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# ANNUAL REPORT 2022

## **Maine Child Welfare Advisory Panel**

**Citizen Review Panel**

Issued January 2023

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# FOREWORD

## Citizen Review Panels

The Maine Child Welfare Advisory Panel (MCWAP) is one of Maine's three federally mandated Citizen Review Panels for child welfare.<sup>1</sup> Citizen Review Panels are 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, foster, adoptive and kinship parents; domestic violence professionals; former youth in care; mental health professionals; courts; 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 with professional or personal experience with child protective services.<sup>2</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.



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<sup>1</sup> MCWAP meets federal mandates under the Child Abuse Treatment and Prevention Act (Child Abuse Prevention and Treatment Act, as amended, 42 U.S.C. §5106a.(c)) and Children's Justice Act. (Sec. 107. GRANTS TO STATES FOR PROGRAMS RELATING TO INVESTIGATION AND PROSECUTION OF CHILD ABUSE AND NEGLECT CASES. [42 U.S.C. 5106c])

<sup>2</sup> The Panel is currently working to fill roles in 2023 for parents who have experienced child protective services, law enforcement, substance use treatment and recovery, and teachers, which were not represented during 2022.

## 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 personal experience with child protective services and those who work within the broad child welfare system often have the perspective and insight to create 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 2022, the Panel held nine full Panel meetings over a virtual platform, with one meeting canceled due to a weather-related state closure. Panel members gathered in person for a full-day planning retreat in September. The Panel's primary focus areas in 2022 were: (1) a study of the state agency's parent information practices; (2) a review of lived experience data collection; (3) continued clarification of the Panel's oversight advisory role, and; (4) improving processes for citizen input, policy review, and measuring progress.

## Panel Development

In 2022, members updated the Panel's bylaws and established a procedure for reviewing and discussing formal recommendations for the annual report at the fall retreat. The Panel also established processes for DHHS-OCFS to provide annual updates on progress made on recommendations and policy feedback from the prior year, and for Panel members to review progress on annual strategic goals and continuous quality improvement activities.

The Panel Co-Chairs actively participated in National Citizen Review Panel Listserv, and continued 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. The chairs or designees of all three citizen review panels met quarterly to work together to ensure understanding and coordination of high-level focus areas and recommendations for systems improvements.

## CITIZEN REVIEW

*"Each of us brings to this table a different set of experiences and opinions.*

*Every voice is valued, and all perspectives are needed.*

*Our shared goal is to promote child safety and quality services for children, youth, and families.*

*This is the task to which we continually commit ourselves, and we hold our relationships in trust."*

*- MCWAP Opening Statement*



## Citizen Input

### Website

The Panel continued to improve the new procedure for receiving and responding to citizen input through the website, and included this procedure in the updated bylaws that were approved in December.

### Parent Surveys

In January 2022, the Panel issued a [report](#) of themes from a 2021 parent survey.<sup>3</sup> The Panel also began engaging technical support to bolster the content and process of both the parent and provider surveys that are issued every three years. This process will continue in 2023, and will include the addition of youth and resource parent surveys. The Panel will also take steps to increase the diversity of parent feedback. 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. One major, consistent theme that was identified by the parent surveys was a lack of understanding of the child welfare process. This included not understanding the roles of different providers or the court process.

*“Trying to find information (discounts, vouchers, necessary paperwork for school enrollment or making a doctor appointment) often feels like finding a needle in a haystack. Could these just be automated for families?”*

*- Resource Parent  
Feedback From Website*

### CPS 101

In 2022, members of the Panel collaborated with the Maine Justice for Children Task Force to develop 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 helping parents understand the child welfare agency process and court procedures. Additionally, the sessions provided parents with best practices to implement in order to be successful throughout the life of the child welfare case. The curriculum included pre-recorded video segments from system stakeholders and live facilitation by parents with lived child welfare experience or experience navigating multiple systems. Extensive data collection has been implemented for both participants and non-participants. The data being collected includes 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 has been de-identified and is being 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 issued in 2023.

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<sup>3</sup> MCWAP Parent Survey Findings and Recommendations (2021) <https://www.mecitizenreviewpanels.com/wp-content/uploads/2022/03/2021-Survey-Findings-Summary.pdf>



## Father Engagement

In 2021, Panel members began planning listening and learning sessions with fathers in partnership with OCFS, and secured philanthropic funds to reimburse fathers who participated. The Panel engaged the services of Welcome 2 Reality, LLC to hold a listening forum composed of fathers who were involved with DHHS to explore what their experience was like working with the agency and to identify areas in which engagement could be improved. Results of the sessions were compiled in a [report](#) and shared with the Panel in October 2022.<sup>4</sup> The Panel will continue to examine the findings in 2023 to inform future recommendations to OCFS regarding father engagement, as well as its own work to collect feedback from fathers and other caregivers and service providers within the child welfare system.

