

## TABLE OF CONTENTS

I.	Executive Summary .....	2
A.	Preface .....	2
B.	Significant Findings .....	2
C.	Conclusion .....	5
II.	Compliance Summary and Recommendations .....	6
III.	Introduction .....	14
A.	General Statement. ....	15
	1. <u>Norman</u> Population .....	15
	2. Cash Assistance .....	16
B.	Monitoring Methodology and Activities .....	17
IV.	Monitoring Compliance Issues. ....	19
A.	Whether defendant is properly determining who is and who is not a class member [Paragraph 3(b)] .....	19
B.	Whether defendant is providing timely and sufficient cash assistance to eligible class members [Paragraph 5] ....	25
C.	Whether defendant is making reasonable efforts to prevent removal and to reunify families to class members by provision of hard services [Paragraphs 1 and 4] .....	32
D.	The status of defendants' efforts to implement and the guidelines for caseworkers' initiation of the court action mandated by Paragraph 9(c) [Paragraph 9(c), (f)] .....	34
E.	Whether DCFS workers and case reviewers are sufficiently trained in the policies, procedures and rules related to the implementation of this Order [Paragraph 12] .....	36

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F.	Whether the policies, procedures and rules related to the terms of this Order are being properly applied and enforced through the administrative review process and the review provided in Paragraph 13(b), including whether children who are to be returned home by a set date have been returned home, and if not, whether the failure to return such children home results from non-compliance with the terms of this Order [Paragraph 4, 9(a), 13] .....	37
G.	Whether class members are provided the full notice and appeal rights provided by the Order [Paragraph 10] .....	38
H.	Whether defendant is making good faith efforts to reach necessary interagency agreements and to maximize funding and resources for hard services to class members [Paragraph 5(c), 6(a), 7] .....	39
I.	Whether DCFS is taking all necessary steps to maximize payment of DPA benefits to eligible persons [Paragraph 6(b)] .....	39
J.	Whether defendants risk assessment practices and policies are consistent with the terms of the Order .....	42
K.	Whether the decision, if made, that a child cannot be expected to return within 90 days as contemplated by Paragraphs 6(a)(i)(A) is not being made for reasons of administrative or fiscal convenience .....	43
L.	Whether the liaisons provided to handle the compliance of class counsel are performing in a satisfactory manner [Paragraph 13(a)] .....	43
M.	Housing Advocacy Program [Paragraph 7(a)] .....	44
N.	Whether the manual of referral services is complete and adequate [Paragraph 7(a)] .....	46
O.	Whether DCFS is implementing its protocol for locating absent parents [Paragraph 9(e)] .....	47
P.	Whether DCFS is implementing domestic violence policy [Paragraph 4(c)] .....	47



Q.	Whether DCFS has sought all federal funds available to assist class members in obtaining hard services [Paragraph (7)]	50
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V.	Conclusion	51
----	------------	----

	Appendix	52
--	----------	----



## List of Tables

Table I	Currently Certified Families by Region December 31, 1995 .....	15
Table II	Comparison Assistance Expendures by Purpose: Downstate and Cook County Eighth and Ninth Periods .....	17
Table III	Comparison of Total Children Returned Home with <i>Norman</i> Children Returned Home .....	22
Table IV	<i>Norman</i> Certified Families and Children Placed in Home of Relatives .....	23
Table V	Comparison of Cash Expenditures Periods-8 and 9 Calendar Year 1995 By Region and Percent of State .....	25
Table VI	Title IV-E Eligible Children in Placement by Region .....	27
Table VII	HAP Agencies Number of Clients Served .....	45

## **I. EXECUTIVE SUMMARY**

### **A. PREFACE**

The fact sheet introducing the Federal Unification Funds and stating the results of several studies of children in foster care stimulated their concern for housing issues and their impact upon the child welfare system and resulted in the development of the FUP projects. A study conducted over ten years ago by the National Black Child Development Institute found that housing problems were a factor in 30 percent of the out of home placements of children and only six percent of the families were offered any kind of housing assistance before their children were removed. A study of children in foster care in the Washington, D.C. area in 1990, conducted by the Metropolitan Council of Governments, found that homelessness was a contributing factor in 18 percent of the placements they reviewed. The Washington, D.C. agency is currently in receivership and now under the direction of Jerome Miller, who recently stated in the *New York Times* that lack of adequate housing was a major issue in the cause of placement of children and in the reunification of children in the District. A study of foster care in New Jersey found homelessness was a contributing factor in 20 percent of the cases reviewed, and a contributing factor in 40 percent of the placements.

A study discussed in earlier reports published by The Institute for Child and Poverty, "Homelessness: the Foster Care Connection", indicates that children who grew up in foster care face a higher risk of becoming homeless as adults, and that homeless adults face a higher risk of having their children placed in foster care. Thirty-five percent of homeless parents had an open case with the city's child welfare department. These facts clearly reflect the correlation between these two issues: poverty and child placement. Illinois has been on the "cutting edge" of ameliorating this problem by entering into the *Norman* Consent Decree.

### **B. SIGNIFICANT FINDINGS**

#### **1. Accomplishments During This Reporting Period**

The Illinois Department of Children and Family Services (hereafter the Department or DCFS) has implemented a number of the recommendations from previous reports and from discussions with Plaintiffs' Counsel, Laurene Heybach, Supervising Attorney, Legal Assistance Foundation of Chicago (hereafter LAFC). The following are areas of accomplishment toward full compliance with this Consent Decree:

- There are currently 3,552 families certified statewide representing 4,670 children. (Appendix E.)
- Total cash assistance given directly to families for placement prevention or reunification is \$930,014. (Appendix H.)

- A conservative cost benefit analysis of the *Norman* cash assistance program is estimated at \$24 million benefitting 1,466 families during the past calendar year.
- The Department has developed an *Automated Cash Assistance System* which will become operation on July 1, 1996. (See Appendix A.)
- The areas which utilize the cash assistance program the most also have the lowest rate of increase of children coming into substitute care, have the highest percentage of children being served in their own homes and have the lowest caseload increase. East St. Louis for example, has a zero increase in children in placement. This is a major accomplishment, providing services to all new children entering the system and providing permanent planning for the children already in the system.
- The Department has completed, developed and trained over 7,000 social workers statewide on the *Child Endangerment Risk Assessment Protocol* (CERAP). (See Appendix M.)
- The Housing Advocacy Programs have been successful in locating housing for certified families.
- Three additional housing authorities have received Section 8 certificates under Federal Unification Program (FUP). The areas awarded the certificates are E. St. Louis, Cook County (not Chicago), and Champaign.
- The hiring of the Housing Specialist and the Domestic Violence Specialists have enhanced the quality of these programs.
- The *Domestic Violence Protocol* (Appendix Q.) has been approved and will be incorporated in the DCFS pilot areas implementing the protocols for the *Redesign of the Front Door*. (Appendix B.)
- 4,688 children returned home in 1994 while 4,673 returned home in 1995  
922 children returned home from *Norman* certified families in 1994 while 993 returned home in 1995.

## 2. Areas Needing Improvement

There remain areas needing improvement, most are recognized by the Department and there are subsequent plans to ameliorate the issues however, they have not yet been implemented to change performance standards to date. The areas for improvement are as follows:

- The need for accurate and timely data to the Monitor regarding cash assistance expenditures is problematic. Currently, this information is secured from the manually kept logs in the field which are inconsistent. It is believed there are more expenditures are being made than is properly recorded. Data from the financial division of the Department reflects \$1.9 monies spent in FY'95. While this total includes the cost of the Housing Advocacy Programs (hereafter HAP) and other administrative costs, it is believed more monies are being spent on direct cash assistance to families than is being reported.
- Several cash assistance (Appendix K.) agencies ran out of money both downstate and in Cook County due to a series of occurrences. This is particularly of concern in Cook County where the loss of this resource for families perhaps extended stays of children in foster care and may not have prevented placements.
- *Norman* Class Certification needs to occur at a higher rate; the rate of certifications is not commensurate with the high rate of children entering substitute care even though there is some increase in certifications. (Appendix E.)
- In January, 1996 a review of "02" (return home goal) cases from Cook County and the Northern Region reveals that DCFS has not improved its certification of families. This compares with similar studies in 1993 and 1994. The lack of certification could be 27% to 48% of the cases given the margin of error used for the stratified random sampling. (Appendix F.)
- A random sample of Division of Child Protection investigations (hereafter DCP) finds a lack of proper "indication" of child abuse/neglect reports of *Norman* allegations and a lack of certification. (Appendix G.)
- While a recent increase in permanent planning may be a trend; the lack of return home of children in Cook County is a serious problem.
- During the past year only 52 families have been referred to the Illinois Department of Public Aid (hereafter DPA) for expedited checks to Aid to Families with Dependent Children (hereafter AFDC).
- While training sessions have been held, ongoing training is essential in the further implementation of *Norman* programs. It is critical that training occur with the Purchase of Service (hereafter POS) agencies.

### C. CONCLUSION:

The Department is to be lauded for entering into this innovative and creative Consent Decree with the LAFC. The Department has been responsive to most of the recommendations of the Monitor in areas needing improvement. Recognizing the problems in the child welfare system, Director McDonald has demonstrated the courage to embark on massive reform efforts to the system. These reforms will effect the positive implementation of the *Norman* Consent Decree. Some of the programs established as a result of this Decree are in full compliance while others are not. There are plans to come into compliance with those areas which are problematic, however, they are in varying degrees of implementation and the outcome results have not yet occurred. Those areas needing improvement include many aspects of the certification and cash assistance system, the expedited AFDC benefits and developing protocol with the Cook County Juvenile Court to expedite the return home of children. Therefore, the Honorable Judge Hart entered a *Memorandum Opinion and Order* on April 11, 1996 (Appendix A) which includes many of these areas to be monitored during the calendar year 1996.



## II. CONCLUSIONS AND RECOMMENDATIONS

### A. Whether defendant is properly determining who is and is not a class member [Paragraph 3(b)]

#### 1. Conclusion:

- a. Downstate regions are in compliance. Southern and Central Region is in compliance.
- b. Northern Region is in partial compliance.
- c. Cook County is in non-compliance.

#### 2. Recommendation:

- a. DCFS re-consider the certification process.
- b. That POS agencies establish certification for families for a one year period until they are knowledgeable about the appropriate use of *Norman* funds and programs.
- c. The issue of indicating inadequate shelter, food, and clothing and environmental neglect becomes highly significant indicated in investigatory findings.
- d. The Department Review the use of permanent relative home and permanent foster care as permanency goals.

### B. Whether defendant is providing timely and sufficient cash assistance to eligible class members. [Paragraph 5]

#### 1. Conclusion:

- a. Cook County is out of compliance.
- b. Downstate is in compliance.

#### 2. Recommendation:

- a. HAP program and cash assistance monies not be co-mingled into one contract. Instead there should be two separate contracts. This will help ensure that funds are not depleted to lower than \$10,000. This should be done for FY'97 at least until the Automated Cash Assistance System is running, tested and identified problems are corrected, since unpredictable problems always occurs in any new system.

