

Written Summary of Presentation by Linda Kennedy to the Legislative Health and Human Services Committee on December 5, 2014 regarding the "health" of the substitute care review system in the state.

As an employee for the New Mexico Child Abuse and Neglect Citizen Review Board (CRB) for eight years, I began working in the file room and worked my way up to Regional Specialist. This put me in the unique position of experiencing first hand both the inner workings of the office and an intimate knowledge of the needs of children in foster care from my work in the field.

The overwhelming need for the substitute care review process is unfortunately easily supported by looking at the numbers over the past few years. New Mexico, according to an Albuquerque Journal Report (4/14/13), is now the worst in child abuse deaths in the nation. These numbers I believe reflect the need to step up the reviews and reports done by CRB not to limit them.

According to the Children's Code, CRB is entrusted to meet legislative requirements in order to advocate for children brought into foster care in order to help improve the protection of children and prevent their maltreatment.

During my tenure at CRB I spoke regularly to the children's court judges in my area, and overwhelmingly they confirmed that they felt CRB's reports were of great importance to them as the reports reflected an unbiased opinion and included details not always included in others reports. On the other hand they admitted frustration over receiving reports late or not at all. Additionally, they explained that they only had a few minutes before each hearing to review a case and for the most part they did not read past the 2<sup>nd</sup> page.

In the past, the reason given by CRB for not reviewing all children in foster care was

simply “We can’t so were not even going to try.” When pressed further a number of reasons were given.

1. “We can’t hire the needed staff due to the lack of funding.” CRB cannot survive without a vast amount of volunteer support. Never should a child be cut from CRB’s agenda, because there is not enough money to support the review and report process. Will contacting and working with such organizations as the Council of Counties add the needed interest and support?
2. “We can’t get the information we need from CYFD or interested parties.” In order to facilitate a better flow of information a stronger partnership needs to be fostered between CRB, volunteers, staff, all local CYFD offices, service providers, attorneys, judges, CASA, county managers and other community officials. CYFD has stakeholders meetings maybe CRB should hold a similar type of meeting yearly in each county to better identify what is working, and not working and follow through with a united plan in each area. The child abuse and neglect community must see CRB as a needed support that they are invested in, not just a waste of their time.
3. “We can’t reduce the size of our reports (and in turn the amount of time and money needed to create them).” There are options:
  - \_Create a “council of judges” that are given the opportunity to communicate their knowledge and needs in order to create a streamlined form.
  - \_Work with CYFD in order to have more direct access to their data system in order to expedite information collection and relieve time constraints on CYFD workers.
4. “We can’t get newly adjudicated children on our schedule before their Initial Judicial Reviews.” If a good working relationship is cultivated with CYFD and information is received immediately it can be done. The report would not look the same as that of a child that has been in custody for a while, but years ago I looked closely at this and created a rubric that could work given the time frame.

It relied on the Board Chair (or an appointed board member) taking on more responsibility as a "CYFD Liaison" in their community and on a monthly basis tracking the new children coming into the system. The report would have been a base to ensure every child, from the very start, is off on the right foot as well as meeting time lines. There is at least one state that I am aware of where their CRB comes in even before adjudication. They are part of the "family centered meetings" and they have a voice in whether or not a child is even brought into custody. There are options it just takes the vision, wisdom and the willingness to embrace the changes needed to ensure all children in foster care, from the very beginning, are given the adequate oversight they deserve.

5. "We can't get any volunteers in some areas." Then find options. I acknowledge that it is very hard to find volunteers in small communities where the volunteer force is already stretched too thin. I understand reports are to be done by a "review board," but if need be a Regional Specialist is very capable of creating a report on their own and something is better than nothing. Work with the judge in each area to identify potential volunteers. CRB needs a bigger footprint in New Mexico to receive better support.

CRB has a great responsibility to all children in state custody and not one to ever be minimized no matter what the reason.

In the past a number of administrative issues arose that led to a rapid descent into dysfunction. As CRB is re-built the following issues must be resolved in order for CRB to do what it has been entrusted to do:

1. Weak leadership unwilling to make tough decisions; to embrace needed changes.
2. The lack of a strong/respectful partnership between CRB and CYFD.
3. The lack of administrative support for volunteers.

There are many good/passionate/knowledgeable volunteers who have left because

they felt their time and energy was being wasted: reviews were not being scheduled in a timely manner to get their reports to the judge in a timely manner, their concerns and advice were not being listened to.

During my time at CRB the rallying cry amongst volunteers was "...in the best interest of the child." I can tell you it was not the intent of volunteers to do things in the best interest of just some of the children in foster care. I personally would not want to be the person who made the decision not to review a child and then later learn that child had become another statistic. CRB cannot be held responsible for saving all children in foster care, but they can work diligently to try. I suggest the rallying cry should be changed to "...in the best interest of all children in foster care."

Even with the best of outcomes this is a very traumatic experience for all children brought into custody. It's a shame that it has come down to semantics in order to justify not giving the diligent support these very fragile children need.

In conclusion all children in state custody need CRB's vigilant and timely support. The numbers are too great to remain complacent, dysfunctional or to make excuses for why more can't be done. Whoever holds the contract for CRB must have the vision, the passion, the resolve and the ability to seek the solutions needed to get the job done right. "We can't..." is not an option!