## Child Welfare Policy Review

In 2021, the Panel worked with OCFS leaders to establish a process for Panel members to review relevant draft OCFS policies and provide feedback to the Department prior to implementation. (Legal policies, such as Safe Haven, are reviewed by the AAGs office). Since this process was implemented, policies that have been sent to the Panel for review include: (1) the Family Team Meeting Policy; (2) Collaboration Policy; (3) Permanency Policy; (4) Adoption Policy; (5) LGBTQ+ Policy; and (6) Youth Transition Services Policy.

At the 2022 September meeting, the Panel reviewed the outcomes of Panel feedback on final OCFS policies. For example, Panel members contributed to the Family Team Meeting policy, and of the 31 comments, 15 were accepted, 5 were partially accepted, and 11 were rejected. As a result of this discussion, the policy review time frame is being expanded to 10 days to allow appropriate time for review and comment. In addition, the OCFS Policy Specialist will provide a summary of the comments, whether the suggestions were accepted, rejected, or partially accepted and the response for each policy reviewed by the Panel.

## Fatherhood Listening Session Report Suggestions

- Provide equivalent services for mothers and fathers
- Create a physical environment that is inviting to fathers
- Survey staff on barriers they feel impact father engagement
- Hire staff who are specifically designated to support engagement of fathers
- Clarify that father understands what he is reading or signing
- Offer ongoing fatherhood engagement and inclusion trainings to all staff
- Create a fatherhood specific practice guide and FAQ
- Schedule family meetings around father's schedule
- Ensure father is an active participant in the case planning process

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<sup>4</sup> Welcome 2 Reality (2022) Faces of Fatherhood Listening Session Report and Recommendations <https://www.mecitizenreviewpanels.com/wp-content/uploads/2022/12/MCWAP-.Project-Summary-and-Recommendation- 2 .pdf>



## Panel Goal and OCFS Recommendations Progress

Each year, the Panel identifies strategic goals and also makes recommendations to OCFS and the broader child welfare system. Historically, the Panel did not have a formal practice for monitoring or assessing progress on strategic goals or child welfare system recommendations. In June 2022, the Panel established an annual schedule to review progress on recommendations made by the Panel to DHHS-OCFS and the broader child welfare system, and to assess the Panel's progress on all strategic goals and tasks.

### Panel Goal Progress

During this first year of review, the Panel reviewed 13 strategic goals and task commitments that members have made since the Panel began to set annual strategic goals in 2018. These included: (1) representative member recruitment; (2) collaboration with Maine's other citizen review panels; (3) Panel structure and procedural improvements; (4) new methods for citizen input; and (5) data review. Of the 13 strategic goals and tasks the Panel established, 6 were in process at the time of review, 4 were complete, and 3 were incomplete. All of the incomplete Panel goals were related to regular data review, including the OCFS strategic plan and Child Advocacy Center data. The Executive Committee has committed to ensuring regular review of these data sets during monthly meetings in 2023.

### OCFS Recommendations Progress

Bobbi Johnson, Associate Director of Child Welfare provided a report to the Panel about the efforts of OCFS in response to recommendations of the Maine Child Welfare Advisory Panel over the past 5 years (2016-2021). The review highlighted examples of ways in which OCFS has worked to improve the child protection agency and system based on Panel recommendations. These included: (1) updating the Investigation Policy and changes to safety planning practice; (2) convening Town Hall forums for meaningful input from the public and consumers including parents, kinship care providers and survivors; (3) including Panel members in focus groups with the federal Children's Bureau regarding the state's child welfare Performance Improvement Plan; (4) bringing policy and practices to the Panel for feedback prior to adoption; (5) developing a clinical support contract to provide case consultation and support to child welfare caseworkers related to vicarious trauma; (6) expansion of the Cooperative Agreement with the University of Southern Maine to include funding to hire two Family Engagement Specialists; and (7) convening a workgroup to update policies related to domestic violence. Panel recommendations that were not adopted included a pilot to establish skilled neutral community facilitators for Family Team Meetings (FTMs), designated staff for facilitation of FTMs, and the creation of a staff position in central office to focus on engaging fathers. OCFS reported these recommendations informed other initiatives and policies, including updated Family Team Meeting policies, and development of the new Family Engagement Specialist positions.



## Legislative Activity

### Reports

In January 2022, the Office of Program Evaluation and Government Accountability (OPEGA) issued a [report](#) on child welfare oversight to the Government Oversight Committee that included an in-depth examination of the form and function of the Panel.<sup>5</sup> The Maine Legislature also adopted a [resolution](#) requiring quarterly reports from child welfare advisory oversight entities, including MCWAP, to be presented by citizen members of the Panel every three months to the joint standing committee of the Legislature having jurisdiction over Health and Human Service (HHS) matters.<sup>6</sup> These reports included a summary of observations regarding efforts by OCFS to improve the child welfare system, a summary of the collaboration between the three citizen review panels, and any recommendations on how to further protect the State's children through Department of Health and Human Services policy and rulemaking and through legislation. The Panel Co-Chair provided reports to the Legislative HHS Committee in June and September.

