

# MAINE STATE LEGISLATURE

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**ANNUAL REPORT  
2021**

**Maine Child Welfare Advisory Panel**

**Citizen Review Panel**

Issued January 2022

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# FOREWORD

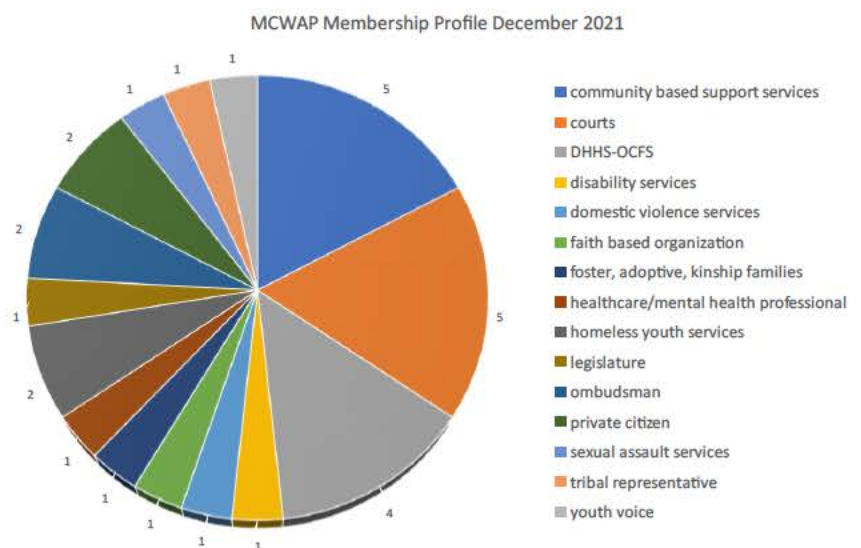
## Citizen Review Panels

The Maine Child Welfare Advisory Panel (MCWAP) is one of Maine's three Citizen Review Panels for child welfare. Citizen Review Panels are federally mandated groups of professionals and private citizens who are responsible for determining whether state and local agencies are effectively discharging child protective and child welfare responsibilities, and making recommendations for system improvement. In Maine, the other two Citizen Review Panels that consider specialized requirements are the Justice for Children Task Force and the Child Death and Serious Injury Review Panel.

## Who We Are

MCWAP members are volunteers who are representative of the community, including private citizens and professionals who have expertise in the prevention and treatment of child abuse and neglect, and those who have personal experience with the child welfare system. The Panel works to maintain a broad and diverse representation of the community including, but not limited to, parents who have experienced

child protective services; former youth in care; foster, adoptive and kinship parents; domestic violence professionals; law enforcement; mental health therapists; courts; faith based organizations; Court Appointed Special Advocates and Guardians ad Litem; disabilities specialists; teachers; legislators; community based support services; medical professionals; sexual assault services; substance use treatment; tribal representatives; and members of the community at large.<sup>1</sup> The Department of Health and Human Services - Office of Child and Family Services (DHHS-OCFS) Associate Director of Child Welfare attends all Panel meetings as a non-voting member. DHHS-OCFS also provides support for the Panel with a Coordinator position that provides coordination and task management assistance to all three citizen review panels. All MCWAP meetings are co-chaired by two citizen members of the Panel.



<sup>1</sup> The Panel had parent representatives with personal experience of child protective services in the first two quarters of 2021, but they were unable to continue participating after the Parents as Partners program ended in June. The Panel is continuing to work to fill this essential role, as well as the roles for law enforcement, substance use treatment and recovery, and teachers, which were not represented during 2021.

## What We Do

The federal Child Abuse Protection and Treatment Act (CAPTA) and the Children's Justice Act (CJA) require all states to establish Citizen Review Panels. MCWAP fulfills requirements from both mandates that instruct the panel to:

- Examine the policies, procedures, and practices of state and local child protection agencies, and evaluate the extent to which the agencies are effectively discharging their child protection responsibilities
- Provide for public outreach and comment to assess the impact of current procedures and practices upon children and families in the community
- Review and evaluate State investigative, administrative, and both civil and criminal judicial handling of cases of child abuse and neglect
- Make policy and training recommendations
- Prepare an annual report complete with a summary of activities and recommendations for the improvement of the child protective services system

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

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# EXECUTIVE SUMMARY

## Overview

Citizen Review Panels work to ensure the people who are most impacted by the child welfare system are part of assessing system efficacy and making recommendations for improvement. Those who have direct experience as a parent, caregiver, youth, or professional working with families in the broad child welfare system often have the perspective and insight to create the most innovative solutions when systems need to be improved.

The Maine Child Welfare Advisory Panel (MCWAP) schedules ten meetings per year, from September through June. In 2021, the Panel held all ten meetings over a virtual platform, including a full-day planning retreat in September. The Panel's primary focus areas in 2021 were continued clarification of the Panel as a separate entity from the Office of Child and Family Services, and improving processes for citizen engagement and feedback.

