it sets up a situation where custodian and natural parent have to negotiate directly about the child, without the Department to serve as mediator. Thus, it relies on the good faith of both parties.

Emancipation: Emancipation is the legal process of granting adult status to an individual under the age of 18. When the Department has worked with an adolescent, 16 or over, to develop self-sufficiency skills, the court may emancipate the youth.

Formalized long-term foster care: In most cases a last-choice option, this term refers to development of a written agreement signed by the worker, natural parent, foster parent, and child, stating the group's intent that the child remain in the foster parent's home. Although such an agreement may add a feeling of commitment or security to the plan, it is not legally binding.

RECOMMENDATIONS:

13 (A) IN APPROPRIATE CASES, THE DEPARTMENT SHOULD IMPLEMENT OR EXPAND ITS USAGE OF THE FOLLOWING OPTIONS:

- open adoption: an arrangement whereby the adoptive parent has all the rights of parenthood but the child may continue to maintain a relationship with his/her natural family.
- subsidized custody: an arrangement whereby custody of the child is transferred from the Department to another individual (e.g., foster parent or relative) without termination of the natural parent's rights. The Commissioner should investigate methods for funding these subsidies.
- emancipation: an arrangement whereby the Department works with an adolescent to develop self-sufficiency skills and the court confers adult status upon the youth, age 16 or over.
- formalized long-term foster care: an arrangement whereby the Department makes use of a written agreement between worker, foster parents, natural parents, and child in order to recognize a sense of commitment and mutually-agreed upon expectations. The Department should not change long-term care agreements without undergoing similar joint process.



#### FOSTER CARE PERSONNEL

*"Working as a Department social worker is like being a circus entertainer who balances dishes on the ends of poles. You have an enormous number of dishes spinning away which you have to keep rushing about to keep spinning...and there's a guy on the end of the line setting up more dishes on more poles for you to take care of...and you're expected to sit down and do dictation between spins. (And what we're supposed to do is put enough poles under each dish so that they can stand up without our help. However, we have no spare poles.)"*

...submitted by a Department administrator



FINDING 14: THE STATE PERSONNEL SYSTEM'S HIRING PROCESS CAUSES UNDEE  
DELAYS IN FILLING VACANCIES AND PREVENTS THE DEPARTMENT FROM HIRING THE  
BEST QUALIFIED PEOPLE.

SUMMARY: The Task Force found major problems with hiring procedures which the state personnel system mandates that the Department follow. These procedures severely hamper the Department's ability to move quickly to fill vacancies and to employ high quality staff in its Protective Services and Substitute Care units.

Delays in hiring have two main causes: first, an Executive Order has frozen all state government positions. To justify re-filling a vacancy, Department regional administrators must file an exception request. This document originates in the regional office, travels to the Department's Central Office, and then to the Governor's Office, where it must be approved.

Once approval is granted, the regional administrator must request the names of qualified applicants for the position from the Department of Personnel in Augusta. To receive such lists may take several weeks; furthermore, lists may be inaccurate or outdated.

The Task Force also concluded that qualifications for Protective Services and Substitute Care workers are low by professional standards: a high school degree, four years of additional education and/or paid work experience (not necessarily in social work), and the ability to pass a state exam.

Eligible candidates' names are kept on file in one of five different lists or "applicant registers," maintained by the Department of Personnel. These lists are divided into: (1) Department of Human Services workers who qualify for promotions, (2) workers from other Departments who qualify for promotions, (3) former employees who want to be rehired, (4) state employees who want job transfers, and (5) people not currently employed by the State.

Regional administrators are given lists in the above order. Thus, to hire a well-qualified candidate from outside of state government (an individual with an M.S.W. or many years of direct experience, for example), the administrator must eliminate all of the candidates whose names appear on lists 1-4. For this reason, the Task Force believes that the hiring practices mandated by the state personnel system are biased in favor of lesser qualified individuals from within state government over equally qualified or more qualified individuals who are not currently state employees.

An additional problem is attracting well-qualified Protective Services or Substitute Care Managers. These positions are currently only open to individuals employed by the state government. Furthermore, the pay differential between managers and workers is small. Because social workers can earn overtime and supervisors cannot, there is little incentive for experienced social workers to become supervisors.



To address these problems and others the Commissioner of Human Services recently submitted a memo to the director of the state personnel system, requesting changes in hiring practices. In its recommendations, the Task Force endorses many of the points raised in this memo, requests changes in the exception request requirements, and calls for elimination of practices which discourage the hiring of qualified non-state employees as social workers and supervisors.

RECOMMENDATIONS:

14 (A) THE EXECUTIVE ORDER GOVERNING EXCEPTION REQUESTS FOR FILLING PROTECTIVE SERVICES AND SUBSTITUTE CARE VACANCIES SHOULD BE MODIFIED.

Recognizing that filling Protective and Substitute Care positions is essential to the welfare of Maine's citizens, the Governor should authorize annually either the total number of case workers the Department can maintain or total dollar figures for personnel. Within these limits the Department should be able to replace staff without obtaining permission on a case-by-case basis.

14 (B) TO ASSURE THAT THE DEPARTMENT HAS ACCESS TO THE BROADEST RANGE OF QUALIFIED PEOPLE IN FILLING VACANCIES, THE DEPARTMENT OF PERSONNEL SHOULD MERGE ALL FIVE CERTIFICATION LISTS FOR PROTECTIVE SERVICES AND SUBSTITUTE CARE VACANCIES.

This procedure is critical in that it would allow people from outside state government to compete on an equal basis with those within.