- b. That contracts for HAP and cash assistance agencies be completed well before the beginning of the fiscal year, July 1, 1996.
- c. That one contract person write all of these contracts which could help in coordination. That the contract negotiator be in close communication with OLM.
- d. The Statewide *Norman* Liaison continue bi-monthly contact with all Cook County cash assistance agencies to assess current status of each agency about their cash on hand and expedite processing of vouchers, when necessary, and to notify the field offices immediately where funds are available if any agency has depleted their funds.
- e. DCFS should ensure that all agencies have sufficient monies to carry them until FY'97.
- f. DCFS require all cash assistance approved in from January 1, 1996 to June 30, 1996 be entered into the Automated Cash Assistance System to ensure the accounting for these expenditures are not lost to the information system.
- g. All current print outs on cash assistance record individual amount for each region but don't total them. The Automated Cash Assistance System must be set up to total individual amount figures for each region both Downstate and Cook. This means writing the program to produce totals of figures entered oth vertically and horizontally. The print out should generate the individual totals and the grant total for each region for at least the following: the amount of cash assistance for a) placement prevention or b) reunification and c) a breakdown of each type of expenditure (for security deposit, furniture, utilitie, etc.) A summary sheet should also generate a subtotal for all Downstate and Cook County Regions and one Statewide grand total.
- h. That along with regularly scheduled sessions for training supervisors on the Automatic Cash Assistance System, regularly scheduled make-up sessions for that purpose be set up to ensure that all supervisors have the opportunity to be trained.
- i. DCFS hold a statewide *Norman* Liaisons meeting in September or with major agenda items the automated cash assistance system, the discussion of any problems and to discuss the progress of the expedited AFDC checks and food stamps situation.

j. Ongoing training of *Norman* programs is essential for field staff within DCFS and with POS agencies.

k. Communication between the Department and their Contract agencies must improve. The handling of this should be assigned to a person in DCFS who is well identified to the agencies.

l. That DCFS consider training a specific person or persons in the POS agencies to approve up to \$800 for their staff. For higher amounts then *Norman* Regional Liaisons must approve.

**C. Whether defendant is making reasonable efforts to prevent removal and to reunify families to class members by provision of hard services as defined in Paragraphs 1 and 4.**

**1. Conclusion:**

- a. Cook County is coming into compliance.
- b. Downstate is within compliance.

**2. Recommendations:**

- a. The Department should continue its reform efforts to increase the clinical skills of its staff and developing best practices initiatives.
- b. The protocol for filing petitions in Cook County be completed and implemented.

**D. The status of defendants' efforts to implement and the guidelines for caseworkers' initiation of court action mandated by Paragraph 9(c) (i.e., timeliness guidelines for the caseworkers initiation of court action or reunification. [Paragraph 9(c),(f)]**

**1. Conclusion:**

- a. Cook County is in non-compliance.
- b. Downstate is in compliance.

**2. Recommendations:**

- a. That DCFS complete its protocol for initiating return home petitions in Cook County Juvenile Court.

- b. That DCFS share a copy of the protocol before finalization with Monitor and with Plaintiffs' Attorneys in order to allow input.

**E. Whether DCFS workers and case reviewers are sufficiently trained on the policies, procedures and rules related to the implementation of this Order [Paragraph 12].**

**1. Conclusion:**

DCFS is in compliance.

**2. Recommendations:**

While DCFS is in compliance the following is recommended or order to ensure continued improvement in the use of the programs:

- a. Continue the training of DCFS supervisors on the use of the automated cash assistance system.
- b. Develop a more comprehensive training of private agency staff on the *Norman* programs and how to access them.

**F. Whether the policies, procedures, and rule related to the terms of this Order are being properly applied and enforced through the administrative review process and the review provided in paragraph 13 (b) including whether children who are to be returned home by a set date have been returned home, and if not, whether the failure to return such children home results from non-compliance with the terms of this Order. [Paragraph 4, 9(a), 13]**

**1. Conclusion:**

DCFS is in compliance.

**2. Recommendation:**

None

**G. Whether class members are provided the full notice and appeal rights provided by the Order. [10]**

- 1. Conclusion:**  
DCFS is in compliance.
- 2. Recommendation:**  
None.

**H. Whether defendant is making good faith efforts to reach necessary interagency agreements and to maximize funding and resources for hard services to class members. [Paragraph 5(c), 6(a), 7]**

- 1. Conclusion:**
  - a. DCFS is in compliance.
- 2. Recommendation:**  
None

**I. Whether DCFS is taking all necessary steps to maximize payment of DPA benefits to eligible persons. [Paragraph 6(b)]**

- 1. Conclusion:**
  - a. DCFS is out of compliance in the utilization of expedited AFDC benefits to families whose children are reunited.
- 2. Recommendation:**
  - a. More training of staff at all levels including private agency staff.
  - b. DCFS needs to develop a more efficient way for purchase of service agencies providing full service to DCFS families to access DPA expedited checks. Once they are aware of the resource it should be another way to access monies needs to be developed other than through *Norman* Regional Liaisons. DCFS needs to authorize more people to authorize more people in the Department to be responsive to this need

**J. Whether defendant's risk assessment practices and policies are consistent with the terms of the Order. [Paragraph 1, 4, 9(d)]**

- 1. Conclusion:**  
DCFS is in compliance.
- 2. Recommendation:**  
None.

**K. Whether the decision, if made, that a child cannot be expected to return within 90 days as contemplated by Paragraph 6(a) (i) (A) is not being made for reasons of administrative or fiscal convenience.**

- 1. Conclusion:**  
DCFS is in compliance.
- 2. Recommendation:**  
None.

**L. Whether the liaisons provided to handle the compliance of class counsel are performing in a satisfactory manner. [Paragraph 13(a)]**

- 1. Conclusion:**  
DCFS is in basic compliance.
- 2. Recommendation:**  
That DCFS name another person to serve as backup to Mr. Egan and Ms. Morsch when neither are available. Or, name a full time person to this function.

**M. Housing Advocacy Program is successful; [Paragraph 7(a)]**

- 1. Conclusion:**
  - a. DCFS is in compliance.**
- 2. Recommendation:**
  - a. DCFS should host or co-host a statewide Housing Conference which has been discussed extensively in previous reports.**

- b. The housing specialist should develop performance criteria for HAP agency evaluations.

**N. Whether the manual of referral services is complete and adequate.  
[Paragraph 8]**

**1. Conclusion:**

DCFS is in minimal compliance.

**2. Recommendation:**

- a. While DCFS is in basic compliance, it is recommended DCFS develop an automated resource manual. This idea has been recommended by committee members of the Front End Redesign. How this might be accomplished has been discussed in all previous monitoring reports.
- b. That DCFS make known, especially to DCFS staff in Cook County, the contractual resources it has developed by stating the program plans and referral process for service.

**O. Whether DCFS is implementing its protocol for locating absent parents.  
[Paragraph 9(e)]**

**1. Conclusion:**

DCFS is in compliance.

**2. Recommendation:**

None

**P. Whether DCFS is implementing domestic violence policy [Paragraph 4(c)]**

**1. Conclusion:**

The Department is in full compliance and should be applauded for its efforts. To remain in full compliance, DCFS must address the recommendations in this section particularly in regard to centralizing both responsibility and **authority** for this initiative under the domestic violence specialist and the Advisory Council on Domestic Violence.

**2. Recommendations:**

None

**Q. Whether DCFS has sought all federal funds available to assist class members in obtaining hard services. [Paragraph (7)].**

**1. Conclusion:**

DCFS is in full compliance.

**2. Recommendation:**

None



IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

James Norman, et. al.	}	
	}	
Plaintiffs,	}	
vs	}	
	}	No. 89 C 1624
	}	Judge William T. Hart
Jess McDonald,	}	
	}	
Defendant	}	

SEVENTH MONITORING REPORT

Date: June 3, 1996

Period Covered: January 1, 1995 - December 31, 1995

This report is submitted to the Court pursuant to Paragraph 15 of the Consent Order which mandates that the Monitor gather valid and reliable information to "measure and ensure compliance" with the terms of the Order. Other issues related to compliance which deserve special mention are included in addition to each issue specifically noted in paragraph 15.

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**Stuart Cunningham, Clerk  
United States District Court**

### III. INTRODUCTION

This report covers the monitoring activities from January 1, 1995, through December 31, 1995, except where otherwise noted. Monitoring activities were completed with the Assistant Monitor, Diane Fager, except for the writing of this report. Ms. Fager resigned her duties as Assistant Monitor in April, 1996. Other aspects of monitoring activities have been assisted by Marilyn Donahue with research and data consultants Christine George and Deborah Puntteny. This report is later than usual due to a motion filed on February 12, 1996 by the Plaintiffs' Attorneys requesting ". . . (1) continued monitoring and/or (2) declaratory and injunctive relief addressing substantial non-compliance with the Consent Decree and the Court Order of March 10, 1995." The Honorable Judge William T. Hart issued the *Memorandum Opinion and Order* on April 11, 1996. (Appendix .) In summary, Jess McDonald is substituted for Sue Suter. Motion [209-1] is granted in part and denied in part. Motion [209-2] is denied without prejudice. Seventh Report due April 30, 1996. Eighth Report covering 1996 shall be limited to ¶¶ 5(a) Cook County), 6(b) and 9(c) and *Norman* eligibility. For 1996, defendant shall comply with ¶¶ 15(a), (b) (Cook County), (d), and (i), 11, 15 (e), and 15(f). The term of the Monitor's appointment shall continue until the date beyond December 31, 1996 permitted for preparing the Eighth Monitoring Report and necessary to complete the additional procedures set forth of the Consent Order." The date for the Eighth was extended to May 31, 1996.

The extensive reform efforts of Director Jess McDonald, mentioned at length in the *Sixth Monitoring Report*, are in varying degrees of planning and implementation; among them are: 1) large numbers of supervisors are pursuing their graduate training in social work; 2) agency accreditation committees have been working all year on developing plans for agency accreditation on the many areas to be studied; 3) more staff has been deployed to provide leadership to the Child and Adolescent Local Area Networks (LANS); 4) a proposal for the Redesign of Front End Services (response and service delivery system for reports of Child Abuse and Neglect); 5) development of the Child Endangerment Risk Assessment Protocol (hereafter CERAP); 6) a Redesign of the Purchase of Service for substitute care; 7) *A Model of Practice for the Illinois Department of Children and Family Services* prepared by Richard H. Calica (Director of The Juvenile Protective Association and Chairperson of the Practice Task Group) and Thomas D. Morton (Executive Director, Child Welfare Institute) whose preliminary report is dated August, 1995; (Appendix D.) 8) initiatives in managed care; and 9) the establishment of the Child Welfare Research Institute with the University of Illinois.

## **A. GENERAL STATEMENT**

### **1. Norman Population**

The Child Abuse/Neglect allegations of inadequate food, clothing, shelter and environmental neglect are potentially those allegations in which *Norman* certification can occur if there is risk of placement. The statewide total for 1995 shows SCR reports with only *Norman* allegations were 57,656 (13,454 were indicated, 1,308 were still pending and 42,894 were unfounded).

At the end of this report year, there were 3,552 families certified state wide representing 4,670 children. This is the largest number of families certified to date. Increases occurred both in Downstate Regions and in Cook for a total statewide increase of 12% over the first semi-annual period and an almost 18% increase over the certified families at the end of 1994. Administrative Case Reviewers (ACR) continues to be the major certifier and inadequate shelter continues to be the largest single reason for certification (Appendix E.). Table I below depicts this, it should be noted there are more reasons for certification than families certified because a family can be certified for more than one reason. Appendix E. contains more detailed certification data.

