

# DCFS stung for unkept promises

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## Deadline for reform may be pushed back

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Illinois' child-welfare agency has largely failed to live up to promises to radically reform and provide better care for the nearly 37,000 abused and neglected youths in its care, according to a court-ordered report issued Tuesday.

The findings could spur efforts

to push back some deadlines for reforms due later this year at the Department of Children and Family Services.

DCFS officials strongly challenged the report's findings. And if the department and other parties in the 5-year-old U.S. District Court case can't hammer out a new plan for DCFS to improve, the beleaguered agency could face further court control.

The 159-page report is the latest but by far the most significant in a flurry of recent studies assessing DCFS' failures and struggles

to improve. It was issued by Joseph Schneider, a retired Cook County judge appointed to periodically evaluate the agency's reform progress.

Schneider was appointed by U.S. District Judge John Grady, who approved a 1991 consent decree in which DCFS promised to improve services and hire hundreds more workers to investigate child abuse and check on children taken into state protection.

DCFS made the promises to settle a lawsuit filed in 1988 by the

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American Civil Liberties Union. The suit alleged that DCFS was in such disarray that it inflicted additional harm to many of the children it was supposed to protect.

DCFS made 93 reform promises, Schneider said, but has failed or likely will fail to live up to 42. Deadlines for many of the reforms already have passed. In other cases, DCFS is so far behind that it probably can't make improvements by a July 1 deadline, Schneider said.

Schneider said DCFS has failed or will likely fail to:

- Provide enough foster homes and other places to house its children.

- Establish a system to treat children for health problems and provide sufficient rehabilitative services such as drug treatment for their parents.

- Maintain complete case files documenting children's problems, needs and services provided to them.

- Quickly move children back to their biological parents or, when that is impossible, put them up for adoption. The failure by DCFS and state courts to close more children's cases has contributed to a 38 percent increase in children in DCFS care and threatens to undermine many of the reforms, Schneider said.

Schneider said DCFS had complied with 23 of its 93 promises, including those to:

- Stop housing children in offices or hotels. In December, Grady ruled that DCFS had made sufficient improvements at a North Side office to qualify that facility as a 73-child shelter.

- Publish and distribute a handbook to families involved in abuse and neglect cases.

- Establish panels of outside experts to advise DCFS on how to make some complicated reforms. But Schneider said DCFS hasn't acted upon some of the recommendations, and other panels still have not issued their reports.

Schneider said DCFS has partially complied with 18 other reforms. He said he could not reach a conclusion on 10 other promises.

In almost all cases, the department's reform progress was slower in Cook County, where nearly three-fourths of DCFS children reside, Schneider said. He said some reforms have been slowed by an overloaded Cook County Juvenile Court, where judges decide the futures of abused and neglected children.

Schneider acknowledged the department's difficulties in making so many reforms so quickly. He noted that planning for many key reforms suffered from a round of state budget cuts and layoffs last year ago.

Still, Schneider said he remains hopeful that DCFS can eventually reform.

"The pieces are beginning to be put in place, but they as yet are not fully functioning in their own right," Schneider said. "And they are not integrated into a coordinated system."

ACLU lawyer Susan Wishnick said Schneider's report was accurate.

"As we anticipated, the report

finds substantial non-compliance with the consent decree," Wishnick said. "While some of the time frames in the consent decree are ambitious, this does not excuse the department from living up to the promises it made to the children in its care."

The consent decree now calls for DCFS, the ACLU and Schneider to try to work out plans for the department to improve in areas where it was found lacking. But if the sides can't agree, the case will go back to Grady. Schneider delivered a copy of his report to the federal judge.

But negotiations to resolve some of the problems may be difficult. DCFS Director Sterling "Mac" Ryder, who has bristled at earlier Schneider criticisms, issued an angry response to the monitor's latest report.

"The report either overlooks or minimizes major improvements and reforms that have been implemented by DCFS, leaving the erroneous impression that progress is not being made," Ryder said.

He cited the department's success in reducing workloads on child-abuse investigators and follow-up caseworkers—areas where Schneider said he found non-compliance, partial compliance or could not issue an opinion because DCFS could not provide conclusive data.

Ryder said DCFS is in the midst of "the nation's most extensive and ambitious reform" of a child-welfare agency. He said the department would file a formal response this week with Grady to rebut "the incomplete reporting and negative attitude of the monitor's report."

Schneider said one of DCFS' most significant failings was the sloppy handoff of about 25,000 children's cases to about 400 new follow-up caseworkers.

Caseworkers check on children who have been placed in foster homes or who have been allowed to remain with their parents under state monitoring.

Last summer, Cook County caseworkers were responsible for making monthly visits and providing services to as many as 80 to 90 children each.

As of last July, the consent decree has required that each caseworker monitor no more than 30 children or 25 multi-child families. With additional hiring, workloads are supposed to drop to no more than 25 children or 20 families by this July.

Yet, Schneider said some caseworkers remain responsible for as many as 50 children. And he said the state's failure to start hiring new caseworkers until last May caused a rushed and disorganized transfer of cases.

Some children's files were misplaced, and he said DCFS scrambled to find office space and equipment for the new workers, resulting in agency "turmoil."

"Too often, children, parents and foster parents did not know who their new caseworker was," Schneider said. Even when they did, he said, "There was often no way to contact the caseworker because the caseworker did not have a phone or shared one phone with as many as 16 other people with no organized system for a receptionist or a clerical person to take messages."

Why  
not  
compliance  
charges?