### 2021 Recommendations

The Panel made two recommendations in the [2021 Annual Report](#)<sup>7</sup> that were incorporated into legislation by the 130<sup>th</sup> Maine Legislature. The recommendation to establish Discretionary Funds to be used for families during the assessment process was incorporated into [LD393](#). The Panel recommended these funds be made available to assessment caseworkers and/or designated external community partners with the 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. The Panel recommended this flexible cash assistance be provided to families at risk of having their children removed (any family for whom OCFS has an open assessment). Although the bill did not reach a vote, funds for this initiative were moved into the Supplemental Budget through an appropriations amendment and re-named Contingency Funds to align with existing statute that allows the appropriation of funds for this purpose.

The recommendation to create a Pilot for Legal Representation during the assessment phase of child protection was also incorporated into legislation. In Maine, an indigent parent has a statutory and constitutional right to a state-funded attorney if the Department of Health and Human Services has begun court proceedings to remove a child (or children) from the parent's home based on its investigation of an allegation of abuse or neglect. Resolve 2021, c. 181 (or LD 1824) resulted in the

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<sup>5</sup> Office of Program Evaluation and Government Accountability (2022). Information Brief: Oversight of Maine's Child Protective Services, January 2022. <https://legislature.maine.gov/doc/7924>

<sup>6</sup>LD 1853, Resolve, To Increase Oversight of the Child Welfare System (2022) <https://www.mainelegislature.org/legis/bills/getPDF.asp?paper=SP0605&item=3&snum=130>

<sup>7</sup>MCWAP (2022) Maine Child Welfare Advisory Panel 2021 Annual Report. <https://www.mecitizenreviewpanels.com/wp-content/uploads/2022/02/MCWAPAnnualReport2021.pdf>



creation of the Maine Legislature’s [Commission to Develop a Pilot Program](#) to Provide Legal Representation to Families in the Child Protection System.<sup>8</sup> This Commission was created to design a pilot program to provide free legal assistance to low-income parents or custodians earlier in the process: possibly as soon as when the department opens an investigation or safety assessment in response to a report of suspected abuse or neglect. The Commission included a MCWAP representative and several additional Panel members, and issued a [final report](#) with recommendations in December 2022.<sup>9</sup>

*“The commission believes that a pilot program operated within the proposed framework has the potential to increase the degree to which parents and custodians understand the child protection investigation process, their rights and responsibilities during this process and the actions they can take to demonstrate to OCFS that they can parent their children safely at home.”*

*- LD 1824 Commission*



## Looking Ahead

The Maine Child Welfare Advisory Panel is committed to continuously improving the quality of this citizen review panel. While not required under federal statute, MCWAP members use the annual report process to establish goals for the Panel in the coming year. These goals may include focused areas of study, requests for reports from OCFS, and continuous quality improvement activities. The following 2023 strategic goals for the Panel were approved by vote in October 2022.

## Training

MCWAP will develop and make available to system partners a training focused on trauma informed practices for working alongside individuals with lived experience. This will include exploring funding opportunities such as allocating CJA funds and partnering with organizations who are engaged in similar work. Engaging individuals who have lived experiences with child protection services in system reform

<sup>8</sup> Resolve 2021, c. 181. Commission to Develop a Pilot Program to Provide Legal Representation to Families in the Child Protection System. <https://legislature.maine.gov/legal-representation-to-families-in-the-child-protection-system-study>

<sup>9</sup> Commission To Develop a Pilot Program to Provide Legal Representation to Families in the Child Protection System (2022). Report to State of Maine 130<sup>th</sup> Legislature Second Regular Session. <https://legislature.maine.gov/doc/9341>



efforts is best practice, and many child welfare partners throughout the state have been seeking input from parents, youth, and caregivers. These entities include, but are not limited to, Maine's citizen review panels, state agencies, task forces, community organizations, and legislative committees. Many of these entities lack experience and could benefit from training in supporting and working with people who have personally experienced the child welfare system. There is currently no training available for all child welfare partners in best practices for listening to and working with people who have lived experience. MCWAP has made several recommendations encouraging the engagement of citizens with lived expertise in child welfare system improvements, including those outlined in the Recommendations section of this report. The Panel has determined that providing training to support child welfare partners to understand and implement related best practices would be an appropriate use of CJA funds. The Panel will use a co-training model that involves parents and youth with lived expertise in the development and delivery of this training.

### Family Team Meetings

The Panel will examine the policies, procedures, and practices of family team meetings. This will include partnering with OCFS to evaluate the extent to which FTMs are effectively engaging families and improving their ability to respond to the requirements of the rehabilitation and reunification plan. As part of this study, the Panel will work with OCFS to develop and distribute post-FTM surveys to participants and develop the infrastructure for that data to be collected and accessible in the aggregate. 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. MCWAP has made several recommendations over the years (2016, 2019, 2021) regarding FTMs but has not conducted dedicated, in-depth study of both the policy and practice of this model. Given this is the primary mode of collaboration between the state and community organizations and the parents they serve, the Panel has determined the subject warrants a deeper exploration over a full year.