## Panel Development

The Panel has continued to receive technical assistance from Blake Jones, Ph.D., a resource for National Citizen Review Panels through the Capacity Building Center for States (CBCS). In 2021, CBCS provided information about citizen review panel leadership practices that informed a restructure of the Panel's Executive Committee. This restructure established two citizen co-chairs, shifting the OCFS Associate Director of Child Welfare from a former co-chair position into a more consistent non-voting liaison role. CBCS also provided technical assistance that helped clarify the Panel's role and process in response to legislative and media requests during a year of heightened public interest in Maine's child welfare system. A citizen co-chair represented the Panel during interviews with the Legislative Government Oversight Committee, the Office of Program Evaluation and Government Accountability (OPEGA), and on a Maine Public Radio program about the child welfare system. The [final report](#) from OPEGA to the Government Oversight Committee was released in January 2022. The Panel also worked to improve coordination with Maine's other two citizen review panels, the Child Death and Serious Injury Review Panel, and the Justice for Children Task Force. Quarterly collaboration meetings were established for the chairs of all three citizen review panels to work together to ensure understanding and coordination of high-level focus areas and

## CITIZEN REVIEW

*"We all have a role to play in improving Maine's child welfare system, and I'm grateful that MCWAP has made a commitment to evaluate and expand its methods for gathering citizen feedback and improve the diversity of its membership."*

*I look forward to a future when those most impacted by child abuse and neglect and child welfare practices—youth, parents, resource families, kin—take the lead in shaping how our community supports strong, healthy families."*

*- Panel Member*

recommendations for systems improvements. In 2021, the Panel also expanded its membership to add two critical perspectives: a representative from the legislature, and an attorney who primarily represents parents in protective custody cases.

## Citizen Engagement

The focus of the Panel's third annual full-day planning retreat in September was citizen engagement. Leaders from the [Maine Wabanaki Truth and Reconciliation Commission](#) joined the Panel for a presentation and dialogue where Panel members deeply considered how to engage people who are most affected by the child welfare system. Panel members identified the need to elevate this priority for several reasons. The Panel lost two parent representatives in June when state funding ended for the Parents as Partners child welfare peer support program, and at the end of the summer the remaining family representative on the Panel formally resigned. Increased public awareness of the Panel during the summer months also brought feedback from parents through the Panel website, with three different parents reaching out directly to the Panel before the retreat about their experiences with the child welfare system.

*“CPS investigations (should) be thorough, especially in domestic violence relationships. I am thankful to be away from my abuse physically, but...the back and forth (was) emotional...”*

*- Parent Feedback*

## Parent Experience

As the Panel began to receive more direct feedback from parents through the updated website, the Executive Committee developed a new process to ensure the feedback is delivered to the Panel in a manner that respects both the importance and confidentiality of individual feedback. When feedback was received through the website, the OCFS Panel Coordinator received the notification and forwarded it to the Panel Co-Chairs.

Panel Co-Chairs reviewed the feedback and identified the citizen Co-Chair to follow up and further understand their concerns and experiences. The Co-Chair made initial contact via email and communicated further via email or phone according to citizen preference. The Co-Chair also asked the citizen permission to share de-identified feedback with the full Panel, and if permission was granted, shared a summary with members of the Panel using a newly developed Citizen Feedback Summary Template. Panel members discussed the feedback at the following meeting and identified themes. Upon request by the Panel, the Associate Director of Child Welfare Services or a representative designee with decision-making authority reviewed the case internally and reported a de-identified summary of findings back to Panel by the next meeting. This request was made and fulfilled for one case in 2021. This process has been adopted for all future feedback received through the website. All feedback received during the year was captured in a new Compiled Citizen Feedback Template, and this form will be reviewed annually at the Panel retreat to inform formal recommendations.

An additional source of parent feedback has come in the form of parent surveys that were developed in 2018 and are currently distributed every three years. Survey results are collected by the Panel and analyzed to identify themes that show strengths and opportunities in the child welfare system. The parent survey was distributed and the results were analyzed in the fall of 2021. One major, consistent theme that was identified was a lack of understanding of the child welfare process. This included not understanding the roles of different stakeholders, as well as the court process. As a result, members of the Family Centered Policy and Practice Group, in collaboration with the Maine Justice for Children Task Force, developed a one-year pilot project for the implementation of information sessions for parents involved in the child welfare system entitled *Child Protection 101: For Parents, By Parents*. The focus of these optional information sessions is understanding child welfare agency process and court procedures. Additionally, the sessions will provide parents with best practices to implement in order to be successful throughout the life of the child welfare case. The curriculum includes pre-recorded video segments from system stakeholders as well as live facilitation by parents with lived child welfare experience or experience navigating multiple systems. This pilot project is launching in January 2022. Extensive data collection will occur for both participants and non-participants. The data collected will include a pre- and post- parent survey, an evaluation on time to permanency, participation in family visitation, participation and engagement in reunification services, and attendance at court proceedings. Data will be de-identified and analyzed to determine if participation in the class had an effect on the parent's knowledge of the process and case closing outcomes, and a report will be shared with the Panel and the Justice for Children Task Force.

## Policy Review

In January 2021, the Panel welcomed OCFS Policy and Training leaders, who provided an update on the Department's efforts to update and improve many of its OCFS policies. During this meeting, Panel members and OCFS leadership agreed to work together to develop a process for Panel members to review some of the proposed policies and provide feedback to the Department prior to implementation. MCWAP members were offered the opportunity to self-select which policies they would like to review to provide feedback. A new procedure was developed for the Panel Coordinator to forward draft policies to Panel members, who would then have the opportunity to edit and provide feedback directly into the document before sending it back to the Panel Coordinator. The Panel Coordinator compiled all of the feedback and edits received and submitted it to the OCFS Policy Coordinator for consideration. Throughout the year, this new process provided MCWAP Panel members with the opportunity to review and comment on the following draft policies: Child Protective Services Investigations Policy; Family Team Meeting Policy; Permanency Policy; Placement with DHHS Employees Policy; Substance Exposed Infants Policy; Youth Transition Services Policy; and Human Trafficking and Commercial Sexual Exploitation of Children Policy.