14 (C) THE DEPARTMENT OF PERSONNEL SHOULD KEEP ITS APPLICANT REGISTERS CURRENT BY REQUIRING PEOPLE WHOSE NAMES APPEAR TO WRITE IN ANNUALLY IF THEY WISH TO STAY ON THE LIST, AND PURGING THOSE WHO DO NOT; AND BY ADVERTISING AT LEAST QUARTERLY TO BRING NEW PEOPLE ONTO THE REGISTER. IT SHOULD ALSO DISPATCH REGISTERS WITH SPEED TO REQUESTORS.

14 (D) THE DEPARTMENT OF PERSONNEL SHOULD RAISE THE PAY SCALE OF HUMAN SERVICES MANAGERS.

Job descriptions should emphasize that Managers are salaried employees who are expected to work more than 40 hours per week if necessary without additional compensation.

14 (E) THE TASK FORCE ENDORSES IN PRINCIPLE THE RECOMMENDATIONS MADE BY THE COMMISSIONER OF HUMAN SERVICES TO THE COMMISSIONER OF PERSONNEL IN HIS JUNE, 1980, MEMO AND PARTICULARLY REINFORCES THE FOLLOWING:

- a. Child Protective, Substitute Care, and Adult Protective workers should be recognized in the same personnel classification.
- b. The social worker career ladder should include the Casework Supervisor position, then Human Services Manager II and III.
- c. A Child Protective/Substitute Care/Adult Protective entry-level or trainee-level position should be established for a worker's first year of employment.
- d. Education, training, and experience requirements for workers should conform to the Commissioner's recommendations (these incorporate flexibility but provide assurance that workers will be qualified).
- e. Educational requirements for supervisory personnel (not specified by the Commissioner) should be an M.S.W.
- f. Personnel test should be upgraded to reflect the knowledge, skills, and abilities required of all Child Welfare and Adult Protective staff.

FINDING 15: WHILE AVERAGE CASELOADS HAVE DECREASED IN RECENT YEARS, EXPECTATIONS FOR SOCIAL WORKERS HAVE INCREASED. THEREFORE, CASELOADS ARE STILL TOO HIGH.

SUMMARY: Because of the recent emphasis on permanency planning for foster children, the Task Force believes that workers must have more time to devote to each child in care than was considered necessary in the past. Two options exist: first, reducing the number of clients for whom each worker is responsible; and, second, allowing workers maximum time to work directly with clients by requiring minimal time to be devoted to routine, paperwork functions.

The Department's Central Office staff estimates that the average caseload of Substitute Care workers is 31 cases each. Regional personnel dispute these figures, saying that they do not reflect the large numbers of workers who may be on extended administrative leave, vacation, or sick leave at any time. In a survey of all Substitute Care staff, at least 30 were found to be carrying over 30 cases; and one worker was responsible for 54 cases. Nationally-developed casework standards range between 20 and 30 cases per worker.

Workers also told the Task Force that simply looking at numbers of clients is misleading: these figures do not take into account that a caseload of adolescents, children in the process of returning home, or children being freed for adoption is far more demanding than a caseload of children who are in long-term foster care and are likely to remain there.

Similarly, caseloads in rural areas may require greater periods of time spent in travel than do those in urban areas.

The Task Force also found that workers spend a large proportion of their time filling out routine forms and doing case dictation. Use of case aides or secretaries to handle paperwork and portable dictation units, which would allow workers to dictate while traveling to and from appointments, could cut down on the amount of time workers must spend behind a desk.

Because of the limited funds available for additional social work staff, the Task Force first recommends review and redistribution of caseloads, when possible, and the use of support personnel to free workers to do more direct service work with children and families. It also recommends review of caseload size annually to see whether additional personnel are needed to maintain an average caseload size of 30 cases per worker.

RECOMMENDATIONS:

15 (A) SUPERVISORS SHOULD REVIEW EACH WORKER'S CASELOAD TO MAKE SURE THERE IS AN EQUITABLE DISTRIBUTION AMONG STAFF. SUPERVISORS SHOULD ATTEMPT TO REDISTRIBUTE CASES SO NO WORKER HAS MORE THAN 30.

Managers and Supervisors, for reason of professional practice, should be encouraged to take one or two cases themselves.

15 (B) TO MAXIMIZE THE AMOUNT OF TIME WORKERS CAN SPEND IN THE FIELD, SUPERVISORS AND MANAGERS SHOULD REVIEW HOW WORKERS' TIME IS BEING SPENT AND WHAT MODIFICATIONS COULD BE MADE.

For example, dictating equipment for automobile use can make travel time productive and reduce desk time for dictation. Case aides, student interns and secretaries should be used when possible for completing forms. Volunteers and case aids should be used to transport clients to appointments.

15 (C) THE COMMISSIONER SHOULD ANNUALLY REVIEW AVERAGE CASELOAD SIZE AND MAKE A REQUEST TO THE LEGISLATURE FOR FUNDING FOR ENOUGH WORKERS TO MAINTAIN AVERAGE CASELOADS AT 30 CASES PER WORKER.

FINDING 16: THERE IS NO UNIFORM CHILD WELFARE TRAINING PROGRAM OR WRITTEN CURRICULUM IN MAINE WHICH DESCRIBES PROGRAM OBJECTIVES, BASIC COMPETENCIES, KNOWLEDGE, AND SKILLS NEEDED TO FUNCTION EFFECTIVELY AS A CASEWORKER.

SUMMARY: Adequate training for social workers is vital to the delivery of high quality services to children and families. Since current Department personnel standards require workers to have little direct social work experience (see Finding 14), the Department must administer thorough on-the-job training to its workers.