### Contingency Funds

In 2021, MCWAP recommended that the Maine Legislature provide OCFS with funds to implement a pilot process whereby assessment caseworkers and/or a designated community partner had discretion to offer flexible cash assistance to help families cover expenses identified as necessary to help meet the needs of their children and/or the expectations of the Department. Legislation was introduced to follow through with this recommendation. Though the introduced legislation included a required annual report, when the funding for this project was moved into the Supplemental Budget through an appropriations amendment, it did not include the language requiring an annual report. However, this information is important to get on a regular basis to support the Panel in identifying trends in the



tangible, immediate needs for families that meeting might serve to prevent children from being removed from the home. The Panel has requested OCFS report to Panel and to the public information about the policies and procedures that have been implemented for families to be able to access the Contingency Fund resources that were allocated to OCFS in response to the Panel's 2021 recommendation around "Discretionary Funds." The Panel has also requested OCFS provide an annual report and make available to the public a summary of those expenditures from their Contingency Fund that supported families who were/are in the assessment phase of OCFS involvement. This summary should include:

- How many requests were received by OCFS staff for financial support from the contingency fund from or on behalf of families who were/are engaged in the assessment phase of OCFS involvement;
- How many of these families were helped by the contingency fund each year;
- The average per family expenditure for those families receiving financial assistance from the contingency fund while in the assessment phase of OCFS involvement;
- The total amount spent out of the Contingency Fund; and
- Data concerning the type, frequency, and location of expenses.

*"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 (2021)*

# POLICY AND PRACTICE RECOMMENDATIONS

*On an annual basis, Maine Child Welfare Advisory Panel members discuss and vote on formal recommendations to improve the state child welfare system based upon the Panel's assessments of the impact of current policies and practices upon children and families. Recommendations may be directed toward any of the state and local agencies responsible for discharging child protection responsibilities. The following recommendations were approved by the Panel in October 2022. They reflect system improvements across the broader child welfare system that include executive, legislative, and judicial branch actions.*

## Lived Experience

**All child welfare partner agencies and organizations should engage individuals with lived experience with strict adherence to trauma-informed practices. These partner agencies and organizations include, but are not limited to, Maine's citizen review panels, state agencies, task forces, legislative committees, and commissions.**

To the greatest extent possible, all decisions made about improvements or reforms to Maine's child welfare system should be informed by those that are directly impacted by these decisions. When creating participation and/or membership opportunities for people with lived experience of the child welfare system, host organizations should adhere to the following basic trauma-informed principles:

- Host organizations should provide participants with clear, transparent, and ongoing information about the purpose of participation and the extent to which participation may be or may become public information.
- Host organizations should ensure that participants are supported by any or all of the following: peers, colleagues, staff, or members of the host organization who have experience providing support to individuals involved in the child welfare system. This support should be made available to participants before, during and after any participation. When appropriate, host organizations should be prepared to financially invest in developing these critical supports for participants.
- Hosts should direct questions to participants in a way that moves beyond personal trauma to elicit their feedback about the ways service systems could work better. Hosts should consistently demonstrate the view that people who are exposed to trauma are agents in the creation of their own well-being, and an essential source of positive systems change.
- Host organizations should develop a feedback loop to inform participants about how their feedback was used and to describe the changes that were created in response.
- Deliberate care should be taken to not expect a single individual or a small group of individuals to speak for an entire population of people.
- When appropriate, participants should be compensated for their time.



## Peer Support

**OCFS should re-establish peer services that provide direct support to parents involved with child welfare and make them available to families across the state by October 1, 2023. These services should be informed by standards that include but are not limited to national evidence-based practices and institutional learning from the state’s long-term pilot program.**

Family engagement is recognized as the foundation of effective child welfare casework, and peer support programs are an essential component of this practice. According to the Capacity Building Center for States, “parent partner programs can be a powerful strategy for overcoming common challenges to family engagement, focusing on family strengths and needs, and contributing to positive outcomes for children and families.” The Panel has received feedback from parents with open child protective cases indicating they did not have a clear understanding of how to fully participate in the ongoing case process. This lack of understanding can impact a parent’s engagement with OCFS, and their ability to respond to the requirements of their reunification plan. Maine’s 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.”

Maine has historically been a national leader in parent mentors by investing in a Parents as Partners program for over a decade. In the former program, Parent Partners provided direct support to parents to build engagement and help them navigate the child welfare system, trained new child protective caseworkers, and served on numerous state advisory panels, including the Maine Child Welfare Advisory Panel and the Justice for Children Task Force. The state discontinued funding the Parents as Partners program in June 2021. In 2022, the state made new investments in Family Engagement Specialist positions through the Cooperative Agreement with USM to hire two parents with lived experience in the child welfare system. These positions are designed to engage in system improvement activities, provide training to caseworkers, supervisors and resource parents, and to research evidence-based parent mentor programs. OCFS has not set target dates for re-establishing direct peer support services for parents. Currently, the Child Protective Services 101: For Parents, By Parents Court Improvement Program pilot project is the only service designed to provide direct support to parents involved in the child welfare system, by parents with previous system involvement.