## Family Centered Practice Trainings

In September 2020, a subcommittee was created to focus on family centered policies and practices, with particular emphasis on examining ways to enhance planning for case endings, facilitate co-parenting, and respond to cases with domestic violence issues. The subcommittee identified two major areas of need: training for all professionals connected to the child welfare system on the complex dynamics present in cases involving domestic abuse and violence, and addressing the unique challenges and intricacies that are involved when a protective custody case intersects with or is resolved through a family matters case. In March, this subcommittee presented to the Panel several recommendations which were ultimately adopted by the full Panel. These recommendations were:

- Working with relevant stakeholders to host a series of trainings in certain areas<sup>2</sup> for all professionals involved with the child welfare response with the goal of supporting appropriate case endings for families involved with child protective services.
- Continuing to explore ways the child welfare system can support sustained, coordinated, and systemic training for all child welfare stakeholders on the intersection between family law cases and domestic abuse and violence.
- Exploring how best to support and promote appropriate training and trauma-informed practice of PC attorneys representing the family in the family court process, and increase recognition that a trauma informed practice is more likely to enhance case endings and reduce families returning to the child welfare system.

The Family Centered Policy and Practice subcommittee held the first training in the training series, *"When Protection from Abuse Orders are an Effective Safety Planning Tool (and When They are Not)"* in October 2021. More than 70 guardians ad litem and Maine attorneys attended. All participants were asked to provide feedback on the utility of the training. 97% of attendees reported that the training provided useful and practical information and 91% reported that it better prepared them to respond to people affected by abuse. The second training in the series is scheduled for late January 2022.

*"I now have a new appreciation of all the possible unintended or intended consequences of the (Protection from Abuse Order) and what a survivor has to deal with."*

*- Training Participant*

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<sup>2</sup> Content areas for the training series includes: working with domestic violence survivors, establishing realistic expectations for throughout a family's involvement to set families up for success, when and how protection from abuse orders are an effective tool, demystifying family matters paperwork, drafting a parental rights order as a resolution to a protective custody case, factors that promote resiliency in children, after-care and what support is available for families post-child protection involvement, and cultural responsiveness (including child safety and implicit bias).

## Effective Communication and Coordination

Effective communication and coordination for children in care surfaced as a priority at a strategic planning process with the panel in September 2020. A subcommittee has been focused on identifying strategies that can increase sharing of needed pertinent health, developmental, and educational information for children and youth in care with their providers and caregivers. The group started the process with researching what other states have in place for an electronic system for information sharing between child protective services, families, and resource parents. The timing has aligned well as the Department was at the very beginning of developing the new Child Welfare Information System (CCWIS) which is scheduled to launch in January 2022. The CCWIS project is broken up into development phases, starting with the functions that caseworkers need. In 2022 as the system is live and being implemented, the subcommittee and OCFS will continue to explore how to include functions in the system that provide updated information for caregivers, providers, parents, and older youth who may be navigating their own health care providers.

*“Parents need better access to resources (childcare, transportation, rental assistance, job training) earlier in their interactions with OCFS to mitigate concerns and avoid greater/more negative involvement.”*

*- Provider Survey*

## Father Engagement

Beginning in 2020, the Panel began examining family engagement within the child welfare system, particularly with fathers. That year the Panel recommended that OCFS engage in a concerted and sustained effort to improve the Department’s ability to effectively engage the fathers of children involved in child welfare by partnering with the Panel to hold annual listening sessions with fathers, make engaging fathers a core value in training, professional development, and contract expectations for staff and external stakeholders, and investing resources in addressing statewide father engagement practice (see FY2020 report for full recommendation text).

In 2021, Panel members began planning the first set of listening and learning sessions with fathers in partnership with OCFS, engaging professional facilitators to lead four sessions to reach approximately 30 fathers in winter of 2022, and securing philanthropic funds to reimburse fathers who participate. Results of the sessions will be compiled in a report presented to the Panel in Spring of 2022. The Panel will use the findings to inform future recommendations to OCFS regarding father engagement, as well as its own work to collect feedback from fathers and other caregivers and stakeholders within the child welfare system. OCFS will use the results of the listening sessions to identify strategies to improve outcomes in this area that will be integrated into child welfare policy, practice, training, and contracts.



## Looking Ahead

During the November 2021 Panel meeting, members identified three priority areas for continued development of the Panel in 2022: improving citizen feedback practices; exploring the ways information is provided to caregivers; and establishing practices to review progress on Panel recommendations.

### Improving Citizen Feedback Practices

A primary role of the Panel is to gather and utilize citizen feedback, and use this data to identify priorities and make system improvement recommendations. In 2021, Panel members identified the need for a presentation that outlines the data already gathered to inform panel members and ensure the Panel

is not asking citizens to provide input that has already been gathered. The Panel plans to invite OCFS, The Muskie School of Public Service and Cutler Institute, Adoptive and Foster Families of Maine, and other involved parties to a panel presentation and discussion about the frequency and methods of feedback that is being gathered from parents, youth, and families to inform child welfare practice and system improvements. This will include any feedback that is being collected from resource families and kinship placements. The Panel is planning this discussion for the March 2022 agenda.