**TABLE I**  
**Currently Certified Families**  
**Reasons By Certifier Statewide**

	Cases Certified	Inadeq. Food	Inadeq. Shelter	Inadeq. Clothing	Envir. Neglect	Total Reasons
ACR	2639	389	2447	229	913	3987
CPS	535	92	380	47	204	724
CWS	378	48	323	17	68	457
<b>TOTAL</b>	<b>3552</b>	<b>529</b>	<b>3150</b>	<b>293</b>	<b>1185</b>	<b>5168</b>

It was determined, by a case review conducted in January, 1996 based on case information from December, 1995, that the Northern and Cook County Regions are still not certifying some families that qualify. Given statistical error of plus or minus ten percent, one third of possible eligible families are not certified in those Regions. (See Appendix F.). A statewide study of the Division of Child Protection (hereafter DCP) regarding investigations of allegations of "substantial risk of injury" and "inadequate supervision" finds substantiation for one of the four *Norman* allegations which were not "indicated" in 45 of these situations the reviewer thought the case should have been certified and was not.(Appendix G.) More detailed information on Norman population is found in Section III, A.

## **II. Cash Assistance to Families**

Total cash assistance to families for this report year was \$930,014; Downstate Regions account for 57% of the total case assistance expenditure while Cook County Regions account for 43%. Cook County data shows a dramatic reduction from the first semi-annual period to the second, dropping \$62,847; at that same time, Downstate Regions increased expenditures by \$117,627. It is known that Cook County was going through extensive changes during the second semi-annual period, including moving from four regions to three and bringing on a large number of new supervisors. However, in February, 1996, the Department implemented a Purchase of Service (POS) Redesign whereby social work responsibility for the children and families was totally transferred to the private agencies. Until this time DCFS also had an assigned social worker. *Norman* programs and cash assistance were initiated by the DCFS monitoring social worker. However, this now creates a problem for families accessing *Norman* services since private agency staff tend not to know about the services. This issue will be discussed later in this report.

Several problems were identified that interfered with the cash assistance disbursements. On one occasion near the middle of the fiscal year, almost all agencies in Cook were out of money; those that had funds had a minimal amount or were unwilling to write checks for people who were outside their area. This has been an on-going problem at the beginning of every fiscal year because agencies have no carry over from the previous year and funds are slow to arrive after July 1st. This problem should be solved with the initiation of the Automated Cash Assistance System, slated to be operational by July 1, 1996.

Systemic and communication problems created chaos for agencies disbursing cash assistance in Cook. One example was when supervisors were approved to sign for funds but agencies were not advised. Fortunately, the agencies honored the requests without the listing available to them of newly authorized signatures. For specific information on cash assistance, see Section III, B.

Of interest are the trends in expenditures by purpose i.e. rent, utilities, etc. (Appendix H.) Total expenditures went up for Peoria, Marion and E. St. Louis especially. An increase is seen across each of the specific spending categories. The decrease in Cook County is problematic and may be due to reasons already cited. South Region is the only region showing an increase; it is improbable this is due to the boundary change alone. Downstate pulled the statewide expenditure up between the two semi-annual periods. Predictably, rent increased between the two periods as well. Utilities increased in the summer. This may be due to city ordinances which do not allow cut off of utilities when temperatures are below a certain level for non-payment of utility bill. During the calendar year 1995, the Department spent a total of \$930,014. Table II shows the disbursement of funds between downstate and Cook County.

**TABLE II**  
**Cash Expenditures by Purpose Eighth and Ninth Periods**  
**Calendar Year 1995**

No. of Families	Category	Total Cost of Category	Average Cost Per Family
<b>DOWNSTATE</b>			
345	Unknown	\$195,380	\$566.32
498	Prevention	\$233,681	\$469.24
160	Reunification	\$104,574	\$653.59
<b>1,003</b>	<b>Subtotal</b>	<b>\$533,635</b>	
<b>COOK COUNTY</b>			
64	Unknown	\$ 48,195	\$752.86
289	Prevention	\$246,524	\$853.02
110	Reunification	\$101,660	\$924.18
463	<b>Subtotal</b>	<b>\$396,379</b>	
<b>1,466</b>	<b>TOTAL</b>	<b>\$930,014</b>	

Data Source: *Norman* Regional Liaisons Manual Logs

A cost benefit analysis estimates an almost \$24 million. This figure is based on a conservative estimate; it is based on the average size of a family being two children, placements being prevented for a one year period and reunification occurring six months earlier. Some regions did not report their expenditures by placement prevention or reunification but only a total figure for the area. Where the reason for the expenditure was unknown the less costly reunification category was used. A year of foster care was computed at \$10,000 per child for a regular foster care placement. This shows that an appropriation of almost \$2 million saves \$24 million. Therefore, it is efficient most importantly to the lives of children and to the financial savings to the state.

The Department allocated \$1.8 million for FY'92 for *Norman* services. Last fiscal year the allocation was increased to \$1.9 million and FY'97 allocation is increased to over \$2 million. This is a small appropriation when one considers the savings in tax dollars it generates.

## B. MONITORING METHODOLOGY AND ACTIVITIES

The monitoring activities for this reporting period consisted of the following:

- Interviews and discussions with staff from the Department: Mary Sue Morsch, Administrator, Office of Litigation Management; Bobbie Evans, previous Statewide *Norman* Liaison; John Cheney-Egan, Housing Specialist; and Marion Houston, Domestic Violence Specialist
- Conferences with Laurene Heybach, Supervising Attorney, Legal Assistance Foundation of Chicago. (LAFC)
- Assistant Monitor's attendance at the Cook County Housing Program contractual meetings and Domestic Violence Advisory Committee meetings.
- Monitor's appointment to and participation in the following committee: The Child Endangerment Risk Assessment Protocol Advisory Committee; The Work Group to Define the DCFS Practice Model; Co-chair of the Practice Group for Redesigning the Front Door. Participation in these efforts ensures that *Norman* programs and issues are included in all reform efforts.
- Conferences with DCFS counsel Nancy Eisenhauer.
- Interviews with various *Norman* Regional Liaisons statewide.
- Review of monthly and quarterly reports generated by the DCFS Office of information Services and the Bureau of Research, Planning and Development. The major reports reviewed at the monthly *Executive Statistical Summary* and the monthly *Child Abuse/Neglect Statistics* and the *Executive Summary Five Year Trend Report: Fiscal Years 1990 - 1994*.
- Review of various other DCFS statistical reports and publications.
- Periodic record reviews for specific compliance issues. During this period two such stratified random samples of case records were surveyed:
  - a. January, 1995, a random sample of cases from all children placed in substitute care in the Northern Region and Cook County with a return home goal to determine proper *Norman* certification. (Appendix E.)
  - b. Division of Child Protection (DCP) stratified random sample review of Child Abuse/Neglect investigations with the non-*Norman* allegations of "subsequent risk of harm" and "inadequate supervision" to determine if *Norman* allegations were present and if appropriate for certification. (Appendix F.)

#### **IV. MONITORING COMPLIANCE ISSUES [Paragraph 15]**

##### **A. Whether defendant is properly determining who is and is not a class member [Paragraph 3(b)]**

###### **1. Findings and Discussion:**

Perhaps it is worthwhile here to quote the CLASS CERTIFICATION, as defined in Paragraph 3(b):

"All parents and guardians on or after date of entry of this Consent Order: (a) whose children are in the temporary custody or under the legal guardianship of the Illinois Department of Children and Family Services ('DCFS'), and upon whom, during such custody or guardianship, DCFS has imposed, in a service plan or otherwise, a condition that such parents obtain for themselves or their children such shelter, utility services, food, clothing, or income as DCFS deems necessary or appropriate for the return home of their children; or (b) for whom there is an 'indicated report' or pending report pursuant to Ill. Rev. Stat. ch.23, ¶¶ 2051 et seq., that is or should have been designated as allegation of 'inadequate shelter', 'inadequate food', 'inadequate clothing', 'environmental neglect', or any successor allegations that cover these categories of reports and DCFS has taken or could take protective custody of the children pursuant to Ill. Rev. Stat. ch 23, ¶ 2055, because of that allegation."

At the end of 1995 there were 3,552 families certified state wide which included 4,670 children; this represented a twelve percent increase from the previous reporting period and the largest number of certified families to date. Of the 3,552 families, 1,928 are families with children who have an "02" (return home) goal. The regions continue to certify at approximately the same rate. There continued to be concern regarding the certification of the Northern and Cook County regions. The last report found the Northern region to be in partial compliance while the Cook County regions were found in non-compliance.

The monitors thought there might be a data entry problem in Cook County and in the Northern regions that could explain fewer families being registered in the computer system. A case review can indicate the nature of the problem. If there is a data entry problem the case recording could reveal whether any consideration was given to *Norman* certification. Cases from December, 1995, were requested since they were more likely to reveal improvement in the situation.

A stratified random sample review of all children in those regions with an "02" goal was conducted to determine what type of problem existed. The cases were then reviewed for *Norman* issues. In addition, all cases were then checked on the Cysis system, the Department's information system, to assure that all certification information in the case records was accurate. In this study, of the total 80 certifiable cases, 38% were not certified by DCFS. From the information in the case review, the

reviewers determined that they should have been certified. In most of these cases, the case plan for the parent required that a *Norman* issue be resolved before the children could return home. Given our margin of statistical error of plus or minus ten percent, DCFS, in the Cook and Northern Regions, is not certifying within a range of 28% to 48% of certifiable *Norman* Cases. Therefore, one-third of potentially eligible families were not certified. We found that DCFS has not significantly improved its certification of "02" cases since the 1993 review. This study was based on standard research methodology which is statistically valid.

The Department previously changed its policies to allow direct service supervisors to certify families and initiate cash assistance without making a subsequent child abuse/neglect report on intact families when this action could avoid placement. (See Appendix I.) These are positive steps; however, one would hypothesize this might result in an even greater increase in certifications. The Monitor thinks this change in policy will progressively increase the number of certifications and the total number of families receiving *Norman* services. Cook County has not caught up with the rest of the state in this projected increase since they have had to hire many new supervisors and provide ongoing training; this, naturally, delays implementation of new policies.

In the *Response To The Sixth Monitoring Report, January 1 - December 31, 1994*, the Department raises several questions regarding the Monitor's findings regarding compliance on certification. (Appendix J.[pp. 7-14]) The report states the analysis is not probative because of the number of possible variables which cannot be ascertained. This is true; there is no absolute methodology to determine exact numbers of families within the system which could be certified. This defies any research methodology short of reviewing every case in the system. Therefore, the Monitor has relied on those characteristics which each tell part of the story. The general child welfare population has some similarities. No comparison is absolute. However, when one compares several of the variables which are measurable coupled with the Monitors own thirty years of experience in the field, there is a logic and a common sense factor which would lead one to conclude non-compliance, especially in Cook County. For instance, when the number of children in placement in Cook represents 77% of the number of children in placement who are IV E eligible in the entire state, it is logical to assume that the number of families certifiable might also increase in percentage. While this increase may not be in direct proportion to the percentage of IV E eligible children in placements, because of other variables, one can conclude that it should be an appreciably higher number than Downstate (with 23% of the state children eligible for IV E in placement). (See Table VI p.18.) In the first semi-annual report, Downstate had 52% of the state wide certified families and the second semi-annual period had 51%. (See Table VI p.18.)