Renewed investment in direct support for parents who are currently navigating the child welfare system should be a priority for OCFS in 2023. The state gained significant institutional learning from the former Parent Partner program, including training and practice manuals that were co-designed by parents with lived expertise, and long-term program outcomes. These materials and data should be examined alongside information from national evidence-based programs, and used to re-establish direct peer support services for parents who are currently navigating the child welfare system in Maine.



## Legal Representation

Support and infrastructure around parent attorneys should be a systemwide priority and focus. This should include: (1) The Maine Legislature should increase the pay rate of rostered parent attorneys to no less than \$150/hour to achieve closer parity with Assistant Attorney Generals representing the state; (2) The Maine Commission on Indigent Legal Services should establish, with appropriate funding from the Maine Legislature, a group health insurance plan for parent attorneys voluntary participation; (3) The Maine Commission on Indigent Legal Services should, with appropriate funding from the Maine Legislature, contract with an organization to provide voluntary, free clinical support for parent attorneys to address job related secondary traumatic stress; (4) The University of Maine Law School should provide a child welfare focused course that includes all components of the minimum standards training that is required to be a parent attorney and should consider incorporating representation of parents in protective custody cases into the clinical program; and (5) The Justice for Children Task Force should convene a working group to further explore and make recommendations for how to improve the retention and recruitment of parent attorneys.

The lack of attorneys willing to be rostered to represent low-income families subject to a child protection petition has reached a crisis point - particularly in rural Maine. The roster statewide only had 84 attorneys willing to take appointed cases when the Panel was drafting this recommendation in September 2022. In some counties, only one attorney was willing to be appointed for cases in that county. Substantially all child protection cases needing a rostered attorney have at least two parents requiring appointed representation. At September 2022 case filing levels, if responsible caseload limits were imposed, this would soon lead to hundreds of cases going unstaffed by parent attorneys. Like many sectors of the workforce, recruitment is incredibly challenging. It takes a particular level of skill and training to qualify for appointed representation, and rightly so. Maine has a constitutional responsibility to provide parents with timely, effective, supportive (and supported) representation in these cases. That responsibility will continue to go unfulfilled when there is such a stark disparity in available compensation between representation for the State and representation for parents.

MCWAP has received feedback from parent attorney representatives that the disparity between compensation of parent attorneys and those who represent the State are not limited to salary but extend into the availability of a broad range of benefits (group health insurance rates, case management, paralegal support, training opportunities, etc.). MCWAP observes that there is no economic support for parent attorneys to have a consistent voice at policy-making tables - to include legislative spaces. Parent attorneys play a critical role in ensuring due process and in helping parents and their children achieve successful child welfare outcomes. Their perspective, and through them that of the parents they represent, should be accounted for in policy making and legislative spaces.



MCWAP has greatly benefited from the addition of one parent attorney to our membership. Where representatives from OCFS, the Office of the Attorney General, the Maine Judicial Branch and many community partner organizations participate as part of their paid employment, parent attorneys must do so without compensation, sacrificing time that would otherwise be available for billable work. The current disparity in their ability to participate in policy-making and legislative spaces discounts the value they bring to the child welfare system, depresses the extent to which decision makers fully understand the challenges experienced by parents navigating the child welfare process and should also be addressed.

## Guardians ad Litem

**Attention to support and infrastructure for Maine guardians ad litem should continue, to include: (1) the Maine Legislature should increase the funds provided to the Maine Judicial Branch in order to increase the pay rate of rostered guardians ad litem to align with any increase in pay provided to parent attorneys; and (2) any working group convened to examine retention and recruitment of parent attorneys should also consider ways to support retention and recruitment of guardians ad litem, particularly in rural communities.**

There is presently a critical need for guardian ad litem (GAL) services, primarily in child protection matters. In the development of this recommendation, the Panel reviewed data from June 10, 2022, that showed 273 pending child protection matters in Region 8, but only 11 GALs eligible to be appointed to a child protection case for that region (many of whom were also rostered as parent attorneys, and thus were unavailable to be a GAL when they were already appointed as counsel for a parent). If the hourly pay for rostered parent attorneys is increased to \$150 per hour, to prevent disparate treatment between parent attorneys and GALs, the GAL rate should be increased at the same rate. Without such funding to accommodate an increase in pay to GALs, there is a risk that even less GALs would be available for appointment to child protection matters if the parent attorney hourly pay was increased. As noted above, many GALs are also rostered parent attorneys, and a significantly higher pay rate for parent attorneys would deter GALs from accepting GAL appointments. GALs face many of the same benefit gaps as parent attorneys, as noted in the above companion recommendation.



## Abusive Head Trauma

**Maine CDC/Maine Injury Prevention Program should improve accuracy of state data on abusive head trauma in Maine by accessing billing/coding data to record, track and monitor this data, and should report this data publicly on an annual basis. Additionally, statewide, in-home resources for new parents including public health nursing and education on abusive head trauma should be prioritized and adequately funded.**

Robust data analysis and reporting is needed in order to better understand the prevalence of Abusive Head Trauma (AHT), and to inform initiatives and community efforts to prevent these injuries in children. As noted in the [2021 report](#) of the Child Death and Serious Injury Panel (CDSIRP), “Maine continues to see many cases of abusive head trauma (AHT), formerly known as Shaken Baby Syndrome, each year, most of which fail to reach the threshold of widespread public awareness. AHT occurs most frequently in children under 6 months of age and is fatal in approximately 25% of cases, making AHT the most lethal form of child maltreatment.” The CDSIRP report also noted that the Maine Injury Prevention Program lost its state and federal funding several years ago. The loss of state funds and the loss of federal grant funds has impacted the ability to focus and gather needed data related to AHT to inform prevention efforts. This has created a gap in understanding the prevalence of AHT in Maine to prevent incidents from occurring in our most vulnerable population.