As described above, the Panel has previously developed two surveys to receive input from community service providers and parents who are impacted by the child welfare system. These surveys are administered every three years to meet Panel requirements under the Children's Justice Act. The origin of the Provider Survey is unknown, but may have been developed by a former OCFS CAPTA Coordinator position, and the Parent Survey was developed in 2018 by Panel members. The Panel will work with the other two citizen review panels to engage the services of an outside evaluator by December 2022 to bolster the content and process of the Parent and Provider Surveys. The Panel will add youth and resource parent surveys as part of the scope of work with the evaluator, and will also take steps to increase the diversity of parent feedback by working collaboratively with Maine's Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations and other community partners that represent or support Maine's underserved populations. Particular attention will be given to supporting the engagement of parents with lived experience in the child welfare system who identify as persons of color or as members of indigenous populations in Maine.

## Exploring Caregiver Information Practices

The Panel has received survey responses and direct feedback from parents with open child protective cases who have indicated they did not have a full and clear understanding of their rights at removal, or how to fully participate in the ongoing case process. The Panel recognizes this may be the result of parents not receiving complete information and/or challenges with retaining the information due to high levels of stress. This lack of understanding may impact a parent's relationship and engagement with OCFS, and their ability to respond to the requirements of their reunification plan. OCFS is statutorily required to provide parents with information about their responsibilities for completing services; how to contact the assigned caseworker; a supervised visit schedule; and a way to measure the extent to which parents have made progress in the reunification plan. The Panel has invited OCFS to provide a report on the manner and content of this information as it is currently being provided to parents, to better understand what the Department provides, how, and when. The Panel will use this information to explore with OCFS more effective ways to inform, communicate with, and engage parents. This discussion is planned for the February 2022 meeting.

## Reviewing Panel and Recommendations Progress

Each year, the Panel identifies strategic goals and also makes recommendations to OCFS and the broader child welfare system. There is currently no formal practice for monitoring or assessing progress on strategic goals or child welfare system recommendations. Since 2018, the Panel has been taking actions to strengthening the internal structure of the Panel and improve effectiveness and accountability to the communities served. Members have identified the need to be able to tell families and new citizen members what happens as a result of their input and recommendations.

Beginning in June 2022, the Panel will establish an annual schedule to review progress on recommendations made by the Panel to OCFS and the broader child welfare system, and to assess progress on all Panel tasks. During this first year of review, the Panel will review recommendations and process task commitments since January 2018 and the outcomes of those tasks and recommendations. The Panel will also look for opportunities to include progress updates in future annual reports.



# POLICY AND PRACTICE RECOMMENDATIONS

*The following recommendations were approved by the Panel in November 2021. They reflect system improvements across the broader child welfare system that include executive, legislative, and judicial branch actions.*

## Family Team Meetings

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

The Panel has focused for several years on ways to improve effective communication and coordination among community providers and child welfare. Many evaluations, including the [OPEGA Brief](#) in 2018, MCWAP Provider Survey results in 2018 and 2021, and the report that was issued in 2021 by [Casey Family Programs](#) have emphasized the need to improve communication and coordination between child welfare and the community providers who serve the same families. Family Team Meetings are a nationally-recognized and proven framework to support these practices, and Maine was an early leader in this practice. However, parent and provider feedback continue to indicate inconsistent practice of Family Team Meetings in the field. In 2021, the Department updated their Family Team Meeting Policy. The new policy outlines a uniform and consistent practice for caseworkers and supervisors on best practices for conducting Family Team Meetings. Sustained, focused investment in statewide training for all caseworkers and supervisors, and providing dedicated staff to facilitate pre-removal meetings will improve uniformity and consistency across cases and regions. Investing in full implementation of the Family Team Meeting model will support improved coordination and communication across the many providers who make up the broader child welfare system, improve ongoing communication between caseworkers and families, and promote shared responsibility for the child protective process.

*“Communication between providers to providers and providers with families (needs to be improved).”*

*- Provider Survey*

## Parent and Youth Engagement

**Recommendation:** OCFS should identify and invest in programs that support parent and youth engagement in the child welfare process and in quality improvement efforts, including membership on citizen review panels, by June 30, 2022, and provide the Panel with status updates at least every six months.

National best practice standards and federal legislation<sup>3</sup> require family and youth centered engagement in creating system change. Since 1998, Maine DHHS has provided support and partnership to the Youth Leadership Advisory Team (YLAT), a nationally recognized program that brings young people and adult partners together to improve outcomes for all youth in care. Maine had been a national leader by investing in the Parents as Partners approach for over eleven years, but discontinued funding in June 2021. Parent Partners supported parents to engage with the child welfare system, trained all new child protective caseworkers, and served on numerous state advisory panels, including the Maine Child Welfare Advisory Panel and the Justice for Children Taskforce. From June to December 2021, OCFS was not investing in any initiatives to engage parents with lived experience in child welfare service delivery and improvement. The 2021 child welfare system review [report](#) by Casey Family Programs and Collaborative Safety recommended “OCFS explore ways to support engagement between parents and the child welfare system, such as parent partner/parent mentor programs.” Renewed investment in programs that provide the necessary support for parents with lived experience to participate in child welfare systems improvements should be a priority for OCFS in 2022.

*“Peer relationships from others who have gone through the system are more than helpful for those in the system currently.”*

*- Provider Survey*

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<sup>3</sup> The [Child and Family Services Review](#) process that provides oversight of national standards for child welfare includes parent, caregiver, and youth interviews in this process. The [Family First Prevention Services Act](#) requires involvement of parents and youth who have lived experience with child welfare as part of the development of child welfare prevention plans.