Currently, the Department sponsors a series of Title XX-funded workshops for social workers, presented at intervals around the state. The Task Force believes that these workshops are beneficial; however, it cites two problems: first, the workshops are not organized into a comprehensive training sequence, covering all the skills necessary to be a Substitute Care worker; secondly, since individual workers attend training sessions sporadically, it is difficult to integrate material learned at workshops into day-to-day practice.

The Department is in the process of developing a training plan for social workers. The Task Force endorses this effort and recommends that the training plan include the following curriculum: orientation training, to help new workers understand the goals of the Department and their role as a social worker; program and policy training, to present program or policy changes to workers before such changes are implemented; and skill training, to help workers develop the special skills necessary to do child welfare work (e.g., crisis intervention, counseling, etc.).

RECOMMENDATIONS:

PLANNING RESPONSIBILITY

16 (A) THE DIVISION OF CHILD AND FAMILY SERVICES, WORKING IN CONJUNCTION WITH THE STAFF EDUCATION AND TRAINING UNIT, SHOULD HAVE RESPONSIBILITY FOR ASSURING THAT FOSTER CARE TRAINING IS PLANNED AND DELIVERED REGULARLY IN LOCATIONS ACCESSIBLE TO WORKERS.

16 (B) REGIONAL STAFF SHOULD BE INVOLVED IN PLANNING TRAINING ACTIVITIES.

16 (C) TRAINING SHOULD BE DELIVERED ACCORDING TO A PLAN WHICH REFLECTS CURRENT STANDARDS FOR SOCIAL WORK PRACTICE AND ADMINISTRATIVE PRIORITIES, SUCH AS PERMANENCY PLANNING.

Training content should be consistent with program policy. Supervisors should encourage and expect workers to use their new skills on the job.

#### ORIENTATION TRAINING

16 (D) ORIENTATION TRAINING, BASED ON A STANDARD CURRICULUM OF PROGRAM, POLICY, SKILLS, AND KNOWLEDGE, SHOULD BE DELIVERED TO ALL NEW PROTECTIVE SERVICES AND SUBSTITUTE CARE WORKERS. WHENEVER POSSIBLE, TRAINING SHOULD BE DELIVERED JOINTLY.

The first session of this training should be given to workers within three months of employment by the Department; they should attend additional quarterly sessions throughout their first year on the job. Orientation training could be offered quarterly on a statewide basis, could be given by supervisors in the regions, or could be given by a trainer who visits all regions.

#### PROGRAM AND POLICY TRAINING

16 (E) AS NEW POLICIES ARE DEVELOPED AND IMPLEMENTED OR NEW PROGRAM OBJECTIVES EMPHASIZED, TRAINING SHOULD TAKE PLACE WITH THE WORKERS RESPONSIBLE FOR CARRYING THEM OUT.

Implementation of any new policy should include a training plan to assure that the policy is understood and followed.

16 (F) TRAINING SHOULD BE GIVEN BY PROGRAM CONSULTANTS EITHER IN FORMAL SESSIONS TO BOTH SUPERVISORS AND WORKERS OR JUST TO SUPERVISORS, WHO SHOULD THEN COMMUNICATE TO WORKERS IN STAFF MEETINGS.

In either event, the supervisor is responsible for assuring compliance with new policies.

#### SKILL TRAINING

16 (G) ALL WORKERS SHOULD BE EXPECTED TO PARTICIPATE IN RELEVANT SKILL TRAINING PROGRAMS AT LEAST TWICE A YEAR.

Examples of such programs are those provided through the Title XX Training System (e.g., crisis intervention, counseling) or those designed especially for child welfare personnel (e.g., adoption workshop).

16 (H) THE TASK FORCE ENDORSES THE DEPARTMENT'S EFFORTS IN CARRYING OUT PROGRAMS IDENTIFIED AS NEEDED THIS YEAR: CASEWORK ASSESSMENT AND PLANNING; SKILLS FOR TAKING CASES TO COURT; AND SUPERVISORY TRAINING IN CASE REVIEW/DECISION MAKING.

FINDING 17: EXCESSIVE PAPERWORK, INADEQUATE SUPERVISION, AND UNREALISTIC COMMUNITY EXPECTATIONS CONTRIBUTE TO A SENSE OF "BURNOUT" AMONG PROTECTIVE SERVICES AND SUBSTITUTE CARE STAFF.

SUMMARY: "Burnout" is the physical and emotional exhaustion experienced by workers and supervisors as a result of job-related stress. While there are many causes of burnout, the Task Force believes that the three most important are excessive paperwork, inadequate supervision, and unrealistic community expectations. These factors combine to make child welfare jobs feel overwhelming and unmanageable.

Forms which workers cited as most bothersome include the federally-required AFDC and EPSDT forms and the state's Worker Activity Log and Purchase Order Form (called a "G16A"). The Department's Central Office staff is currently reviewing some of this paperwork, hoping to modify it when possible.

Poor supervisory ratios have an adverse effect on both supervisors (who feel unable to meet the demands of their job) and workers (who are deprived of the benefits of adequate support). In all of Maine's five regions, the supervisor:worker ratio exceeds the 1:5 standard set by the Child Welfare League of America: Region I's ratio is 1:8; Regions II, III, and IV, 1:6; and Region V, 1:7.

Problems in community expectations arise from workers' perceptions that the public expects the Department to "magically" cure the ills of all of its clients. They testified that the community rarely recognizes a job well done, but is quick to condemn the Department when it makes a mistake.

The Task Force's recommendations in the area call for a recognition of "burnout" as a serious problem for Department staff, a thorough review of paperwork requirements, better supervisory ratios, and public recognition of the positive work done by Department social workers.