As another example, the Department takes exception to the statement that the large number of missing permanency goals is not a *Norman* issue. While it is true a family can receive services without having a permanency goal, a criteria for certification is that there must be an "02" (return home) goal. Therefore, if there is no goal, there is no opportunity to determine if certification is appropriate. According to data supplied from Planning and Development there were 4,767 children who had no recorded goal on 1/3/96; since so many children are in this category, there is no reason to modify the determination on this issues. The Monitor continues to question the large number of children who have a long term foster care goal (8,228) and long term home of relative goal, (12,884). Neither of these goals can be considered permanency. While there are exceptions, these numbers are very large and some of these children may be able to return home with more assertive efforts, meaning they may be potentially eligible for *Norman* services.

The footnote 8 on page 9 in the second paragraph, indicates comparing the return home rates of non-*Norman* children with *Norman* certified children might be an indicator of non-certification. The essence of the Consent Decree is that children have been placed because of poverty and the return home of children is delayed because of shelter issues, previously mentioned research substantiates this. Also, the return home of all children is a general comparison which is one indicator of several factors including reasonable efforts and initiation of court petitions.

It is interesting to compare the numbers of children returning home who are certified as *Norman* against the general population of children who return home between regions. It is an indicator that Cook County is in non-compliance. Certainly no area has a higher poverty rate than Cook. In demographics, on a smaller population ratio, East St. Louis has very similar characteristics, i.e., abject poverty levels to affluent suburban areas. The Monitor makes numerous comparisons between the Cook County Regions and the East St. Louis Region. The comparative percentages of each does indicate issues.  
(See Table III.)

**TABLE III COMPARISON**  
**Number Of Children Returned Home With *Norman* Children Returned Home**  
1995

Eighth Period

Ninth Period

REGION	# Child. Return Home	# <i>Norman</i> Child. Returned	% <i>Norman</i>	# Child Returned Home	# <i>Norman</i> Child. Returned	% <i>Norman</i>
Rockford	162	32	20%	174	45	26%
Peoria	286	110	38%	349	85	24%
Aurora	244	27	11%	294	33	11%
Springfield	195	24	12%	175	25	14%
Champaign	316	114	36%	327	95	29%
E.St. Louis	176	58	33%	197	51	26%
Marion	137	11	8%	120	12	10%
Downstate	1,516	376	25%	1,636	346	21%
Cook Adm.	-	15	-	100	6	6%
Cook North	-	30	-	186	16	9%
Cook Central	-	31	-	142	33	23%
Cook South	-	43	-	372	97	26%
Cook Total	741	119	16%	800	152	19%
STATE	2,257	495	22%	2,436	498	20%

One factor which might effect a lower certification rate than one would expect is the large numbers of children in substitute care who are in Home of Relatives; making the assumption that fewer children in Home of Relative might mean fewer certifications. However, there is a substantial proportion of *Norman* certified families whose children are in Home of Relatives. See Table IV next page:

<b>TABLE IV</b> <b>Norman Certified Families and Children</b> <b>Home of Relative</b> <b>12/31/95</b>		
<i>REGION</i>	<i>FAMILIES HMR</i> <i>% of State</i>	<i>CHILDREN HMR</i> <i>% of State</i>
<i>1A-Rockford</i>	49 (3%)	97 (3%)
<i>1B-Peoria</i>	87 (5%)	157 (5%)
<i>2A-Aurora</i>	61 (3.5%)	115 (3%)
<i>3A-Springfield</i>	43 (2.5%)	74 (2%)
<i>3B-Champaign</i>	141 (8%)	254 (7%)
<i>4A-East St. Louis</i>	88 (5%)	169 (5%)
<i>5A-Marian</i>	16 (1%)	38 (1%)
<i>Downstate Total</i>	<b>485 (28%)</b>	<b>904 (26%)</b>
<i>Cook North</i>	376 (21%)	715 (21%)
<i>Cook Central</i>	463 (26%)	957 (28%)
<i>Cook South</i>	443 (25%)	879 (25%)
<i>Cook Other</i>	-	-
<i>Cook Total</i>	<b>1,282 (72%)</b>	<b>2,551 (74%)</b>
<i>Statewide Total</i>	<b>1,767 (100%)</b>	<b>3,455 (100%)</b>

Data Source: DCFS Norman pullfile & ISD 5/26/96

The Department has always provided timely information in regard to certification. There is a large data base on certification which the Monitor receives upon request. Any statement interpreted to mean that certification data has not been made available was a misstatement by the Monitor or was misunderstood by the Department. In addition, the Department has tried to accommodate all of the Monitor's requests about certification; establishing the pull-down file has been most helpful and allows information on many different variables upon request. Data on cash assistance and for what purpose it was given along with some other issues have been problematic but not data on certification.

While the data from the certification process has been very helpful in understanding and counting the class, the Monitor continues to recommend that the process be eliminated for DCFS staff. It should be seen as any other resource a DCFS

family can be provided. For instance, if a social worker determines a child needs day care or a family can benefit from a homemaker, psychological counseling, drug treatment, etc. there is no eligibility test. The clinical judgement of the worker should be sufficient. The collection of this data is expensive and the forms completion is time consuming for workers and supervisors whose time is critical to providing service for children and their families. Certification does nothing to enhance sound social work practice. While we have used this procedure as a measurement, the monitor can develop another way of determining this. Certification itself serves no purpose other than to identify families who potentially may need service. The real issue is the living circumstances of the family which need cash assistance and other services in order to prevent placement or to be reunited.

With the POS redesign and the lack of understanding of the *Norman* by many of the private agencies it is recommended the POS agencies have certification for the next year until they are knowledgeable of the appropriate use of these funds and programs.

**2. Conclusion:**

- a. Downstate regions are in compliance.
- b. Cook County is in non-compliance.
- c. Northern Region is in partial compliance.

**3. Data Source:**

- a. Monitors' random sample review of "02" records from the
- b. Northern and Cook Regions, January, 1996;
- c. All DCFS CFCM 4610, CFCM 4625 certification data.

**4. Recommendations:**

- a. DCFS should consider eliminating the certification process.
- b. That POS agencies establish certification for families for a one year period until they are knowledgeable about the appropriate use of *Norman* funds and programs.
- c. The issue of indicating inadequate shelter, food, and clothing and environmental neglect becomes highly significant indicated in investigatory report findings.
- d. The Department review the use of permanent relative home and permanent foster care as permanency goals.

**B. Whether defendant is providing timely and sufficient cash assistance  
eligible class members. [Paragraph 5]**

**1. Findings and Discussion:**

Direct cash assistance to families for the 1995 calendar year was \$930,014. (First semi-annual period was \$437,617 and the second was \$492,397.) This represents the eighth and ninth semi-annual periods of the monitoring. Table V depicts the original regions and the amount spent (Also, see Appendix H.). The total expenditure for calendar year 1994 was \$825,000 reflecting a \$105,000 increase in 1995. This data was collected from the manually kept logs of the *Norman* Regional Liaisons and others. Cook County cannot be compared by regions because during this period Cook County consolidated from four regions to three.

**TABLE V  
Comparison of Cash Expenditures-Periods 8 and 9  
Calendar Year 1995  
by original region and percent of state**

<b>REGION</b>	<b>CASH 8TH</b>	<b>STATE %</b>	<b>CASH 9TH</b>	<b>STATE %</b>
<b>Rockford</b>	\$ 38,202	9%	\$ 42,263	8.5%
<b>Peoria</b>	\$ 24,040	5%	\$ 51,207	10.5%
<b>Aurora</b>	\$ 22,912	5%	\$ 25,557	5.0%
<b>Springfield</b>	\$ 26,666	6%	\$ 32,142	6.5%
<b>Champaign</b>	\$ 36,231	8%	\$ 51,872	10.5%
<b>E. St. Louis</b>	\$ 46,343	11%	\$ 38,702	17.0%
<b>Marion</b>	\$ 13,610	3%	\$ 38,702	8.0%
<b>Downstate Total</b>	<b>\$208,004</b>	<b>48%</b>	<b>\$325,631</b>	<b>66%</b>
<b>Cook, Other</b>	-	-	\$ 23,890	5%
<b>Cook, North</b>	-	-	\$ 17,466	3.5%
<b>Cook, Central</b>	-	-	\$ 77,225	15.5%
<b>Cook, South</b>	-	-	\$ 48,185	10 %
<b>Total Cook</b>	<b>\$229,613</b>	<b>52%</b>	<b>\$166,766</b>	<b>34%</b>
<b>STATE TOTAL</b>	<b>\$437,617</b>	<b>100%</b>	<b>\$492,397</b>	<b>100%</b>

Downstate increased cash assistance in that comparable period (eighth period to ninth period) by \$117,627 while Cook County decreased their cash assistance expenditure by \$62,847. The most dramatic increases in percentage of statewide expenditures occurred in Peoria (from 5% to 10.5%), E. St. Louis (from 11% to 17%) and Marion (from 3% to 8%). These percentage increases are, of course, influenced by the dramatic decrease in Cook County.

Receiving accurate data regarding the exact amount of cash assistance spent, whether it was provided for placement prevention efforts or for reunification and the purpose of the grant (i.e. shelter, furniture, utilities) remains problematic. The Monitor continues to rely on the *Norman* regional liaisons logs for this information. Beginning July 1, 1995 supervisors were given the authority to approve cash assistance up to \$800 and to make referrals for Housing Advocacy Program services and for expedited DPA benefits. The massive training effort this required made this policy implementation occur gradually. Some supervisors are not keeping the manual logs, from which the purpose and type of expenditure was gathered. It is probable that this type accounting will not be possible again until the implementation of the *Automated Cash Assistance System* scheduled to begin July 1, 1996. When supervisors were trained they were informed to keep their own manual log of cash assistance approvals. Hopefully, these supervisors have retained the forms sent to request money so that all funds approved can be entered into the System from January 1, 1996 to December 31, 1996 to show the purpose for and type of every cash expenditure approved.

In drawing inferences about amounts of expenditures between Downstate and Cook, it is of value to note the number of children who came into the custody or guardianship of DCFS who were from families eligible for public assistance at the time of placement. This is one indicator of the children being placed whose families were poor and could potentially be eligible for *Norman* services at the time of reunification. Please refer to Table VI for details. The percentage of monies spent in Cook dramatically decreased in this report year, particularly during the last six month period (See Table V). Cook clearly has the largest percentage of placed children from poor families (77% of the state wide children in placement See Table VI. ) It is logical to expect larger expenditures of money for the 77% of the placed children in the state than a smaller expenditure, which was the case in Cook in 1995, representing only 43% of the state wide expenditure. While it is a clear indication of under-utilization of direct cash assistance in Cook County, other factors that created a disruptive effect might include: 1) Cook County reorganized staff from four regions into three; 2) many new supervisors were hired; 3) a large number of Cook County supervisors were out of their offices at least two days per week completing their graduate studies in social work; 4) all supervisors were not fully trained until the end of the reporting period; 5) new *Norman* Liaisons were named meaning that all expenditure might not have been properly recorded (See Appendix K for names of all *Norman* Liaisons) and 6) the Automated Cash Assistance System was not in operation and is not now slated to begin operation until July 1, 1996. Because of the many changes it is highly probable that monies were

spent and not recorded. However, another requirement of the Consent Decree is to keep accurate records so that program evaluation can be made.

