

**Statement of
Priscilla Skillman, Assistant Director
of the Council for Court Excellence
before the
DC Council Committee on Human Services
Concerning Performance Oversight of the
Child and Family Services Agency**

February 25, 2009

Good morning, Chairman Wells and members of the Committee. I am Priscilla Skillman, Assistant Director of the Council for Court Excellence. I am pleased to be here on behalf of CCE, which is a local, non-partisan civic organization that works to improve the administration of justice in our city. For 27 years, the Council for Court Excellence has been a unique resource for our city, bringing together members of the civic, legal, business, and judicial communities to work in common purpose to improve the administration of justice in the courts and related agencies. As is our policy, no judicial member of the Council for Court Excellence participated in preparing today's testimony.

Since October 1999, on behalf of the Council for Court Excellence, I have been privileged to facilitate the work of the DC Child Welfare Leadership Team. This voluntary group is comprised of the leaders of CFSA, the Office of the DC Attorney General, the DC Superior Court Family Court, the Department of Mental Health, and others, including the Court-appointed Monitor under the *LaShawn* litigation. Because all the listed public agencies share responsibility for the quality of the District's child welfare system, the Child Welfare Leadership Team functions to set compliance and performance goals and coordinate their respective agencies' efforts to meet those goals.

Since the Child Welfare Leadership Team formed, CCE has published reports in 2002, 2004, and 2006 on the performance of the District's child welfare system. We last appeared at a CFSA oversight hearing before this committee in February 2006.

The child welfare system's broad goals are to provide for the safety, permanency, and well-being of the children who come to its attention. Because of the January 2008 Jacks tragedy, CFSA in the past year experienced a dramatic increase in allegations from the community of suspected child neglect or abuse coupled with a dramatic increase in social worker resignations and resulting staff vacancies. This "perfect storm" of increased workload on decreased staff meant that the agency detailed personnel to focus almost solely on the safety goal this year in an attempt to complete initial investigations of neglect allegations within 30 days. That narrowing of focus was regrettable but understandable. Permanency and well-being took a back seat.

However, the fact remains that, even before the stresses of 2008, the District's child welfare system was doing far less well than it needs to on the goal of permanency: that is, finding permanent homes for all foster children and doing so with any sense of urgency and speed. I can't emphasize too strongly that this is a failing of the entire system including the Family Court and the Office of the Attorney General, and it should not be placed solely at the doorstep of CFSA. There seems to be no shared understanding of how important it is for a child to actually achieve permanency in a timely fashion. Too many persons with official responsibilities in the foster care system seem to think that if a child is in a stable place, that is sufficient.

Some examples drawn from CFSA's published annual reports and CCE's 2006 report:

- 1,344 of the 2,263 children in foster care at the end of fiscal 2008 had been in care for more than two years; 786 of those 1,344 children had been in foster care for more than four years;
- There were 519 children with the goal of adoption at the start of fiscal 2008, only 119 adoptions were completed during the year, and because of new entries the year ended with 507 children with the goal of adoption;
- Adoptions have declined significantly each year over the past five fiscal years: 420 in 2004, 279 in 2005, 198 in 2006, 161 in 2007, and 119 in 2008; it should be

emphasized here that CFSA is responsible for finding the adoptive families, but private attorneys and the Family Court, not CFSA or OAG, handle the adoptions;

- Guardianships, which are usually with a member of the foster child's biological family, have also declined over the past few years; there were 108 in fiscal 2008 compared to 203 in 2004 and 218 in 2005;
- 828 of the 2,263 children in foster care at the end of fiscal 2008, or 37%, an extraordinarily high number by national standards, have a court-approved permanency goal of Alternative Planned Permanent Living Arrangement, or APPLA, and 498 of those 828 children have been in foster care for more than four years; approval by a judge of this goal means that the District's child welfare system has given up on finding those children a permanent family but will instead try to prepare them to live without a formal ties to a family by the time they lose the support of the foster care system at age 21 or earlier; and
- 199 children aged out of the foster care system in fiscal 2008 or chose to leave before age 21, without achieving permanency.

The good news about permanency in the District's child welfare system is that, in fiscal 2008, 346 foster children were reunified with a parent and thus left the system. Stabilizing a family so that their children can return home is, and should remain, the principal goal of the child welfare system.

But when a child is not able to go home safely, moving promptly to place the child permanently with another family is essential, and the District of Columbia is not meeting that goal. The Family Court has for several years been making a decision within the Adoption and Safe Families Act's 14-month deadline on what a child's permanency goal is, but all parts of the District's child welfare system are taking far too long to implement that decision.

We commend CFSA's acting director Dr. Gerald and the dedicated workers of the Child and Family Services Agency for the difficult and important work they devote their lives to. We commend Dr. Gerald for the important steps he has taken in recent months to make it far more difficult to consign any foster child to the permanency goal of APPLA. That is a start, but we are left with 828 children who still have this goal.

We urge this committee and the full DC Council to continue to provide close oversight of the performance of the District's child welfare system -- including the Office of the Attorney General and the Family Court, not simply of CFSA -- and we urge you to pay special attention to the issue of prompt permanency for all of the District's foster children.