RECOMMENDATIONS:

17 (A) CENTRAL OFFICE AND REGIONAL OFFICE SUPERVISORS SHOULD ACKNOWLEDGE AND THUS LEGITIMIZE THE PROBLEM OF BURNOUT. THEY SHOULD ALLOW TIME TO DISCUSS AND DEAL WITH THE PROBLEM AT STAFF MEETINGS OR CONTRACT WITH OUTSIDE CONSULTANTS TO DO SO.

17 (B) EACH REGION SHOULD HAVE A PLAN FOR COVERAGE DURING NON-WORKING HOURS, VACATION, AND SICK TIME TO REDUCE WORKERS' BEING TELEPHONED AT HOME. THE DEPARTMENT SHOULD MAKE PROVISIONS FOR STAND-BY PAY FOR ON-CALL WORKERS, WHEN NECESSARY TO ASSURE ADEQUATE COVERAGE.

17 (C) THE COMMISSIONER SHOULD ANNUALLY REVIEW CHILD WELFARE SUPERVISOR:WORKER RATIOS AND MAKE A REQUEST FROM THE LEGISLATURE FOR FUNDING FOR ENOUGH SUPERVISORS TO ASSURE A RATIO OF 1:6.

17 (D) A COMMITTEE OF CENTRAL AND REGIONAL OFFICE STAFF SHOULD REVIEW ALL PAPERWORK REQUIREMENTS TO SEE WHERE THEY CAN BE STREAMLINED.

In the meantime, the G16A purchase order form should be studied immediately.

17 (E) STAFF TRAINING SHOULD INCLUDE INSTRUCTION FOR WORKERS IN HOW TO MANAGE THEIR TIME, ORGANIZE THEIR CASELOAD, SET OBJECTIVES FOR CLIENTS AND GENERALLY GAIN CONTROL OVER THE JOB TO BE DONE.

See Finding 16.

17 (F) SECRETARIES SHOULD BE REQUIRED TO PASS A TYPING TEST AND SHOULD BE FURNISHED WITH ADEQUATE EQUIPMENT (TYPEWRITERS, DICTAPHONES) TO FULFILL JOB REQUIREMENTS.

17 (G) WHENEVER POSSIBLE, DEPARTMENT MANAGEMENT STAFF AND THE COMMUNITY SHOULD PROVIDE WORKERS WITH RECOGNITION OF A JOB WELL DONE.

Banquets, awards, newspaper features and spotlighting workers of the month can be used.

17 (H) THE OFFICE OF PUBLIC AFFAIRS AND COMMUNICATION SHOULD TAKE RESPONSIBILITY FOR USING THE MEDIA TO EDUCATE THE COMMUNITY ABOUT ROLES, RESPONSIBILITIES AND REALISTIC EXPECTATIONS OF THE DEPARTMENT.

17 (I) THE COMMISSIONER SHOULD RAISE THE ISSUE OF CHILD WELFARE WORKERS AND SUPERVISORS RECEIVING AN ADDITIONAL 8 DAYS PER YEAR OF VACATION TIME OR PAID ADMINISTRATIVE LEAVE AT THE NEXT STATE COLLECTIVE BARGAINING SESSION.





## STRUCTURE OF THE FOSTER CARE PROGRAM

*"We do, however, set high expectations for ourselves. We know there are more children who can leave our system by returning home or through adoption. We also know there are barriers to attaining our objectives and to meeting our own expectations of ourselves.*

*"We have to look at expectations not only of ourselves, but those of the community. I suspect 25% of the general community would support our objectives and 25% would not, with 50% not really caring. I expect it is the conflicting expectations of community, staff, foster parents, natural parents, and others which have contributed to our present situation."*

...testimony of a Department administrator



FINDING 18: FOSTER CARE POLICY IS NOT CLEARLY ORGANIZED AND EASILY ACCESSIBLE TO DEPARTMENT STAFF, FOSTER PARENTS, AND NATURAL PARENTS.

SUMMARY: Maine's child welfare laws set forth basic guidelines for the state's foster care program. Under Maine law, the Department of Human Services is charged with developing specific policies which guide the day-to-day functioning of the program.

In studying the Department's foster care policies, the Task Force concluded that severe organizational problems lead to confusion about policy among Departmental staff, foster parents, and natural parents of foster children.

The Department does not currently have a readable, well-organized manual, which compiles for its staff all of the policy which governs the operation of the foster care program. In 1965, the Department published its "Maine Division of Child Welfare Policy Manual." Since 1970, the Department has issued numerous "Approved Policy Statements," in order to update old policies or add new ones. Both workers and administrators expressed confusion and frustration with the lack of an up-to-date child welfare manual to serve as a reference book in answering daily policy questions.

In an effort to interpret Department policy governing foster care to foster parents, the Department published a "Foster Parent's Manual" in 1979. Despite this effort, a survey of foster parents revealed that foster parents perceive a great need for clarification of the Department's rules and policies. It is unclear whether the manual has not been widely read or is inadequate in its discussion of policies.

Finally, the Task Force found that the Department to date has made no comprehensive effort to develop a guide to foster care policy for the natural parents of foster children. As discussed in Findings 3 and 7, above, such communication is vital if foster children are to have every opportunity to be reunited with their parents.

In its recommendations, the Task Force calls for the development of a child welfare manual for staff and a policy handbook for natural parents as well as a review of the current Foster Parent's Manual.

RECOMMENDATIONS:

CHILD WELFARE MANUAL:

18 (A) THE DIVISION OF CHILD AND FAMILY SERVICES SHOULD DEVELOP A CHILD WELFARE POLICY MANUAL WITHIN THE NEXT 12 MONTHS.

If the work cannot be completed by a person within the Department with professional writing capabilities, it should be done under contract with a private agency or individual.