**TABLE VI**  
**Title IV-E Eligible Children In Placement**  
**By Region**  
**December 31, 1995**

REGION	# OF CHILDREN	% OF STATE
1A-Rockford	981	2%
1B-Peoria	1,901	4%
2A-Aurora	2,053	5%
3A Springfield	1,290	3%
3A-Champaign	2,138	5%
4A-E.St. Louis	1,540	3%
5A-Marion	625	1%
Downstate	10,528	23%
6A-Cook Adm.	7,136	16%
6B-Cook North	7,901	17.5%
6C Cook Central	7,972	17.5%
6D-Cook South	11,606	26%
Cook County Total	34,615	77%
STATEWIDE TOTAL	45,143	100%

Data Source: DCFSFFPD 1/16/96

Another correlation that is emerging is most positive. Those regions that use *Norman* cash assistance the most are those with the highest return home rates for children. For example, the Southern Region, East St. Louis, has been at almost zero rate of growth for children in placement. This means they conduct permanent planning for the children in care and serve the new children coming into the system without an overall growth to the placement caseload. They also have a large in-home services caseload. This adds a logical variation to the correlation; there seems to be a one to two correlation between use of *Norman* funds (as one) and a lack of growth of

placement cases but a growth of children served in their own homes (as two). According to Norman Jacobs, Assistant Administrator for the Southern Region, the lack of overall growth of children in foster care is largely due to the use of *Norman* programs and funds.

A major problem is the lack of cash flow available to the cash assistance agencies discussed earlier in this report. This problem has occurred at the beginning of all previous fiscal years and then periodically throughout the year. Usually the *Norman* Regional Liaisons are able to determine which agency has money and refers all requests to that agency; the referrals then go to the other agencies as they begin to receive money and they suffer a "run" until their funds are depleted. It is largely a "domino" effect. This should not occur when all agencies are stabilized with funds. However, as might be expected with this type of situation in place, on a few occasions in Cook County it has been reported that all cash assistance agencies were out of money at the same time. An example occurred in 1995, when, at a HAP meeting in Chicago on December 11, 1995, the HAP agencies reported they had been out of money since approximately mid-November and could not write checks. At this meeting one of the DCFS administrators reported families going into placement because of lack of monies. Subsequently, cash assistance agencies reported lost housing because they could not write checks. The Housing Specialist and the head of the Office of Litigation Management determined one agency, CEDA, an infrequently used County agency, had \$10,000 and checks could be immediately written. A memo was sent to all liaisons the next day to that effect. Unfortunately, some of the liaisons claim they never received the memo; others stated they received it several days later; some supervisors stated the word never reached them although they were the persons approving the cash assistance at that time. It was discovered that another agency had money in the HAP program contract at that time but they contended they could not write any more checks because they risked not meeting their payroll if the reimbursement check were not received on time. While it is fortunate that agencies who handle cash assistance can make funds available quickly once a request is made, it is unfortunate that agencies who request funds from the Department have had to wait at least six weeks for those funds<sup>1</sup>. It normally takes weeks for a voucher to be processed. Also, DCFS can process a check but the release of the check is controlled by the State Comptroller's Office which is beyond DCFS's control. Unfortunately, the cash assistance system must allow for these realities.

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<sup>1</sup> For example, Sullivan House "walked" a request to DCFS on 9/11/95. They received the \$50,000 requested on 10/24/95 (6 weeks later) and in one day, after receiving that amount, wrote \$17,000 worth of checks. On 11/8/95 they filed another request for \$50,000 and on 12/15/95, when the Norman Liaison contacted them, they had not yet received the money.



In this particularly troublesome time, money did not reach the agencies until after Christmas; it was only after immediate and extraordinary efforts by the staff of the Office of Litigation Management, consuming countless hours, that the situation was remedied. Besides the obvious, there are a number of other reasons why this situation cannot continue to occur. Only three will be noted here. First, with six agencies in Chicago, individual supervisors may call several and, not finding funds, become discouraged at this time consuming task and give up. Frequently, one of the agencies might have adequate funds but are not called. Secondly, it becomes impossible for individual agencies to make budget projections because requests for their dollars surge when another agency is out of money. The third problem is that sometimes agencies who have money have refused to write checks for other areas because of their concern they will run out and have no money for their own HAP contract clients when they need it. Also, Bobbie Evans, who had been the statewide *Norman* Regional Liaison, had left that position in November, 1995 until then she had been the person responsible for troubleshooting these cash assistance problems which may explain why the Department was not on top of the situation. This is even more reason why the Automated Cash Assistance System is critical, it will not rely on individual situations to drive the system. See Appendix L. for the cash assistance agencies statewide.

DCFS has been aware of all of these problems and made a commitment to rectifying the problem. The *Norman Cash Management System* has been in the development stage for almost two years and is to become fully operational on July 1, 1996. This system allows supervisors to data enter all cash assistance requests while eliminating additional paperwork; it automatically keeps track of monies encumbered by contract and immediately supplies information when the agency has reached a \$10,000 level so that more monies can be issued to the agency.

Many problems occur because of a lack of communication between the Department and the contract agencies. Just before the period when no agency had funds in Cook, supervisors had been approved to sign for Norman Funds. This had been a recommendation of the Monitor and had the desired effect of identifying cases and approving expenditures more quickly for the most effective results. It's difficult to believe there could be a "downside" to this but, unfortunately, there was. The Department had failed to notify the agencies about the new authorized signatures and when requests were received, there was a confusion at the agencies who wrote checks. Fortunately, the agencies honored the request but certainly put themselves in jeopardy of being accused of expending funds with unauthorized signatures. In addition to this problem, the agencies might have been able to at least prepare for the increase in requests since it is probable that with supervisors being able to approve requests, a certain increase did result.

The above situation clearly shows the lack of communication between the Department and their contract agencies. Another example of this was when Bobbie Evans was transferred and no longer was the liaison to HAP agencies; not only were the agencies not informed about the change, they weren't given the name of the person who replaced Bobbie. A comment from one agency person says it all, "The burden is always on agencies working with D.C.F.S. to figure out what is going on there".

**2. Conclusion:**

Downstate is in compliance.  
Cook County is out of compliance.

**3. Data Source:**

*Norman* Liaisons cash assistance logs. Interviews with staff of Office of Litigation Management.

**4. Recommendations:**

- a. HAP program and cash assistance monies are not co-mingled into one contract. Instead there could be two separate contracts. This will help ensure that funds are not depleted to lower than \$10,000. This should be done for FY'97, at least until the Automated Cash Assistance System is running, tested and identified problems are corrected, since unpredictable problems always occurs in any new system.
- b. That Contracts for HAP and cash assistance agencies be completed well before the beginning of the fiscal year, July 1, 1996.
- c. One contract person write all of these contracts which could help in coordination. That the contract negotiator be in close communication with the OLM.
- d. The Statewide *Norman* Liaison continue bi-monthly contact with all Cook County cash assistance agencies to assess current status of each agency about their cash on hand and to expedite processing of vouchers, when necessary, and to notify the field offices immediately where funds are available if any agency has depleted their funds.
- e. DCFS should ensure that all agencies have sufficient monies



to carry them until FY'97 vouchers can be processed.

- f. DCFS require all cash assistance approved in from January 1, 1996 to June 30, 1996 be entered into the Automated Cash Assistance System to ensure that the accounting for these expenditures are not lost to the system.
- g. All current print outs on cash assistance record individual amounts for each region but don't total them. The *Automated Cash Assistance* System must be set up to total individual amount figures for each region both Downstate and in Cook. This means writing the program to produce totals of figures entered both vertically and horizontally. The print out should generate the individual totals and the grant total for each region for at least the following: the amount of cash assistance spent, the number of families families receiving cash assistance for a) placement prevention or b) reunification and a break down of each type of expenditure (for which coding is done) such as security deposit, first month rent, furniture, utilities, etc.  
A summary sheet should also be generated that shows one sub-total for all Downstate Regions and one sub-total for all Cook County Regions and a State-Wide Grand Total.
- h. That along with regularly scheduled sessions for training supervisors in the Automated Cash Assistance System, regularly scheduled make-up sessions for that purpose be set up to ensure that all supervisors have the opportunity to be trained.
- i. DCFS hold a statewide *Norman* Liaisons meeting in September or October with major agenda items the automated cash assistance system, the discussion of any problems and to discuss the progress of the expedited AFDC checks and food stamps situation.
- j. Ongoing training of *Norman* programs is essential for field staff within DCFS and with POS agencies.
- k. Communication between the Department and their Contract Agencies must improve. The handling of this should be

assigned to a person in DCFS who is well identified to the agencies.

1. That DCFS consider training a specific person or persons in the POS agencies to approve cash assistance up to \$800 for their staff. For higher amounts then *Norman* Regional Liaison must approve.

**C. Whether defendant is making reasonable efforts to prevent removal and to reunify families of class members by provision of hard services as defined in [Paragraphs 1 & 4]**

**1. Findings and Discussion:**

The Department takes exception to the conclusion that Cook County was in non-compliance with this issue in the last report; it is true, our surveys have determined that DCFS was making certain reasonable efforts and that services were being provided. The finding was based upon the fact the while providing a service complies with providing reasonable efforts, reasonable efforts alone does not give the outcome measures of whether children are returning home within an appropriate time frame, especially when compared with other regions. Reasonable efforts are to be provided for a purpose, not an end in themselves. The Monitors' Fourth Report dated August 23, 1993, states on page 23, "Review of case records has consistently shown some level of services are being provided to clients. Case files however, are often incomplete, or in some instances, information is vague and sketchy. Therefore, it is difficult to determine the level of service provision. When reviewing records, the determination was made that reasonable efforts existed if any services were being provided, not necessarily a clinical judgement about the appropriateness of those services." Outcome measures such as reasonable efforts which resulted in permanent planning for children was not a standard used at that time.

The Department took exception to the finding that Cook County was out of compliance with reasonable efforts to prevent placements and to reunify families. Other regions in the state were able to make permanent plans for children at a higher rate. While there are demographic differences and other variables between Cook County Regions and most other Downstate Regions, the disparity between Cook and Downstate was significant. One criteria for this comparison might be the rate of incidence of Child Abuse/Neglect Reporting. The DCFS *Fiscal Year 1995: Child Abuse and Neglect Annual Report Preview* indicates that E. St. Louis Region, which has the most similar demographic make up and some of the same variables as Cook County, has the

highest reporting rate of 49% while Cook County's was 45.5%. Table II compares the total number of children returned home with the number of children returned home from *Norman* certified families.

The *Executive Statistical Summary - January 1996* Prepared by: DCFS Office of Quality Assurance indicates some encouraging statistics regarding permanent planning. The open family cases has increased by 8.4% from the past year, while child cases have increased 10%. The end of FY'95 statistics showed a substitute care growth of 20%. The number of wards adopted in the first seven months of FY'96 was 914 which is a 37.2% increase from the previous fiscal year. The *Executive Summary - Five Year-Trend Report: Fiscal Years 1990-1994* indicates a 98% increase of children in care from 1990 (22,509) to FY'94 (44,517). The Department states the recommendations made in the *Sixth Monitoring Report* were outside the scope of the *Norman* Consent Decree. However, the Monitor contends class members are effected and therefore they were within the purview. At any rate, the programmatic recommendations made are being addressed by the Department. For instance, timely permanent planning efforts are being addressed by the Best Practices document and the development of training curriculum. Also, issues of timely provision emergency services and a return to a more social work orientation to Child Abuse/Neglect investigations is addressed in the Front End Redesign. The beginning of this initiative is found in *From Child Protective Services to Family Intervention: Redesigning the Front Door* Concept Paper. (Appendix B.)