## Education and Engagement

**The State and Legislature should fund the Child Protective Services 101: For Parents, By Parents court improvement pilot project for an additional two years.**

In 2021, the Maine Child Welfare Advisory Panel’s (MCWAP) conducted a [survey](#) of parents who were involved with Child Protective Services (CPS). The main themes for improvement from this survey are similar to parent survey findings in 2019, and center on communication and understanding of parents’ rights. Parents reported they do not have a full and clear understanding of their rights at removal, which may impact a parent’s relationship and engagement with OCFS going forward. In response to this parent feedback, MCWAP supported the development of informational classes for parents called Child Protective Services 101: For Parents, By Parents with Maine’s Justice for Children Task Force.

This one-year pilot project has been developed and is currently implementing informational sessions for parents involved in the child welfare system. The focus of these virtual sessions is supporting parent understanding of the child welfare process and court procedures. Additionally, sessions provide parents with tips and tools to help them to be successful as they navigate their child welfare



case. The curriculum includes pre-recorded video segments from system partners as well as live facilitation by parents with lived child welfare experience and experience navigating multiple service systems.

An outside evaluator is supporting extensive data collection and analysis for both participants and non-participants in this pilot project. Data collected includes 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 is being de-identified and will be analyzed to determine if participation in the class had an effect on the parent's knowledge of the process and case closing outcomes. Early outcomes from pre- and post- parent surveys showed promising results. Prior to attending the session, 18% (N=8/43) of parents reported an understanding of how the child protective system works. After completing the session, 84% (N=36/43) of parents reported an understanding of how the child protective system works. An initial evaluation report will be shared with the Panel and the Justice for Children Task Force in 2023.

Court Improvement Program funds have supported this pilot project, but these funds will be depleted at the end of September 2023. Lack of continued funding will result in disruption of this pilot project, and longer term evaluation of case outcomes.

*"Peer relationships from others who have gone through the system are helpful for those in the system currently."*

*- 2021 Provider Survey*

# DEPARTMENT RESPONSES

*The Office of Child and Family Services responds to all formal recommendations by MCWAP that are related to the state child welfare agency. Following are the responses to the Panel's 2022 Policy and Practice Recommendations.*

OCFS thanks the Maine Child Welfare Advisory Panel for its continued focus on systems improvement for children and families in Maine and remains committed to partnering on the recommendations outlined in the 2022 Annual Report.

## Lived Experience

**All child welfare partner agencies and organizations should engage individuals with lived experience with strict adherence to trauma-informed practices. These partner agencies and organizations include, but are not limited to, Maine's citizen review panels, state agencies, task forces, legislative committees, and commissions.**

### OCFS Response:

This recommendation is directed toward a broad group of stakeholders, including state agencies, that engage with individuals experiencing trauma related to substance use disorder, mental health issues, domestic abuse and violence, and child abuse and neglect. For several years, OCFS has focused on the impact of trauma on the individuals served directly as well as others exposed to the experiences of trauma survivors. OCFS has provided trauma training to staff, engaged in community-based efforts to create a trauma-informed system of care, and provided training to resource parents to increase knowledge of and access to tools to support children and their families. OCFS supports this recommendation and believes engaging individuals with lived experience in system transformation is important.



## Peer Support

**OCFS should re-establish peer services that provide direct support to parents involved with child welfare and make them available to families across the state by October 1, 2023. These services should be informed by standards that include but are not limited to national evidence-based practices and institutional learning from the state’s long-term pilot program.**

### OCFS Response:

OCFS recognizes the value of peer support to increase engagement with families involved with the child welfare system and has invested in strategies to engage individuals with lived experience. OCFS has been actively involved in father listening sessions with the Maine Child Welfare Advisory Panel Family Engagement sub-committee, has joined with parents in the Pathways to Partnership work convened through the New England Association of Child Welfare Commissioners and Directors, and provided resources to hire two Family Engagement Specialist positions through the Cooperative Agreement with USM and build a cohort of parent consultants to also support this work. These parents provide training to caseworkers, supervisors, and resource parents, participate in policy workgroups, serve on state advisory committees and are researching evidence-based parent mentor programs. Building on Maine’s history of providing direct support to parents by parents, OCFS intends to develop an infrastructure to help families navigate the child welfare system with support from their peers. OCFS remains committed to leveraging the voices of parents, youth, and resource parents in system improvement efforts.