The Manual should include a) the agency's philosophy and goals; b) the rights and responsibilities of staff, foster parents, and natural parents; c) the agency's policies, required procedures, and forms; d) the agency's administrative structure and decision-making procedure; e) the agency's record-keeping requirements and forms.

Policy statements should reflect relative program priorities.

18 (B) ONCE A YEAR THE SUBSTITUTE CARE CONSULTANTS AND ASSISTANT REGIONAL DIRECTORS SHOULD REVIEW THE NEED FOR NEW POLICIES OR REVISIONS OF OLD ONES AND DEVELOP A POLICY AGENDA FOR THE YEAR.

Once the need for policy is identified it should be assigned to a program consultant for drafting, circulated to regions for review and comment, and then written in final form. The consultant should be responsible for distributing the policy with instructions for updating the Child Welfare Manual.

18 (C) REGIONAL ADMINISTRATORS SHOULD REVIEW NEW OR REVISED POLICY WITH STAFF TO ASSURE THEIR UNDERSTANDING AND ABILITY TO COMPLY.

Training should be provided by Central or Regional Office if necessary. See Recommendations 16 (E) and 16 (F).

18 (D) EVERY THREE YEARS THE DIVISION OF CHILD AND FAMILY SERVICES SHOULD REVIEW THE CHILD WELFARE MANUAL TO DETERMINE THE RELEVANCE AND VIABILITY OF EACH POLICY.

#### FOSTER PARENT'S MANUAL

18 (E) EVERY THREE YEARS THE DEPARTMENT OF HUMAN SERVICES AND THE REPRESENTATIVES OF FOSTER PARENTS SHOULD REVIEW AND UPDATE THE FOSTER PARENT'S MANUAL.

The liaison person assigned by the Department to work with the Association should be responsible for assuring consistency between the Child Welfare Manual and Foster Parent's Manual, and for updating the Foster Parent's Manual periodically.

#### NATURAL PARENT'S HANDBOOK

18 (F) THE DIVISION OF CHILD AND FAMILY SERVICES SHOULD DEVELOP A HANDBOOK FOR NATURAL PARENTS, WRITTEN IN CLEAR LANGUAGE, WHICH DESCRIBES POLICIES, RIGHTS, ROLES, AND RESPONSIBILITIES OF THE DEPARTMENT, FOSTER PARENTS, AND NATURAL PARENTS.

FINDING 19: AN EFFECTIVE BALANCE BETWEEN CENTRAL OFFICE CONTROL AND REGIONAL AUTONOMY IS LACKING IN CERTAIN AREAS: REGIONS NEED STRONGER CENTRAL OFFICE LEADERSHIP TO IMPLEMENT PERMANENCY PLANNING, ADDITIONAL LEGAL SUPPORT, AND GREATER PARTICIPATION IN THE BUDGETING PROCESS.

SUMMARY: In examining the Department of Human Services' administration, the Task Force heard considerable debate over the right balance of regional autonomy and Central Office control. The Task Force identified two areas in which positive changes have recently been made and three areas in which problems still exist.

With the creation of the position of Deputy Commissioner of Social and Rehabilitation Services and the establishment of the Division of Child and Family Services, Maine's foster care program acquired, for the first time, an identifiable administrative core. (See Appendix for Department Organizational Chart.) These initiatives enhanced coordination and communication between regional staffs, who must implement the foster care program, and administrative personnel, who plan the program.

The Task Force applauds these moves, yet feels that problems in the relationship between regional and Central Office personnel still exist. First, in testimony to the Task Force, regional staff asked for stronger leadership from the Division of Child and Family Services in their permanency planning efforts. Specifically mentioned was the importance of the presence of the Division's Substitute Care Consultants in regional offices on a regular basis to provide guidance and staff support. Workers also expressed the need for Central Office clarification of issues which are related to their legal liability for work-related incidents, particularly auto accidents while transporting clients and charges of malpractice.

Second, in each region, staff at all levels indicated the need for stronger legal support in every phase of the Department's work with foster children. Workers and regional administrators alike felt that the lack of availability of the Department's ten Assistant Attorneys General (both for consultation and for active pursuit of child welfare court cases) especially hinders their ability to move children out of foster care into permanent homes.

Because of the importance of responsive legal services to an effective permanency planning effort, the Task Force concluded that Central Office must assure the regions of significantly more consultation and court time from its attorneys or develop subcontracts with private attorneys to represent the Department in certain child welfare cases. The latter system is currently working effectively in New Hampshire.

A final problem area lies in the budgetary process used by the Department. Under the Department's current budgetary system, regions are allocated money in one general fund, not broken down by program (e.g., Substitute Care, AFDC, etc.). Regional staff have virtually no input into the budgeting process or control over expenditure of these funds. To allow more input, the Department would have to adopt a program budgeting system, whereby each region's budget is broken down into funds allocated for specific programs. Such a procedure would not change total dollar figures, but it would allow closer examination of how much is being spent and what the results of such expenditures are.

The Task Force advocates stronger Central Office leadership in permanency planning efforts, a dramatic increase in legal support to the regions, and greater regional input into budgetary decisions.

RECOMMENDATIONS:

CENTRAL OFFICE LEADERSHIP

19 (A) SUBSTITUTE CARE CONSULTANTS SHOULD LEAD THE DEPARTMENT'S EFFORT TO IMPLEMENT PERMANENCY PLANNING BY WORKING DIRECTLY WITH REGIONAL STAFF IN EVERY PHASE OF IMPLEMENTATION, SPENDING AT LEAST ONE DAY A MONTH BETWEEN THEM IN EACH REGIONAL OFFICE.