From 1990 to 1994 out of home placements in Cook County increased by 126% while the downstate increase during the same time period was 44%. The current estimated out of home care caseload over 50,000 however, the last few months has shown a 12% increase in placements. While these statistics are encouraging the outcome goal of reasonable efforts is to increase the permanent planning for children. In Cook County much work on the planned changes is required before significant improvements will be noted.

## **2. Conclusion:**

- a. Evidence is that Cook County is coming into compliance.
- a. Downstate is in compliance.

## **3. Data Source:**

- a. Various DCFS statistical reports.
- b. Upfront Redesign Committee, Practices Committee

#### **4. Recommendations:**

- a. The Department continue its reform efforts to increase the clinical skills of its staff and developing best practices initiatives.
- b. The protocol for filing petitions in Cook County be completed and implemented.

#### **D. The status of defendants efforts to implement and utilize the guidelines for caseworkers' initiation of court action mandated by Paragraph 9(c) (i.e. timeliness guidelines for the caseworkers initiation of court action or reunification. [Paragraph 9(c),(f)]**

##### **1. Findings and Discussion:**

There continues to be concern by the Plaintiffs' Counsel regarding the proper use, especially in Cook County, of the Juvenile Court to expedite the return home of children. This has been an issue since the first monitoring period. Policies established for implementation of the Consent Decree states that if the living circumstances are the primary factor preventing the return home of child, the achievement time frame for return home is 30 to 60 days. However, if the need can be alleviated within a much shorter time period, the worker shall immediately begin the process of petitioning the court for return home of the child. This policy has been in existence since the 1993. DCFS has, in the past, agreed that this is a problem in Cook County.

The Agreed Order entered into March 10, 1995 states in Paragraph 4, " By July 1, 1995, defendant will develop and implement a plan for Cook County providing for DCFS to:

- (a) actively initiate petitions in Cook County Juvenile Court to return class members' children home and further family reunification, seek prompt, timely hearings of such petitions and initiate other related activity as required by paragraph 9 (f) of the Consent Order; and
- (b) provide screening of cases for compliance with the Consent Order prior to DCFS staff initiating legal action.

This plan will be submitted to the plaintiffs' counsel and the Monitor for their review and comment within 90 days of the entry of this Order."

While DCFS indicates they have had ongoing contact with the Cook County Juvenile Court, it is the monitor's understanding that they are still in the process of developing a protocol. Presiding Judge Salyers has been very cooperative with the Department. Under Judge Salyers administration The Citizen's Committee of

the Cook County Juvenile Court has sponsored several lunch and learn programs for the judges at the court. The Monitors attended one of those sessions in December, 1995, for a discussion regarding the *Norman* Consent Decree. Several of the Juvenile Court Judges expressed concern at this time that *Norman* programs were not being implemented to the extent they should. Several of the judges said that with many new DCFS staff on board, they had to inform the workers of the *Norman* resources.

The issue of developing a protocol with the Cook County Juvenile Court to initiate petitions for children's return home remains unresolved to date. The Department has hired four attorneys and plans to add two more to be assigned in the Cook County field offices to advise and counsel social workers for pre-screening of children's cases for adoption and for reunification. The Department is in the process of developing a protocol for initiating petitions for return home and for termination of parental rights. Plaintiffs' attorneys have been involved in an initial review of the protocol. The attorneys have already begin regularly scheduled training sessions in each of the Cook County field offices on Cook County Juvenile Court procedures and training on other legal issues related to their work in child welfare. This is a creative and innovative move toward helping staff help their clients through the Juvenile Court system. When these plans are fully implemented, DCFS should be in compliance with this provision of the *Norman* Consent Decree. However, since the protocol is not yet finalized or implemented DCFS is not in compliance.

**2. Conclusion:**

Cook County DCFS is in non-compliance in Cook County.

**3. Data Source:**

- a. Plaintiffs' Counsel and DCFS Counsel Nancy Eisenhauser.
- b. Nancy Katz, DCFS legal counsel, Cook County Juvenile Court.
- c. The *Agreed Order* entered February 27, 1995

**4. Recommendations:**

- a. That DCFS complete its protocol for the initiating of return home petitions in Cook County Juvenile Court.
- b. That DCFS share a copy of the protocol before finalization with the Monitor and with the Plaintiffs' Attorneys in order to allow input.

**E. Whether DCFS workers and case reviewers are sufficiently trained on the policies, procedures and rules related to the implementation of this Order [Paragraph 12].**

**1. Findings and Discussion:**

Training has been included in the Core training curriculum of the Department. As stated in the Department's *Response To The Sixth Monitoring Report, January 1 - December 31, 1994*, December 11, 1995, page 4, all supervisors in the Department were trained as a result of the change in procedures to allow supervisors to certify families, approve cash assistance up to \$800, refer families to HAP agencies and to directly access expedited AFDC checks. Currently the Housing Specialist is training all supervisors statewide on the use of the new Automatic Cash Assistance Program. It is somewhat ironic that immediately after the Department approved supervisors to sign for cash assistance, bringing the process closer to the Direct Service Worker, a massive transfer of cases to private agencies occurs; this takes the process of requesting cash assistance out of the Department's control and necessitates the development of a new system to insure private agencies' access to *Norman* resources. It might be recommended that each agency location have a list of supervisors at the Department who serve the same LANs sites to whom they might FAX the same form used by DCFS workers following approval by the private agency supervisor. That receiving DCFS supervisor would approve the request and data enter it into the Automated System; the private agency worker handling the case would then be advised to pick up the check from the agency that supplies the cash.

While the use of *Norman* programs were included in the training for Purchase of Service agencies it is obvious that more training is now needed, especially for private agency supervisors. No training has occurred of the private agencies on the Automated Cash Assistance Program. At present, POS agencies do not have access to the Department's computer system and a decision is needed to determine what method would be more effective for POS agencies to access referrals and funds. As the procedures develops, on-going training will be essential. Mr. Egan conducted Training of Chicago HAP workers and the Cook County *Norman* Liaisons regarding the operations and services of the Chicago Housing Authority occurred.

**2. Conclusion:**

DCFS is in compliance.

**3. Data Source:**

DCFS *Response To The Sixth Monitoring Report, January 1 - December 31, 1994, December 11, 1995.*

Discussion with OLM staff, as well as *Norman* Regional Liaisons and supervisors and direct service staff.



#### **4. Recommendations:**

While DCFS is in compliance the following is recommended in order to ensure continued improvement in the use of the programs:

- a. Continue the training of DFCS supervisors on the use of automated cash assistance system.
- b. Develop a more comprehensive training of private agency staff on the *Norman* programs and how to access them.

**F. Whether the policies, procedures, and rule related to the terms of this Order are being properly applied and enforced through the administrative review process and the review provided in paragraph 13 (b) including whether children who are to be returned home by a set date have been returned home, and if not, whether the failure to return such children home results from non-compliance with the terms of this Order. [Paragraph 4, 9(a), 13]**

#### **1. Findings and Discussion:**

The ACR continue to be the major certifier of *Norman* families although this is expected to decrease as supervisors can certify when living circumstances of a family are a barrier to the family regaining custody of their children. The ACR occurs every six months for children in substitute care and they are to ensure that all of the terms of this Consent Decree are followed. Quarterly reports are submitted to the Monitor which document the name of the client, the reason for involvement with the family, which requirements relate the parents' living circumstances which have been imposed in a service plan or otherwise, whether the parents' living circumstances are an obstacle to family preservation or reunification, the services or referrals, if any, provided by DCFS to correct the problem and the date on which any child in DCFS custody has returned or is projected to return home or a statement why return home is not the goal for the child.

ACR is also to conduct an special review of all children in *Norman* certified families when they do not return home on the projected date. The new automated ACR system provides an automatic tickler system to trigger these reviews. These reviews are being held. ACR staff think social workers continue to have a tendency to mark the next scheduled six month review however, this situation has improved. For most of the *Norman* children who have not returned home as scheduled, the reason tends to be due to things other than conditions of the living environment; often it is because of very special housing needs of the family. An example is a family finally housed last month with extraordinary housing needs. The wheelchair bound

mother was living in a nursing home because she had no adequate housing; her four teenage children were ready for return home, two of whom were in residential care. The mother, who received SSI, needed low income handicapped accessible housing. There is a dearth of housing for the disabled at any cost, it took extensive efforts by the HAP agency and the POS agency staffs finally working with the local governmental officials to secure low income housing for this family. Without the *Norman* funds this reunification would have been unlikely because of the special needs of this mother. The savings of the nursing home costs of the mother, the regular foster care of two children and the cost of residential care for two others is an example of the cost savings of this program in tax dollars but more importantly to the quality of life of this family. It took over a year to secure this housing after the scheduled return home date due to these conditions.

While there continues to be problems of children staying in the system longer than necessary especially in Cook County, the case review process helps to speed up even a very slow system. As the Department mentions in their response to the Sixth report other entities effect the return home of children such as the Cook County Juvenile Court which often makes excessive requirements, sometimes by the Guardian Ad Litem office, etc.

**2. Conclusion:**

DCFS is in compliance.

**3. Data Source:**

ACR automated report, interviews with several ACR and staff.

**4. Recommendation:**

None

**G. Whether class members are provided the full notice  
and appeal rights provided by the Order. [Paragraph 10]**

**1. Findings and Discussion:**

This notification of the clients rights to appeal is part of the Automated Cash Assistance System. Also automated is the ACR system therefore, if parents attend the ACR they are made aware of their Notice to Appeal. At the time of placement parents are given the Parent's Handbook.

**2. Conclusion:**

DCFS is in compliance.

**3. Data Source:**

Review of ACR printouts, review of Automated Cash Assistance System.

**4. Recommendation:**

None

**H. Whether defendant is making good faith efforts to reach necessary interagency agreements and to maximize funding and resources for hard services to class members. [Paragraph 5(c), 6(a), 7]**

**1. Findings and Discussion:**

The housing specialist has already sent letters to 63 housing authorities inviting them join with DCFS for more unification funds for FY'97. Family Unification Funds have been awarded to the housing authorities and DCFS in Champaign, East St. Louis, Waukegan, and Cook County. There is an agreement with the Chicago Housing Authority and meetings did occur during this past reporting period, one of which included Director Jess McDonald. This agreement needs continued attention in the future to ensure maximum utilization. Some areas of the state have entered into agreements while other areas of the state report the lack of cooperation from their local housing authority. As DCFS has stated in their response, they can only enter into agreements with parties who are willing to do so. Many smaller communities have good working relationships between the staff of both agencies and see no need for a formal agreement. However, better working relationships need to be developed in some areas of the State.

**2. Conclusion:**

DCFS is in compliance

**3. Data Source:**

John Cheney-Egan, DCFS housing specialist.