## Legal Representation and Guardians ad Litem

**Support and infrastructure around parent attorneys should be a systemwide priority and focus, and attention to support and infrastructure for Maine guardians ad litem should continue.**

### OCFS Response:

These recommendations are directed toward the Maine Legislature, the Maine Commission on Indigent Legal Services, the University of Maine Law School, and the Justice for Children Task Force. OCFS supports efforts to increase access to quality legal representation by parent attorneys, Guardians ad litem, and Court Appointed Special Advocates (CASAs) in child protection cases.

## Abusive Head Trauma

Maine CDC/Maine Injury Prevention Program should improve accuracy of state data on abusive head trauma in Maine by accessing billing/coding data to record, track and monitor this data, and should report this data publicly on an annual basis. Additionally, statewide, in-home resources for new parents including public health nursing and education on abusive head trauma should be prioritized and adequately funded.

### OCFS Response:

This recommendation is directed toward the Maine CDC/Maine Injury Prevention Program. OCFS supports efforts to understand the types of abuse that children experience in order to allocate resources to solutions which address key issues and ensure child safety.

## Education and Engagement

**The State and Legislature should fund the Child Protective Services 101: For Parents, By Parents court improvement pilot project for an additional two years.**

### OCFS Response:

This recommendation is directed toward the State and Legislature. OCFS has partnered with parent representatives, The Opportunity Alliance, the Justice for Children's Taskforce, and the Maine Child Welfare Advisory Panel to assist in the implementation of the pilot. OCFS recognizes the importance of these and other efforts to educate both parents and stakeholders about the child welfare system and court process. OCFS looks forward to the evaluation of the project, including numbers served and recommendations for possible future efforts.



# SUMMARY OF PANEL ACTIVITIES 2022

MCWAP meetings continued to be held on a virtual platform in 2022, with an in-person gathering in September at the annual retreat. 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*

The Panel heard from Bobbi Johnson, Associate Director of OCFS who provided updates, including Children's Emergency Services (CES) after hours coverage changes, Alternative Response Program (ARP) contracts ending, the finalization of the FTM policy, Collaborative Safety/Casey Family Programs, and the federal Program Improvement Plan (PIP). Various items were discussed including the ongoing Office of Program Evaluation and Government Accountability (OPEGA) report on child welfare oversight, upcoming stakeholder session, and future provider and parent survey designs. Panel member participation was encouraged on the ongoing projects. Members resumed work on their subcommittee topics, which included Family-Centered Policy and Practice; Effective Communication and Coordination; and Fatherhood Engagement.

## *FEBRUARY*

The February meeting was cancelled when state offices closed due to inclement weather.

## *MARCH*

Members heard from Bobbi Johnson, Associate Director of Child Welfare, regarding family engagement throughout the CPS process including initial contacts with families, notification, and regular contact and engagement that occurs throughout the case. Following the presentation, the Panel participated in a discussion with OCFS about family engagement. Members focused on the benefits of providers having a deeper understanding of the CPS process. A group of members volunteered to meet outside of Panel meeting time to continue the conversation and consider ideas that had been suggested. Members resumed work on their subcommittee topics.





## APRIL

The Panel heard from guests Dulcey LaBerge, Youth Transition Program Manager, OCFS; Travis Bryant, Executive Director of Adoptive and Foster Families of Maine (AFFM) and The Kinship Program; and Rebecca Richardson, Regional Associate Director, OCFS. Each panelist shared a presentation which explored the ways in which their agencies are collecting information from citizens with lived experience. Members also discussed an amendment to LD 1853, An Act to Support Improvements in Child Protective Services, that was adopted in March and the Panel's requirement to report out to the Health and Human Services Committee. Members continued work on their subcommittee topics.

## MAY

Member Christine Alberi, Child Welfare Ombudsman and Guest Mark Moran, LCSW, Chair of the Child Death and serious Injury Panel (CDSIRP) provided the Panel with a presentation related to the data collection and trends within their annual reports. Legislative bill, LD 1824 To Establish the Commission to Develop a Pilot Program to Provide legal Representation to Families in the Child Protection System was passed, based on a 2021 Panel recommendation, and members agreed to submit nominations for a MCWAP representative. Members continued work on their subcommittee topics. The Father Engagement committee shared information about the completion of a father listening session.

## JUNE

Member Kelly Dell'Aquila accepted the nomination by the Panel to represent MCWAP on the Commission to Develop a Pilot Program to Provide legal Representation to Families. Member Betsy Boardmen, Esq., provided an overview and update from the Justice for Children's Task Force. Members participated in the first annual review of outcomes of the OCFS response to Panel recommendations. Bobbi Johnson, Associate Director of Child Welfare Services with the Office of Child and Family Services, provided an update on the Panel Recommendations to OCFS dating back to 2016. Members continued work on their subcommittee topics. The Communication and Coordination subcommittee met with OCFS staff from the Katahdin project.