19 (B) THE ATTORNEY GENERAL'S OFFICE SHOULD COMMUNICATE TO ALL CHILD WELFARE WORKERS THE STATE'S POLICY ON AUTOMOBILE LIABILITY AND MALPRACTICE INSURANCE AS WELL AS THE STATE'S ROLE IN REPRESENTING WORKERS WHO ARE INVOLVED IN LAW SUITS AS A DIRECT RESULT OF A WORK-RELATED INCIDENT.

LEGAL SUPPORT

19 (C) EITHER AN ASSISTANT ATTORNEY GENERAL SHOULD BE ASSIGNED TO EACH DEPARTMENT REGION ON A FULL-TIME BASIS TO WORK ON CHILD WELFARE CASES OR THE DEPARTMENT SHOULD EXPLORE CONTRACTING WITH PRIVATE ATTORNEYS TO PROVIDE THESE LEGAL SERVICES.

In either case, the attorneys should be subject to supervision by the Department's Legal Services Section Chief.

19 (D) THE DEPARTMENT OF HUMAN SERVICES SHOULD ATTEMPT TO OBTAIN FEDERAL OR PRIVATE (FOUNDATION) FUNDING TO HIRE ONE ADDITIONAL ATTORNEY ON A 2 TO 3 YEAR PROJECT BASIS WHO WILL FOCUS EXCLUSIVELY ON HELPING THE REGIONS TO ACHIEVE PERMANENCY OBJECTIVES FOR CHILDREN IN FOSTER CARE.

BUDGETING PROCESS

19 (E) THE DEPARTMENT OF HUMAN SERVICES SHOULD ADOPT A PROGRAM BUDGETING SYSTEM WHICH LINKS EXPENDITURES TO SPECIFIC PROGRAMS ON REGIONAL AND STATEWIDE LEVELS.

19 (F) REGIONAL DIRECTORS SHOULD HAVE MORE INPUT INTO THE PLANNING/BUDGETING PROCESS AND MORE AUTONOMY IN THE EXPENDITURE OF REGIONAL BUDGETS BASED ON PROGRAM GOALS.

FINDING 20: THE CRUCIAL ROLE AND IMPORTANCE OF THE COURT IN DETERMINING THE FATE OF CHILDREN IN STATE CUSTODY IS DISPROPORTIONATE TO THE ATTENTION A GENERALIZED DISTRICT COURT CAN GIVE TO MATTERS OF CHILD AND FAMILY LAW.

SUMMARY: The district court plays a crucial role in the lives of Maine's foster children: The court initially decides whether jeopardy to the child is severe enough to justify removal of custody from the natural parent and granting of custody to the State; it also must decide if custody is to be returned to the parents or the parents' rights are to be terminated in order to free the child for adoption.

The Task Force heard three major criticisms of the manner in which the present court system impacts on Maine's foster children: first, delays in scheduling court hearings are detrimental to the child's best interests; second, judges may return foster children to their natural families in inappropriate instances; third, the adversary procedures used in court treat child custody matters like criminal cases, thus making rational discussion of the child's best interests difficult to achieve.

In surveying Maine's District and Probate Court judges, the Task Force found that a great majority of judges spend only a minute proportion of their time on child welfare-related cases: 65% of the judges reported spending less than 1% of their time on these matters.

Given these circumstances, the Task Force concluded that it is not surprising that existing, generalized courts may not be structured to optimally meet children's needs and that judges may not be aware of the Department's current efforts towards permanency planning for foster children.

The Task Force, therefore, investigated alternatives to the present system, including use of a specialized family court, use of a non-adversary conference approach to child custody cases, and use of retired attorneys or judges to hear child welfare cases.

In its recommendations, the Task Force calls for further consideration of these alternatives to Maine's current judicial procedures as well as development of a series of educational seminars for judges, attorneys, and social workers focusing on family dynamics and the role of the courts.

RECOMMENDATIONS:

20 (A) WHILE THE NEW CHILD AND FAMILY SERVICES ACT IS BEING TESTED, THE JUDICIARY COMMITTEE OF THE LEGISLATURE, THROUGH ITS LEGISLATIVE STAFF AND WITH THE ASSISTANCE OF THE CHIEF JUSTICE OF THE MAINE SUPREME JUDICIAL COURT, SHOULD CONSIDER THE FOLLOWING OPTIONS:

1. Investigate either designating a separate division of an existing court or creating a new court to hear matters of divorce, child protection, child custody and adoption.



2. Investigate designating a judge in each district who would be willing to specialize in child and family matters. The judge would attend workshops and would set aside special time for hearings in a less formal non-adversary setting. Dockets would be rearranged so the designated judges increase child and family law to perhaps one-quarter of their cases.
3. Investigate alternatives to adversary court proceedings, especially the conference/mediator approach, and try them on a pilot basis in Maine.
4. Investigate using retired attorneys and judges to hear cases on a part-time basis as an arm of the court of jurisdiction. The outcomes would be certified by the court and carry the weight of the court, although procedures would be informal and nonadversarial.

20 (B) THE UNIVERSITY OF MAINE SCHOOL OF LAW, IN CONJUNCTION WITH THE JUDICIAL CONFERENCE, SHOULD SPONSOR SEMINARS ON FAMILY DYNAMICS AND THE ROLE OF THE COURT FOR ATTORNEYS GENERAL, JUDGES, LAWYERS, AND SOCIAL WORKERS.

The National College of Juvenile and Family Court Judges in Reno, Nevada has a training division which may be of help in planning such seminars.

GENERAL RECOMMENDATIONS

I. THE GOVERNOR SHOULD APPOINT AN IMPLEMENTATION COMMITTEE, COMPOSED OF MEMBERS OF THE GOVERNOR'S TASK FORCE ON FOSTER CARE FOR CHILDREN AND OTHER INTERESTED CITIZENS, TO MONITOR THE IMPLEMENTATION OF THE TASK FORCE'S RECOMMENDATIONS. THE COMMITTEE SHOULD REPORT TO THE GOVERNOR BY LABOR DAY, 1981.