**4. Recommendation:**

None

**I. Whether DCFS is taking all necessary steps to maximize payment of DPA benefits to eligible persons. [Paragraph 6(b)]**

**1. Findings and Discussion:**

During the past year DCFS has referred 52 families, DPA scheduled 43 appointments with 37 interviews held for expedited AFDC benefits. This compares to 25 families referred and 19 interviews held for the previous year.

The agreement between the Illinois Department of Public Aid, DCFS provides for money to be available at the time the children return home. Normal channels means a process of several weeks before the monies are available. This is a valuable resource to help families adjust to the reunification process. The purpose of this agreement is to ensure that eligible families have AFDC checks and food stamps on the day the children return home from substitute care. This is extremely important for poor families in order to help stabilize the reunification process and lessen the financial stress.

For mothers not currently receiving AFDC benefits but who might be eligible if the children were not in placement, the Child Welfare Supervisor must contact the DPA liaison at least 30 days before a firm return home date. If the family qualifies the check will be available on the day the children return home.

For families already receiving AFDC benefits a decision to approve or deny the request must be made within five (5) working days and authorization for the assistance must be initiated within two (2) working days. If eligible, the family will have the first months check and food stamps on the date the children return home. Previous to this agreement families had to utilize the regular application process which can take many weeks and can jeopardize the stability of the family reunification process.

During the past year 993 children from *Norman* certified families returned home. This represents over 476 families. While every family certified may not require funds in order to more quickly facilitate the return home; with over 75% of the families in Cook County eligible for Title IV-E funds at the time of placement one can only deduct that many more families are potentially in need of these funds.

When DCFS has determined a family is threatened with separation because of poverty and the children are in danger of foster care placement, DPA can authorize special assistance. In this case the family must file a written application to DPA by way of DCFS. The financial payment can be approved for rent, food, clothing, household supplies and household furnishings.

This situation does not provide for the immediate provision of monies when the placement of children is imminent. Therefore, this Consent Decree allows for immediate cash monies from cash assistance agencies with whom DCFS has a contract, which is paid directly to vendors in order to prevent placement. The current cash assistance programs are designed to issue checks within twenty-four hours.

Another agreement between DCFS and DPA is the continuance of the adult only portion of the AFDC grant. Under current policy children who are taken into DCFS temporary custody must be removed from the AFDC grant. However, if DCFS anticipates the children can return home within 90 days they can authorize the adult-only portion of the grant to continue if no other children reside in the home.

While retaining the adult only portion of the grant is a great stride forward, it has been discussed between Plaintiffs' Counsel and the Defendants, on several occasions, the possibility of requesting a federal waiver for federal reimbursement for preservation of the entire AFDC grant 30 days prior to reunification and during the 90 days after placement. Plaintiffs' Counsel concern is the prevention of homelessness which could once again delay the return home of children.

The DCFS response to the last monitoring report indicates the monitor partially found DCFS in non-compliance due to the lack of a request for a federal waiver. The Monitor's report only indicated the opinion of partial compliance rather than non-compliance on this issue.

Non-compliance was found on the issue of utilizing expedited AFDC benefits for the reunification of children in substitute care based on the data provided. DPA speculates that this procedure is known to staff in both Departments and the expedited process may in fact occur without the knowledge of the Central Offices. Due to other issues of non-compliance the Monitor finds it unlikely that the expedited process is occurring at the rate it should. The Monitor's interviews with liaisons and staff supports the finding that it is not being utilized to anywhere near the extent it could be, although the Monitor agrees it may be occurring in some instances. Supporting documentation is necessary to find DCFS in compliance on this issue since none of the information of the Monitor supports any significant use of an expedited AFDC process. The Purchase of Service Design will also effect this process since many private agency personnel are unaware of this resource. *Norman* issues were mentioned in the POS redesign training however, more is needed for the large private agency staff to fully understand and integrate this process into their case planning. Of course, the ACR staff reviews all children in private agency foster homes which provides a check point on this issue.

**2. Conclusion:**

DCFS is in non-compliance in the utilization of expedited AFDC benefits to families whose children are re-unified.

**3. Data Source:**

*Statewide Report of DCFS Norman (Reunification) Cases: Year-to-Date -- 1995* Prepared by Program Management Section (Norm 1994), Illinois Department of Public Aid, January 10, 1996, interviews with OLM staff and DCFS field staff.

**4. Recommendations:**

- a. More training of staff at all levels including private agency staff.
- b. DCFS needs to develop a more efficient way for purchase of service agencies providing full service to DCFS families access DPA expedited checks once the are aware of the resource other than through the Norman Regional Liaisons. DCFS needs to authorize more people in the Department to be responsive to this need.

**J. Whether defendant's risk assessment practices and policies are consistent with the terms of the Order.**

**[Paragraph 1, 4, 9(d)]**

**1. Findings and Discussion:**

In Paragraph 1 of the Consent Order, "risk assessment" is defined as "the process by which DCFS determines whether children can safely remain in or return to the custody of their parents." and in Paragraph 4, 9(d) it states, " DCFS shall establish risk assessment methods dealing with issues of living circumstances that are consistent with the provisions of this Consent Order."

As stated in previous reports of the Monitor DCFS established a Comprehensive Social Assessment process which includes risk assessment. Risk Assessment Factor 4-Environmental Condition of the Home specifically assesses issues of this Consent Decree. Definitions of the ratings for this factor can be seen in Appendix M.

In response to the implementation of a safety assessment protocol, which was mandated by the Illinois legislature PA 88-614 in September, 1994, a multi-disciplinary Child Endangerment Risk Assessment Protocol (CERAP) Advisory Committee was formed. This legislation required that DCFS develop: a standardized child endangerment risk assessment protocol; related training procedures for all DCFS workers and supervisory staff and contract staff; a standardized demonstration of proficiency in the use of the protocol; an evaluation of the reliability and validity of the protocol.

The advisory committee and key DCFS staff developed, with the consultants from the American Humane Association (Children's Division), the Child Endangerment Risk Assessment Protocol. (See Appendix N.) Barbara Shaw, Chairperson of the Domestic Violence Advisory Committee (which was formed as part of this Decree), was a member of this advisory committee as well as the Monitor who also became a certified trainer and helped to train DCFS and private agency staff. Over 6,000 child welfare staff statewide have been trained in this protocol. Of these approximately 90% of the trainees passed the Child Endangerment Risk Assessment Certification Test. The safety plan for children, which is part of this protocol, includes environmental issues and the programs specified in this Decree. All issues pursuant to this Consent Decree are included in these two documents.

**2. Conclusion:**

DCFS is in Compliance

**3. Data Source:**

Membership in the Child Endangerment Risk Assessment Advisory Committee. Training in the Risk Assessment Protocol.

**4. Recommendation:**

None

- K. Whether the decision, if made, that a child cannot be expected to return within 90 days as contemplated by [Paragraph 6(a) (i) (A)] is not being made for reasons of administrative or fiscal convenience.**

**1. Findings and Discussion:**

While the number of children in substitute care has risen to staggering proportions, there is no indication that children are remaining in placement because of any administrative or fiscal convenience.

**2. Conclusion:**

DCFS is in compliance.

**3. Data Source:**

Review of DCFS statistical data from all regions and other DCFS reports and interviews with staff at all levels.

**4. Recommendation:**

None

- L. Whether the liaisons provided to handle the compliance of class counsel are performing in a satisfactory manner. [Paragraph 13(a)]**

**1. Findings and Discussion:**

The person responsible for this function has changed during this reporting period. This function has been delegated to John Cheney-Egan, the housing specialist, and his supervisor, Mary Sue Morsch, who is head of the Office of Litigation Management. While both individuals are extremely competent they both have heavy responsibilities elsewhere. Plaintiffs' Counsel report it would be preferable to have the single person responsible who can be more readily accessible in crisis situations. It always works more smoothly when there is one designated person to handle the many issues from the field related to this Consent Decree. They also contend that to add the responsibility of liaison to Mr. Egan will take time away from his very sensitive position as housing specialist. This is a critical year for the housing specialist as he sets up the FUP programs in the state, seeking new housing authorities Statewide and assists in planning a housing conference. The duties of the Statewide liaison includes approving all cash assistance requests above the maximum amount allowed by regional liaisons, dealing with the many cash assistance issues for over twenty agencies statewide and dealing with questions and complaints statewide.

**2. Conclusion:**

DCFS is in basic compliance.

**3. Data Source:**

Plaintiffs' Counsel and DCFS Office of Litigation staff.

**4. Recommendation:**

That DCFS name another person to serve as backup to Mr. Egan and Ms. Morsch when neither are available or to name a full time person to this function.

**M. Whether the Housing Advocacy Program is successful; [Paragraph 7(a)]**

**1. Findings and Discussion:**

During this reporting period the Housing Specialist has worked vigorously with Housing Advocacy Programs statewide. On July 31, the response to the *Statewide Review of the Housing Advocacy Programs* was submitted. (Appendix O.) Prior to this report, it was not possible to adequately assess the success of the programs because of inadequate data collection. He has changed the reporting requirements of the HAP agencies to DCFS; it is now a single form which will make data collection easier and more reliable. (Appendix P.)

There are currently twenty-one HAP agencies statewide. (Appendix Q.) There were 175 families housed for the last six months of 1995. The new form was not devised until July 1, 1996, also, due to some technical data entry problems, the detailed information on all families referred is not available however, Table VII depicts the activity of the HAP that is available. These numbers approximate the numbers from the Monitors' housing report included in the last monitoring report. At that time the housing specialist was not hired. Since that time he has implemented most of the recommendations of the Monitors' housing report and while there continues to be problems in collecting the data from the HAP agencies there is much improvement in this area.

The HAP programs have been successful in placing referred clients into housing. Since this a new program to the field of child welfare the Monitor suggests the housing specialist begin to develop some criteria from which performance evaluations could be made on the different programs. Now that more realistic reporting requirements from the HAP agencies are in place some initial evaluations can be made. The housing specialist has visited all of the DCFS regions to discuss staff's satisfaction with the HAP agencies performance and to determine future need. Two new agencies will be added beginning July 1, 1996.

**TABLE VII**



**HAP Agencies  
Number of Clients Served**

<b>AGENCY</b>	<b>SERVED</b>	<b>HOUSED</b>	<b>STABILIZED</b>
Bridgeway	9	6	3
Champaign County Regional Planning	21	11	1
Community Economic Dev. Assoc.		1	
Community Home Service Plus		1	
Fifth Renaissance		24	
Habilitative Systems		8	
Lutheran Children & Family Services	30	12	0
SER/Jobs for Progress		1	
Traveler's & Immigrants Aid		49	
Urban League of Metro E. St. Louis	31	19	
<b>Total</b>	<b>91</b>	<b>132</b>	<b>4</b>

- 2. Conclusion:**  
DCFS is in Compliance.
- 3. Data Source:**
  - a. Discussions with the DCFS housing specialist.
  - b. Data reports supplied by DCFS
- 4. Recommendation:**
  - a. DCFS should host or co-host a statewide Housing Conference which has been discussed extensively in previous reports.
  - b. The housing specialist should develop performance criteria for HAP agency evaluations.