## 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 2022.





## **SEPTEMBER**

The Panel hosted its 2022 Annual Retreat in person. Members reviewed and discussed strategic goals that were proposed by subcommittees for the Panel in 2023. The Panel also reviewed and discussed potential child welfare system recommendations to include in the annual report that were presented by subcommittees. The Panel received OCFS updates from Bobbi Johnson, Associate Director of Child Welfare, including system-wide efforts, Collaborative Safety Recommendations and implementation, OCFS Policy Updates, and the Maine CFSR and Federal Program Improvement Plan Updates.

## **OCTOBER**

Members debriefed the retreat and discussed proposed language edits to the bylaws. The Panel reviewed the outcome of the electronic recommendation voting and determined that all recommendations would move forward for incorporation into the annual report. The Panel discussed citizen feedback received through the website, and the process with which the Panel responds. Members demonstrated interest in discussing Family Team Meetings as a full group, and the Panel decided to pause subcommittee breakout time during upcoming meetings to discuss this topic.

## **NOVEMBER**

Prior to the November meeting, Panel members shared articles about various national movements related to child welfare. The Panel engaged in a robust discussion about current movements and research related to child welfare. Panel members engaged in a discussion about the Family Team Meeting process including youth participation, agenda preparation, and strategies to ensure productive meetings. The Panel continued the ongoing bylaw discussion with a focus on the membership process.

## **DECEMBER**

In December, the Panel received updates on the bylaws, the annual report, and the work of the Fatherhood Engagement subcommittee. Member Kelly Dell'Aquila, the designated MCWAP representative, provided a presentation on the recommendations of the Maine Legislature's Commission to Develop a Pilot Program to Provide Legal Representation to Families in the Child Protection System. Bobbi Johnson, OCFS Associate Director of Child Welfare, provided a presentation on the Family Team Meeting (FTM) Policy. Members volunteered to work with OCFS on the development of post-FTM surveys.

# PANEL MEMBERS 2022

*Panel Co-Chair:*

**Debra Dunlap, MPH**  
Citizen Volunteer  
Child, Youth and Family Services Consultant

*Panel Co-Chair:*

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

*Panel Coordinator:*

**Jenna Joeckel, LMSWcc**  
Office of Child and Family Services  
Dept. of Health and Human Services

*DHHS-OCFS Representatives:*

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

**Todd A. Landry, EdD**  
Director Office of Child and Family Services  
Dept. of Health and Human Services

**Adrienne W. Carmack, MD**  
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Office of Child and Family Services  
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**Brianna Gutierrez**  
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Office of Child and Family Services  
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**Tammy Roy**  
Child Welfare Project Manager  
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*Panel Members:*

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Assistant Director  
Maine Children's Trust

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

**Esther Anne**  
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University of Southern Maine

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

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

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

**Susan Denoncour**  
Family Services Director  
Community Concepts

**Kelly Dell'Aquila**  
Family Centered Support Coordinator  
The Opportunity Alliance

**Ariel Gannon, Esq.**  
Assistant Attorney General  
Chief of the Child Protection Division  
Maine Office of the Attorney General

**Maura Keaveney, Esq.**  
Assistant Attorney General  
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Maine Office of the Attorney General



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

**Melissa Martin**  
Public Policy and Legal Director  
Maine Coalition Against Sexual Assault

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

**Elizabeth McCullum**  
Guardian ad Litem  
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**Debra McSweeney**  
Licensed Physical Therapist  
Maine General Medical Center

**Kris Pitts, MPS, MSW**  
Community Services Director  
New Beginnings

**Julian Richter**  
Parent Attorney  
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**Erika Simonson**  
Child & Family Programs Coordinator  
Maine Coalition to End Domestic Violence

The Panel would like to thank the following former members for their thoughtful contributions and years of service to the Panel:

**Chris Bicknell**  
Executive Director  
New Beginnings

**Marie Briggs**  
Executive Director  
BeLoved

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

**Lanelle Freeman**  
Social Services Director  
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**James Jacobs, Ph.D.**  
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**Annette Macaluso**  
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**Cindy Seekins**  
Director  
GEAR Parent Network

**Nora Sosnoff**  
Chief, Child Protection Division  
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# ACKNOWLEDGEMENTS

The Panel is grateful to all of the Maine parents, caregivers, and youth who have shared their experiences and observations about the impact of the child welfare system on their families.

The Panel would like to thank the Maine Legislature, especially the Joint Standing Committees on Health and Human Services and Government Oversight, for their interest MCWAP's activities and recommendations, and the Office of Program Evaluation and Government Accountability for their research on the advisory oversight work of Maine's citizen review panels. Members would also like to thank the other two citizen review panels, the Justice for Children Taskforce and the Child Death and Serious Injury Review Panel, for many collaborative efforts in 2022, and for the shared commitment to communicating regularly and working effectively together.

The Office of Child and Family Services continues to collaborate and dedicate time and resources to ensure the success and independence of the Maine Child Welfare Advisory Panel. Members are grateful for the technical support that Jenna Joeckel, CAPTA/CJA Coordinator provides for all 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 reports to the Panel.

There are many individuals and organizations working on the front lines every day to promote child safety and family well-being. The Panel would like to thank all of the caseworkers and supervisors of Maine's Office of Child and Family Services, Child Welfare Department, and the community providers who work alongside them 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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