Staff support for this committee should be provided through the Office of Special Projects.



## APPENDIX





JOSEPH E. BRENNAN  
Governor

GOVERNOR'S TASK FORCE  
ON FOSTER CARE FOR CHILDREN

c/o Department of Human Services  
State House Station 11  
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Tel: 289-2636



MICHAEL R. PETIT  
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OFFICE OF  
THE GOVERNOR

NO. 6FY 79/80  
DATE October 2, 1979

AN ORDER ESTABLISHING THE GOVERNOR'S TASK FORCE ON FOSTER CARE FOR CHILDREN

WHEREAS, there are 1,800 Maine children living in foster care for an average of seven years in an average of seven homes; and

WHEREAS, the State has failed or been unable to provide these children with permanent homes, either by returning them to their natural parents, by finding adoptive parents, or by making formal long term foster care agreements with stable foster families; and

WHEREAS, every child in foster care in Maine deserves to live as part of a stable, permanent family:

NOW, THEREFORE, I, JOSEPH E. BRENNAN, Governor of the State of Maine, establish the Governor's Task Force on Foster Care for Children to examine Maine's system of foster care services and to make recommendations for improving this system.

MEMBERSHIP

There shall be twenty-five voting members on the full Task Force. Eighteen of these members shall be state legislators, judges, private sector providers and other members of the public appointed by the Governor. Seven of these members shall be state employees invited to participate by the Commissioner of Human Services.

The Governor may invite other interested Maine citizens to serve as non-voting members on the subcommittees of the full Task Force.

The Commissioner may invite other appropriate state and federal officials to participate on the Task Force or any of its subcommittees as non-voting members.

RESPONSIBILITIES

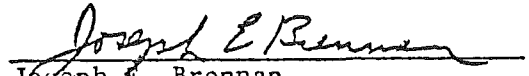
The responsibilities of the Task Force shall be:

1. to conduct a comprehensive review of the system of foster care services in Maine, using standards developed by the American Public Welfare Association and other professional organizations knowledgeable about foster care;
2. to carry out a survey of foster homes and the children currently residing in them in order to determine whether the children can be returned to their natural parents, be made available for adoption, or should remain in a long term foster family setting;

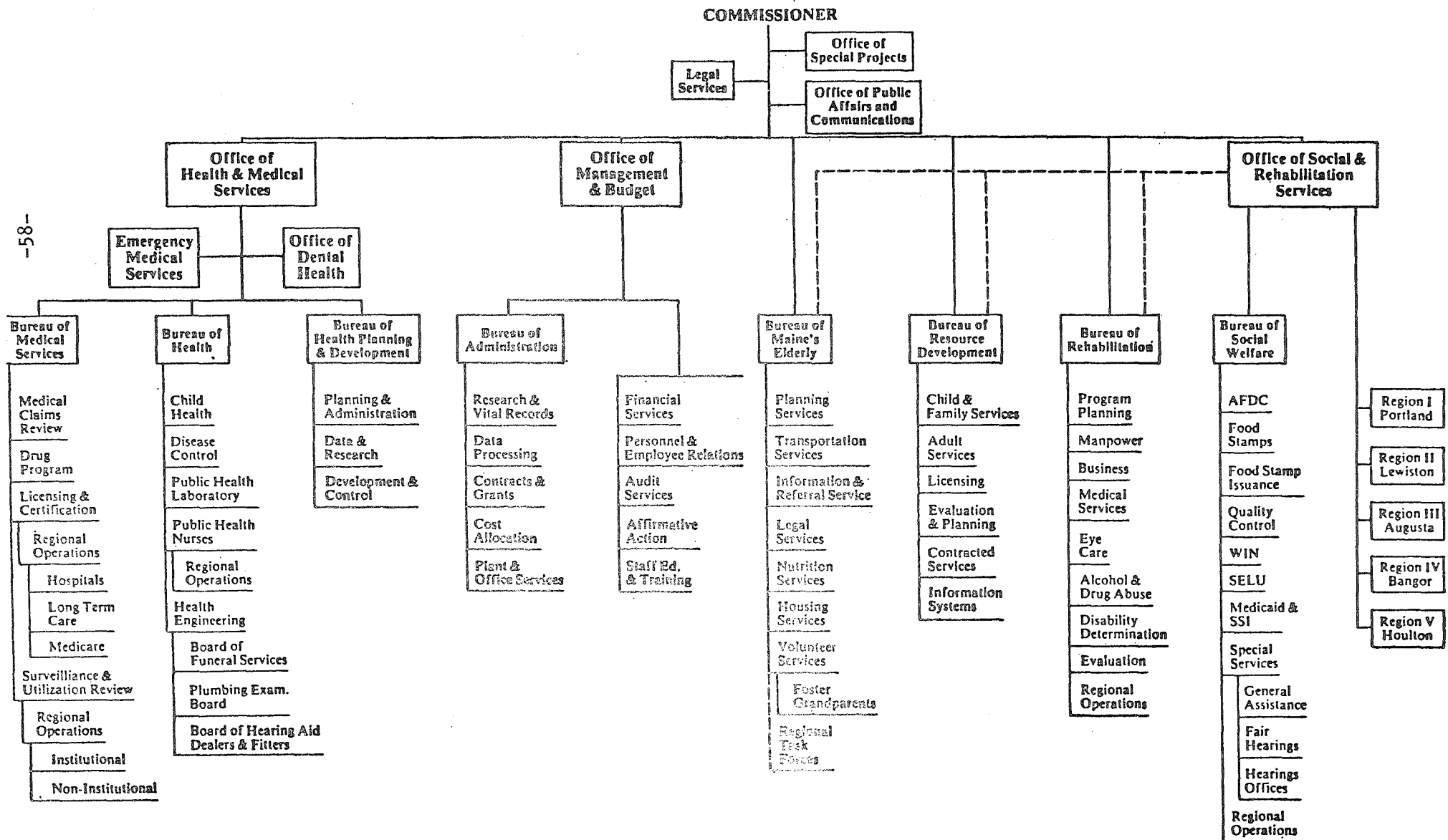
3. to focus special attention on the needs of older, "acting out" adolescents in all types of substitute care settings;
4. to develop a plan for increasing the number of adoptions in the State;
5. to make recommendations to the Governor for improving foster care services, including a plan for administration action and a plan for action by the 110th Maine State Legislature;
6. to take into account information gathered during public hearings in the development of the recommendations; and
7. to build public awareness of the problems and issues involved in the area of foster care services.