## Domestic Abuse and Violence Response

**Recommendation:** By December 31, 2022, OCFS should update its domestic abuse and violence response policies and practices to prioritize efforts to decrease children from being removed, or threatened to be removed, from non-offending parents for “failure to protect” the child from exposure to domestic violence committed against the non-offending parent by the offending parent.

This recommendation seeks to ensure that non-offending parents are not held responsible for the abuse committed against them. While recognizing that decisions need to be balanced against child safety, the Panel notes these policy and practice standards have been recommended by experts in the field of child welfare for more than twenty years. In addition to this recommendation, the Panel is requesting a report by December 31, 2024, from the Department regarding the percentage of families experiencing domestic abuse and violence in which a parent was referred to a domestic violence intervention program, the gender identity of the parent referred, and if there are regional disparities in referral practice. This request reflects the Panel’s interest in exploring mechanisms and broad systems of accountability for perpetrators of domestic violence. Responses to the Panel’s 2021 Provider Feedback survey identified holding perpetrators of domestic violence accountable for their own behavior as either a problem that continues to hinder the system’s response to maltreated children, or the most important change to make to improve the response. As noted in the [April 2021 report](#) from Maine’s Domestic Abuse Homicide Review Panel, Maine law recognizes certified domestic violence intervention programs as the appropriate effective community intervention in domestic violence related cases. Requiring parents who use abuse and violence toward the other parent to participate in community-based certified intervention programming is a nationally recognized best practice recommendation.<sup>4</sup> These interventions exist in Maine, and the Panel is interested in understanding how they are being utilized by the child welfare system.

*“If people are made to feel like asking for help or calling the police is going to result in getting in trouble, then they aren't going to call for help when they are in physical danger.”*

*- Parent Survey*

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<sup>4</sup> Schechter, S. & Edelson, J.L. (1999), National Council of Juvenile and Family Court Judges, Family Violence Department, “Effective Intervention In Domestic Violence Cases: Guidelines for Policy and Practice,” available at: <https://www.ncjfcj.org/publications/effective-intervention-in-domestic-violence-child-maltreatment-cases-guidelines-for-policy-and-practice/>

## Discretionary Funds

**Recommendation:** By December 2022, the Maine Legislature should provide funding to OCFS to implement a pilot process whereby assessment caseworkers and/or designated external community partners have discretion to authorize up to \$1,000 per family to help cover expenses identified as necessary to help the family meet the needs of their child(ren) and/or the expectations of the Department. This flexible cash assistance should be provided to families at risk of having their children removed (any family for whom OCFS has an open assessment).

A majority of narrative responses from the 2021 Provider Survey the Panel sent to community service providers across the state identified a critical need for better access to practical resources for families. Many providers specifically cited the need for more services to be available (such as mental health services and substance use services). However, many providers also cited a need for increased access to things like childcare, transportation, food, rental assistance, and job training, and the need for resources that are accessible in a timely way with few to no administrative barriers. Many providers noted that current structures for connecting families in crisis to resources are too slow or insufficient to meet needs. For many families, the stress of trying to meet basic needs interferes with their ability to attend to other concerns that may be driving their involvement with child welfare. Access to resources during the assessment phase of department engagement can help create timelier stability for families in crisis. These pilot discretionary funds should be highly flexible, with the only criteria being that they are used to help cover expenses that are necessary to help the family meet the needs of their child(ren). There should be minimal eligibility or application criteria for a caseworker or designated community partner to expend the funds to meet a family's needs. The State should consider external partners for the distribution of these funds to families at risk of having their children removed, such as the existing [Regional Care Teams](#) that currently provide similar support for justice involved youth, or statewide non-profit agencies that provide support and advocacy for families experiencing poverty.

*“Child Protective Services should do more work to address the family as a whole instead of separating parents from children.”*

*- Parent Survey*



## Legal Representation

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

Under the current system, a low-income family is only provided with counsel after a child has been removed. During the assessment period of child protective cases, families are reliant on individual caseworkers for information on what to expect and what their rights are, and for information on the State's obligations and limitations. In the Panel's 2021 parent survey, only 15.5% of respondents answered "Yes" to the question of whether caseworkers helped them understand what to expect in the child protective process. Providing legal representation during the assessment phase of child protection will ensure families receive useful and understandable information about their rights and the State's obligations at this critical point in the case process.

## Guardians ad Litem

By December 2022, in partnership with interested community stakeholders, the Guardian ad Litem review board and the Maine Judicial Branch should bring forward a proposal to better support guardians ad litem in developing their skills and expertise, and to bring a higher level of substantive oversight of their work. This process should include recommended mechanisms and metrics for identifying appropriate mentors within Maine's guardian ad litem community, opportunity for case consultation by guardians ad litem with their peers, and a process for periodic case review.

In July 2006, OPEGA issued a report to the Maine Legislature's Government Oversight Committee that concluded judges could not be confident that they were receiving complete and accurate information from GALs, and GALs were not reliably providing well considered recommendations. Though some reforms have been enacted since that time, this topic was also raised during community stakeholder listening session that OCFS hosted in 2020. The Panel has reviewed and discussed information over the last year that indicates this continues to be a problem that is negatively impacting families. The legislature should fund this work and the resulting process, including any needed statute or rules changes. The Maine Child Welfare Advisory Panel is committed to engaging in this conversation.

# DEPARTMENT RESPONSES

*The Office of Child and Family Services responds to all formal recommendations by MCWAP. Following are the responses to the Panel's 2021 Policy and Practice Recommendations.*

OCFS would like to thank the Maine Child Welfare Advisory Panel for its work to improve the system of care for children and families in Maine and is committed to further collaboration on the recommendations outlined in the 2021 Annual Report.

## Family Team Meetings

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

**Response:** OCFS first implemented Family Team Meeting (FTM) practice in 2002, recognizing the importance of including the voices of parents, children/youth, providers, and family supports in the case process. Since this time, there have been revisions to policy and practice expectations to incorporate best practice standards. OCFS recognizes that due to implementation challenges and the increase in new staff, Family Team Meeting practice has been inconsistent throughout the state. In response to this, in November 2021, OCFS finalized an updated FTM policy grounded in the principles of the original model and is in the process of training staff statewide. In addition, a training webinar will be available for community partners in February and further training will be provided to staff in facilitation and conflict management.

## Parent and Youth Engagement

**Recommendation:** OCFS should identify and invest in programs that support parent and youth engagement in the child welfare process and in quality improvement efforts, including membership on citizen review panels, by June 30, 2022, and provide the Panel with status updates at least every six months.

**Response:** While OCFS discontinued the Parent as Partners program in June 2021 based on evaluation of the service, this did not diminish the agency's commitment to leveraging the voices of parents and involving them in system improvement efforts. OCFS has been actively involved in planning father listening sessions with the Maine Child Welfare Advisory Panel Family Engagement sub-committee

which are scheduled to be held in February 2022 and has recently joined with a parent partner to participate in the Pathways to Partnership work convened through the New England Association of Child Welfare Commissioners and Directors. OCFS has also invested in Family Engagement Specialist positions through the Cooperative Agreement with USM to hire two parents with lived experience in the child welfare system to engage in system improvement activities, provide training to caseworkers, supervisors and resource parents, and research evidence based parent mentor programs. OCFS has a model for parent engagement activities through its youth leadership efforts which have been recognized both regionally and nationally and support the participation of parents and youth on citizen review panel. OCFS commits to providing an update to the Maine Child Welfare Advisory Panel every 6 months related to family engagement activities.

## Domestic Abuse and Violence Response

**Recommendation:** By December 31, 2022, OCFS should update its domestic abuse and violence response policies and practices to prioritize efforts to decrease children from being removed, or threatened to be removed, from non-offending parents for “failure to protect” the child from exposure to domestic violence committed against the non-offending parent by the offending parent.

**Response:** Through the cooperative agreement, OCFS is working the Cutler Institute of Public Policy at USM to review and revise all child welfare policies, including the Domestic Violence and Child Abuse and Neglect policy. Workgroup members include staff from the Maine Coalition to End Domestic Violence (MCEDV) and the Domestic Violence Resource Centers. The policy specifically addresses the concerns outlined in this recommendation related to partnering with non-offending parents to provide safety for their children and not holding them accountable for the actions of the offending parent. This work will include updating best practices, researching evidence-based treatment and consultation with providers of certified domestic violence intervention programs. OCFS is committed to being responsive to Panel concerns and as part of this work will develop a report in collaboration with MCEDV to track outcomes related to domestic abuse and violence by December 31, 2024. Some of the elements being requested by the Panel are not available within the OCFS data system, although may be tracked by MCEDV through the DV-CPS Liaison Program. It is important to note that other components of the child welfare system impact the provision of services to offending parents, including parents’ attorneys, the courts, and the availability of these services statewide.

## Discretionary Funds

**Recommendation:** By December 2022, the Maine Legislature should provide funding to OCFS to implement a pilot process whereby assessment caseworkers and/or designated external community partners have discretion to authorize up to \$1,000 per family to help cover expenses identified as necessary to help the family meet the needs of their child(ren) and/or the expectations of the Department. This flexible cash assistance should be provided to families at risk of having their children removed (any family for whom OCFS has an open assessment).

**Response:** This recommendation is directed to the Maine Legislature.

## Legal Representation

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

**Response:** This recommendation is directed to the Maine State Legislature and the Maine Commission on Indigent Legal Services (MCILS).

## Guardians ad Litem

**Recommendation:** By December 2022, in partnership with interested community stakeholders, the Guardian ad litem Review Board and the Maine Judicial Branch should bring forward a proposal to better support Guardians ad Litem in developing their skills and expertise, and to bring a higher level of substantive oversight of their work. This process should include recommended mechanism and metrics for identifying appropriate mentors within the Maine Guardian ad litem community, opportunity for case consultations by Guardians ad litem with their peers, and a process for periodic case review.

**Response:** This recommendation is directed to the Maine State Legislature, Guardian ad Litem Review Board and the Maine Judicial Branch.

# SUMMARY OF PANEL ACTIVITIES 2021

Given the status of the COVID-19 Pandemic in 2021, monthly MCWAP meetings continued to be held virtually. At each meeting, OCFS provided an update and Panel business was discussed. At most meetings, Panel members broke out into subcommittees to work on their selected topics. After each breakout session, the subcommittees reported back to the full Panel about the status of their work.