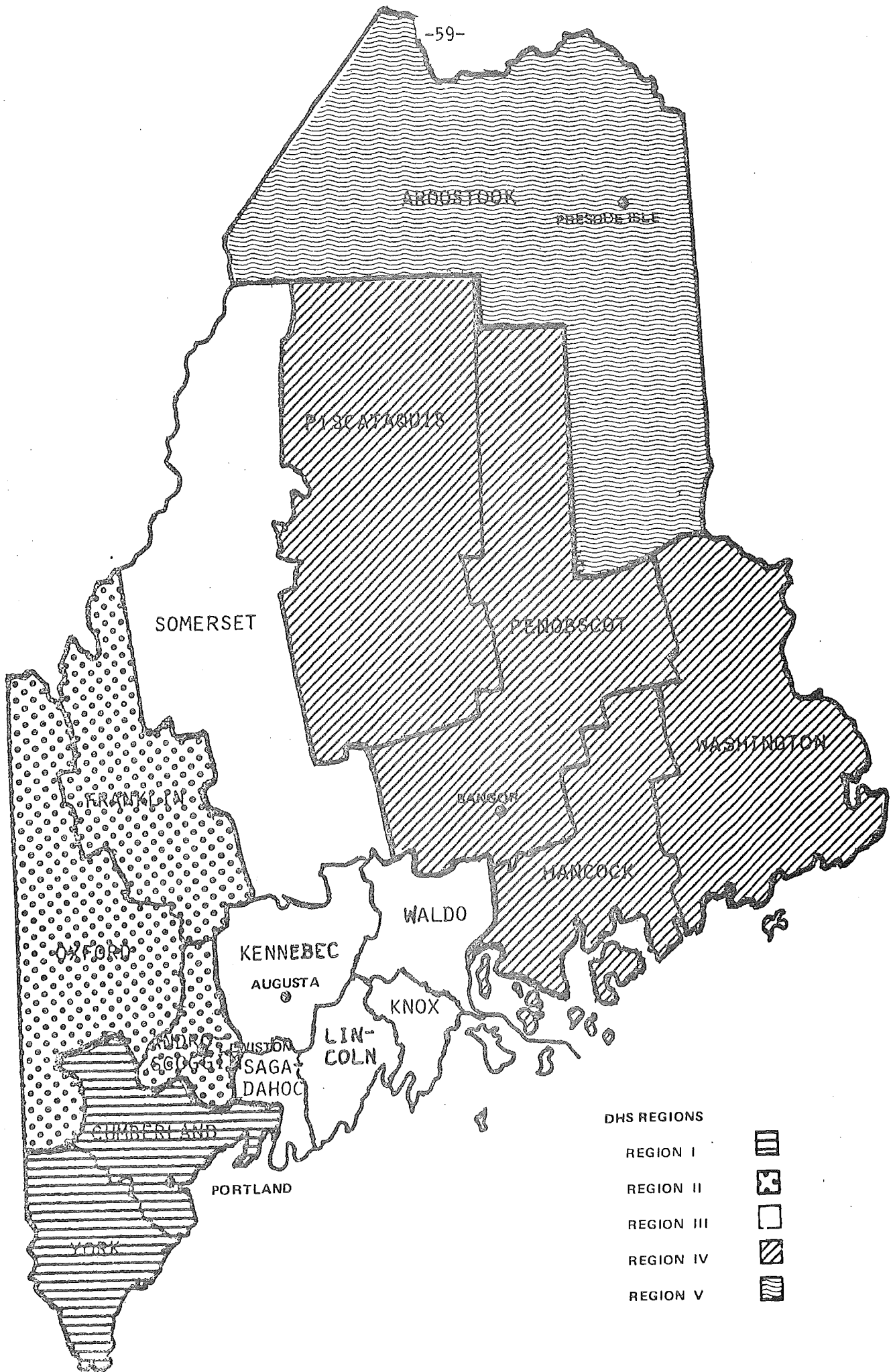
#### ADMINISTRATION

1. The Department of Human Services shall provide clerical and staff support services for the Task Force, making use of any federal funds which become available for this purpose.
2. The Department of Human Services shall reimburse members of the Task Force for actual and reasonable mileage, lodging and meal expenses directly related to the activities of the Task Force.
3. The Final Report and recommendations shall be submitted by the Task Force on or before Labor Day, 1980.
4. This Executive Order shall terminate with the submission of the Final Report and recommendations.

  
Joseph E. Brennan  
Governor

**Maine Department of Human Services  
Organizational Chart  
November, 1979**





DHS REGIONS

REGION I



REGION II



REGION III



REGION IV



REGION V