## JANUARY

In January, the Panel welcomed guest Gina Googins, OCFS Regional Associate Director for Policy and Training, who provided an update on the Department's efforts to update the OCFS policies. The Panel and Ms. Googins developed a procedure that would allow MCWAP members the opportunity to provide feedback on revised, draft OCFS Policies for consideration prior to implementation. Members resumed work on their subcommittee topics, which included Family-Centered Policy and Practice; Effective Communication and Coordination; and Child Welfare Staff Training.

## FEBRUARY

Various housekeeping items were addressed in February's meeting, including a debrief on the procedure of providing feedback on draft OCFS policies, a discussion of a proposed change to MCWAP's Mission Statement and an update on the recently disseminated Ombudsman Report and MCWAP's Annual Report (2020). Members were reminded that one of the recommendations that came out of the Panel's prior work was for OCFS and MCWAP to collaborate on facilitating listening sessions for fathers who have had CPS involvement. Several members offered to help with this initiative.

## MARCH

Members heard from Christine Alberi, Executive Director, Maine Child Welfare Ombudsman, regarding the recently released 2020 Ombudsman Report. Ms. Alberi provided the Panel with an overview of the charge of the Ombudsman's office, as well as the procedures that are in place when a complaint is received. Ms. Alberi summarized the 2020 report and its findings, providing members with the opportunity to ask questions. OCFS provided an update regarding the development of a permanency review process and discussed its federal Program Improvement Plan (PIP). OCFS also highlighted the Department's efforts to formalize a policy around immunizations for children in care. During the breakout sessions, the Child Welfare Staff Training subcommittee decided to merge into the Father Engagement subcommittee with the goal of furthering the initiatives discussed in February.

## *APRIL*

In April, the Panel was joined by representatives from the Department's federal partners at the Administration for Children and Families, Children's Bureau. The representatives and MCWAP discussed stakeholders' experiences with OCFS and the services in Maine that support the mission of the Department. Members were notified that quorum had been reached in support of the motion to modify the language of the Panel's mission statement. The Panel was reminded that the Parent/Provider surveys would soon need to be distributed, and a discussion was held around the Panel's ability to provide stipends to citizen members of the Panel.

## *JUNE*

Citizen Engagement continued to be a highlighted topic at MCWAP's June meeting; a subcommittee of volunteers formed to continue concerted efforts to incorporate more citizen voice in the Panel's meetings and activities. Members discussed how best to leverage citizen voice from those not participating on the Panel, and input that had been received through the Maine Citizen Review Panels website was discussed. Members suggested inviting a parent attorney and a Guardian ad Litem (GAL) or Court Appointed Special Advocate (CASA) volunteer to sit on the Panel.

## *MAY*

Members Libby McCullum, Assistant Attorney General (AAG), and Betsy Boardman, Child Protective and Juvenile Process Specialist, provided the Panel with a presentation on the court process in Maine. Citizen engagement on the Panel was discussed, with a recommendation for the Citizen Engagement subcommittee to reconvene to further this important effort. The Panel also considered the composition of the Executive Committee as two committee participants were no longer active in MCWAP. Members were encouraged to volunteer to join the committee, and reminded that the current co-chair's term would be coming to an end next year.

## *JULY AND AUGUST*

Panel summer break. Subcommittees continued to convene virtually to work on their topics. An additional workgroup was formed to plan the Panel's annual retreat, which would be held in September 2021.



## SEPTEMBER

MCWAP hosted its 2021 Annual Retreat in September which centered around the theme of citizen engagement. While the group had hoped to meet in person, the pandemic led to the Panel meeting for a full day conference over Zoom. Prior to the retreat, members were provided access to [Dawnland](#) and encouraged to view the film ahead of September's meeting.

The retreat started with updates from MCWAP and OCFS. Participants were then joined by members of Wabanaki Reach who hosted a panel discussion of the film *Dawnland* along with a question and answer period. Members also viewed *Answer to Prayer: Creating a Truth Commission Process* before participating in a group discussion around citizen engagement lived experience. Breakout groups then worked on their topics, and provided the Panel with an update of the work they accomplished over the summer.

## OCTOBER

Members discussed proposed language edits to the bylaws regarding the structure of the Executive Committee. The retreat was debriefed, and topics raised during the retreat-citizen/father engagement, convening meetings-were further discussed.

## NOVEMBER

Prior to the November meeting, subcommittees were tasked with submitting proposed recommendations to OCFS and/or external stakeholders, as well as proposals for Panel improvements, to the Executive Committee to compile. In November, these proposed recommendations were discussed as a group. Subcommittees were given the opportunity to consider the feedback and make edits to their recommendations before they were compiled and sent out for a formal electronic vote.

## DECEMBER

In December, members voted in support of electing a new co-chair, in line with the proposal discussed in October. A discussion was had around November's recommendation process, and suggestions were made to clarify the process in coming years. Members were presented with the findings of MCWAP's three-year parent and provider surveys (distributed in September), and themes that appeared amongst the survey results were identified. OCFS provided its monthly update to the Panel, focusing on the key findings identified in the recent report issued by Casey Family Programs and Collaborative Safety.

# PANEL MEMBERS 2021

*Panel Co-Chair:*

**Debra Dunlap**  
Citizen  
Independent Consultant

*Panel Co-Chair (ending December 2021):*

**Bobbi Johnson, LMSW**  
Associate Director, Child Welfare Services  
Office of Child and Family Services  
Dept. of Health and Human Services

*Panel Co-Chair (beginning December 2021)*

**Ahmen Belanger Cabral, LMSW**  
Senior Policy Associate  
Youth and Community Engagement Team  
Muskie School of Public Service, USM

*Panel Coordinator:*

**Kathryn Brice, MSc, LSW**  
Office of Child and Family Services  
Dept. of Health and Human Services

**Christine Alberi, Esq.**  
Executive Director  
Maine Child Welfare Ombudsman

**Esther Anne**  
Policy Associate II  
University of Southern Maine

**Senator Donna Bailey**  
Member of Maine Legislature  
Senate District 31

**Chris Bicknell**  
Executive Director  
New Beginnings

**Betsy Boardman**  
Child Protection and Juvenile Process Specialist  
Maine Judicial Branch

**Marie Briggs**  
Executive Director  
BeLoved

**Travis Bryant**  
Executive Director  
Adoptive and Foster Families of Maine

**Adrienne W. Carmack, MD**  
Medical Director  
Office of Child and Family Services  
Dept. of Health and Human Services

**Susan Clardy**  
Research Assistant  
Maine Attorney General's Office

**Susan Denoncourt**  
Family Services Director  
Community Concepts

**Kelly Dell'Aquila**  
Parents as Partners Program Coordinator/Citizen  
The Opportunity Alliance

**Lanelle Freeman**  
Social Services Director  
Kennebec Valley Community Action Program

**Brie Gutierrez**  
Communication and Compliance Director  
Office of Child and Family Services  
Dept. of Health and Human Services

**James Jacobs, Ph.D.**  
Psychologist, Edmund Ervin  
Maine General Medical Center

**Annette Macaluso**  
Children's Advocacy Center Network Coordinator  
Maine Coalition Against Sexual Assault (MECASA)

**Andrea Mancuso**  
Maine Coalition to End Domestic Violence  
Public Policy Director



**Ashley McAllister, LMSW**  
Associate Ombudsman  
Maine Child Welfare Ombudsman

**Libby McCullum**  
Assistant Attorney General  
Child Protection Division  
Office of the Maine Attorney General

**Sarah Minzy**  
Family Services Director  
Home Counselors, Inc.

**Debra McSweeney**  
Licensed Physical Therapist  
Maine General Medical Center

**Julian Richter**  
Parent Attorney  
Richter Law

**Tammy Roy**  
Child Welfare Project Manager  
Office of Child and Family Services  
Dept. of Health and Human Services

**Cindy Seekins**  
Director  
GEAR Parent Network

**Nora Sosnoff**  
Chief, Child Protection Division  
Office of the Maine Attorney General

**Erin Whitham**  
Performance Management Coordinator  
Maine Children's Trust

The Panel would like to thank the following former members for their contributions:

**Jamie Brooks**  
Parent Partner  
The Opportunity Alliance

**Lyn Carter**  
Rural Grant Program Coordinator  
Maine Coalition to End Domestic Violence

**Debbie Dembski, LCSW**  
Citizen and Grandparent

**Christine Hufnagel**  
Director of Family Services  
Community Concepts, Inc.

**Alana Jones**  
Supervised Visitation Program Manager  
Home Counselors Inc.

**Brittany Raven**  
Parent Partner  
The Opportunity Alliance

**Kelly West**  
Family Support Program Manager  
Community Concepts

**Jean Youde**  
Programs Coordinator  
Maine General Medical Center

# ACKNOWLEDGEMENTS

The Panel is grateful to all of the Maine parents, caregivers, and youth who shared their experiences and observations about the impact of the child welfare system on their families during the course of this year. Members would also like to express deep gratitude to the former Parent Partners and family representatives for their many contributions over the years. Their words continue to inform and guide the work of the Panel.

The Panel would like to thank the Maine Legislature's Joint Standing Committees on Health and Human Services and Government Oversight, the Office of Program Evaluation and Government Accountability, and Maine Public Radio for their interest and research on the work of this and Maine's other citizen review panels this past year. Members would also like to acknowledge the other two citizen review panels, the Justice for Children Taskforce and the Child Death and Serious Injury Review Panel, for collaborative efforts in 2021, and commitment to continuing to work more effectively together.

Panel members are grateful to Wabanaki REACH for their thoughtful and inspiring contributions to the annual retreat. The insight and wisdom they provided has continued to influence Panel conversations and activities.

The Panel would like to acknowledge the Office of Child and Family Services for their continued collaboration and dedication to ensuring the success, strength, and independence of the Maine Child Welfare Advisory Panel. Members are especially grateful to Kathryn Brice, CAPTA/CJA Coordinator, for her outstanding technical support of Panel activities. The Panel would also like to thank Bobbi Johnson, Associate Director of Child Welfare, for her ongoing service and thoughtful partnership as Child Welfare liaison to the Panel, and Dr. Todd Landry, Director of the Office of Child and Family Services, for his regular participation in meetings and comprehensive reports to the Panel.

Finally, the Panel would like to acknowledge all the caseworkers and supervisors of Maine's Office of Child and Family Services, Child Welfare Department, whose dedication to child and family safety and well-being has remained steady during the past two years of turbulence and challenge. The Panel expresses deep gratitude to all child welfare staff and community support providers in the broader child welfare system for the service, care, and attention they provide each and every day to Maine's children, youth, and families.

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*Maine's Citizen Review Panels examine the policies, procedures, and practices of State and local agencies and where appropriate, specific cases, to evaluate the extent to which the state and local child protection system agencies are effectively discharging their child protection responsibilities.*

*The Maine Child Welfare Panel is mandated through the CAPTA Reauthorization Act of 2010 (P.L. 111-320).*