**N. Whether the manual of referral services is complete and adequate. [Paragraph 8]**

**1. Findings and Discussion:**

Since the beginning of monitoring, concerns have been raised regarding the accessibility and usability of the Resource Manual originally developed to be in compliance with this Consent Decree. Previous reports have recommended the development of a computerized resource directory. Computerization was considered far too expensive to develop during the five years of monitoring. Finally, it was agreed the original localized resource directory was considered too costly to update because it is a hard copy. Unfortunately, it becomes out of date quickly. Therefore, it was agreed that DCFS would provide various localized hard copy resource directories already available in many of the communities such as those published by United Ways from varied locations. One big omission by DCFS is a lack of communicating to its own staff about the many resources held by DCFS through contractual agreements, especially in Cook County. Staff in this region are not familiar with the Department's own resources developed contractually. The Monitor has deemed the Department at minimal compliance with this section; it is imperative that the Department make available to staff information related to their own resources. As a result the Monitor will take the liberty of making this recommendation.

**2. Conclusion:**

DCFS is in minimal compliance.

**3. Data Source:**

Interviews with Department staff at all levels.

**4. Recommendations:**

a. While DCFS is in basic compliance, it is recommended DCFS develop an automated resource manual. This idea has been recommended by committee members of the Front End Redesign. How this might be accomplished has been discussed in all previous monitoring reports.

b. That DCFS make known, especially to DCFS staff in Cook County, the contractual resources it has developed by the program plans and referral process for service.

**O. Whether DCFS is implementing its protocol for locating absent parents.  
[Paragraph 9(e)]**

**1. Findings and Discussion:**

DCFS has automated the Administrative Case Review system. One element on this review is the question of whether the locating absent parent protocol is being followed. Also, with more emphasis upon terminating parental rights for those children for which it is appropriate, many more diligent searches for absent parents are being made. A recent study in the Bates Consent Decree found an encouraging number of children being returned to non-custodial parents with indications that locating absent parent protocols have been used when children are removed from custodial parents for reasons of abuse and or neglect.

**2. Conclusion:**

DCFS is in compliance.

**3. Data Source:**

DCFS automated case review data. Discussion with ACR staff, social workers, and administrators.

**4. Recommendation:**

None

**P. Whether DCFS is implementing domestic violence policy  
[Paragraph 4(c)]**

**1. Findings and Discussion:**

Barbara Shaw, Executive Director of the Illinois Council for the Prevention of Violence has spearheaded the DCFS Domestic Violence Advisory Committee with the assistance of the DCFS Domestic Violence Specialist, Marion Houston.

They have worked diligently in the development of program plans, training and general awareness of domestic violence which is a major issue affecting the abuse and neglect of children. The literature is replete with the correlation between the two factors. This growing body of research points to a definite link between adult domestic violence and child abuse and the connections are pervasive. Forty-five to seventy percent of battered woman in shelters report that their batterers have also committed some form of child abuse. Even using the conservative figure, child abuse is 15 times more likely to occur in households where adult domestic violence is also present. Women who have been beaten by their spouses are, in turn, reportedly twice as likely as other women to abuse a child. It is also estimated that 3.3 million to 10 million children witness domestic violence each year. Many child witnesses of domestic violence experience increased problems themselves.

A variety of family dynamics are at work in homes where spouse abuse leads to child abuse and neglect. Sometimes a child is the unintended victim when he or she attempts to intervene in an attack on a parent. In other instances, a child is accidentally struck by a blow directed at the mother. However, many other children are deliberate targets in violent households. The severity of wife beating is also predictive of the severity of child abuse, and the manner in which children are abused bears a strong resemblance to the type of maltreatment experienced by their mothers.

For these reasons the work of the DV Task Force is so important. This group has finalized the Domestic Violence Protocol.(Appendix R.) This is a pilot project which will be included in the Department's Front End Redesign pilots. The ICPV and the Department have entered into a contractual agreement whereby ICPV will assist the Department in the development of the Domestic Violence Project. The goal of the project is to integrate domestic violence sensitive policies and procedures within child protection, family preservation, and family support practice. It will also help facilitate coordination between domestic violence service providers and DCFS workers. The ICPV will be working with DCFS on the following tasks during the next year:

- "1. Assisting in the coordination of staffing of the DCFS Domestic Violence Advisory Committee;
2. Assisting in the integration of the Domestic Violence Protocol into the Front-End Redesign pilots;
3. Development of a training curricula for pilot site DCFS supervisors and workers on domestic violence and use of the protocol;
4. Development of data collection methods for measuring incidence of domestic violence in the DCFS caseload and for evaluating supervisor/worker responses to CERAP screening, safety and service planning, and coordination with specialized domestic violence service providers;
5. Development of a training video and curriculum for training of local LANS on domestic violence and its relationship to child protection, family preservation and family support;
6. Development and start-up of a training plan to provide all local LANS on domestic violence training over the next 18 months;
7. Continued participation in various DCFS work groups (Risk Assessment, Family Centered Services, Front-End Redesign, etc.) represents domestic violence issues."

The *Norman* Consent Decree has stated in Paragraph 4 (c) that rather than removing children from the parent's custody based on domestic violence when the child is not in imminent danger, it should refer the parents for services to obtain an order of protection, explore possible alternative housing (e.g. relatives) and locating and transporting the family to a shelter for battered woman. It requires the abused parent receive direct services in order to protect the children. Because of this

Consent Decree the link between domestic violence and child abuse has been further recognized and has brought together members of the child welfare community and the domestic violence community in seeing the abused also as a victim rather than a passive participant in the abuse. It recognizes when the abused seeks help in protecting herself and her children the women will receive help rather than scorn from the child welfare professionals. DCFS has gone far beyond the recognition of the problem and has wholeheartedly supported this effort.

**2. Conclusion:**

DCFS is in full compliance

**3. Data Source:**

Interviews with DCFS Domestic Violence Specialist Marion Houston and Barbara Shaw, Executive Director, Illinois Council on the Prevention of Violence, and attendance at the Domestic Violence Advisory Committee meetings.

**4. Recommendation:**

None

**Q. Whether DCFS has sought all federal funds available to assist class members in obtaining hard services. [paragraph (7)].**

**1. Findings and Discussion:**

Every year DCFS responded to the Notice Of Filing An Application (NOFA) for the Family Unification Program (hereafter FUP). This is an innovative program developed by the Federal government to bring together local housing authorities and child welfare agencies to provide Section 8 certificates to child welfare families. The FUP was authorized by Congress as part of the National Affordable Housing Act of 1990 and received first time funding of \$50 million in 1992 and raised to \$75 million in 1993. The Child Welfare League of American has provided technical assistance to member agencies and to housing authorities to bring together these two local public agencies to administer this new housing subsidy program.

This program was developed because families with children are the fastest growing population among the homeless, accounting for one-third of the nation's homeless population in 1992. This number has only increased in the last 3 1/2 years. The Federal government recognizes that homelessness often results in the unnecessary separation of children. The Family Unification Program provides housing assistance, through the Section 8 program, to families who meet the regular Section 8 eligibility criteria and whose children are at risk of placement in substitute care, or delayed in returning home from care, because of homelessness or severe housing conditions. It is a catalyst for public child welfare agencies and housing authorities to work together to meet the housing needs of families and children and to better understand the links

between housing and child welfare issues.

For the purpose of these funds, the definition of inadequate housing is defined in the regulations of the Family Unification Program as one or any combination of the following: 1) living in substandard housing; 2) homeless; or 3) involuntary displacement from housing units because of actual or threatened violence against a family member. As mentioned earlier, lack of adequate housing is an increasing problem of families in the child welfare system. The monies spent in Illinois during the past year on housing alone was almost \$600,000 which includes security deposits, first months rent, and repairs. When we compare these and other costs of subsistence for families, as has already been stated, the cost savings to the State is approximately \$23 million. The greatest cost savings is to the lives of the children who have been spared the trauma of separation from family and friends. The savings to the psychological development of the children cannot be measured.

The significance of the Section 8 certificates is that it ensures a reduced rent for families in poverty. It is known, with our experience with the Housing Assistance Program, low rents for housing, which families can continue to maintain after the initial assistance to secure the housing, is becoming more and more difficult to obtain. For instance, this spring in Chicago the *Chicago Tribune* had a lead story indicating that rents were going up an average of ten percent. These increases occur on a regular basis and the AFDC grant to the family is remaining basically the same; as housing costs increase, it is taking up the major portion of the AFDC grant. This is forcing many families to move with other families and forcing more families into more and more crowded conditions. The stress of overcrowding itself can lead to the abuse and neglect of children.

Four Illinois areas have received funding for Section 8 certificates: East St. Louis - 50; Waukegan - 50; Champaign - 25; Cook County, excluding the City of Chicago) - 31. John Cheney-Egan, DCFS Housing Specialist has met with all of the housing authorities and DCFS staff in those areas to establish the linkage between the housing authorities and the child welfare families who will be recipients of these certificates.

Mr. Egan has already sent out sixty-three letters to housing authorities throughout Illinois inviting them to join DCFS is applying for Family Unification funds for FY'97. The Federal fiscal year begins October 1, 1997.

**2. Conclusion:**

DCFS is in full compliance.

**3. Data Source:**

Discussions with John Cheney-Egan, Housing Specialist.

**4. Recommendations:**

None

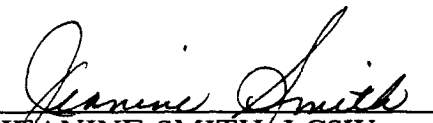
## V. CONCLUSION

Many accomplishments are credited the Department during this reporting period. The approval of supervisors to sign for and approve *Norman* funds and resources and the finalization of the *Automated Cash Assistance Program* are major strides. The addition of the domestic violence specialist and the housing specialist has aided tremendously in the implementation of these programs. Mr. Egan's knowledge of housing has been a tremendous asset resulting in improved services to the HAP agencies. Now that he is involved in the cash assistance issues improvement is expected in that area. The only concern is additional duties will detract from his many duties related to the housing programs.

The Department is to be lauded for entering into this innovative and creative Consent Decree with the LAFC. The Department has been responsive to most of the recommendations of the Monitor in areas needing improvement. Recognizing the problems in the child welfare system, Director McDonald has demonstrated the courage to embark on massive reform efforts to the system. These reforms will effect the positive implementation of the *Norman* Consent Decree. Some of the programs established as a result of this Decree are in full compliance while others are not. There are plans to come into compliance with those areas which are problematic, however, they are in varying degrees of implementation and the outcome results have not yet occurred. Therefore, the Honorable Judge Hart entered a *Memorandum Opinion and Order* on April 11, 1996 (Appendix A) which includes many of these areas to be monitored during the calendar year 1996.

The major issues for this current year are many aspects of the certification and cash assistance system, the expedited AFDC benefits and developing protocol with the Cook County Juvenile Court to expedite the return home of children. The POS Redesign needs to be reviewed as it relates to the *Norman* programs in order to make these services more available to the private sector. The reporting of the cash assistance expenditures by region, downstate, and statewide needs to be developed in compliance with the Decree so that it can be tabulated relative to the amount of monies spent for placement prevention and reunification and the category for which the grants were made (i.e. shelter, furniture, etc.).

The cost effectiveness of this program has been documented with an estimated \$23 million for the past year. Recommendations by the Monitor have been made for those areas needing improvement to help move the Department into compliance with this Consent Decree, these are made in the spirit of providing assistance to the Department.

  
JEANINE SMITH, LCSW

## APPENDICES

<b>A</b>	<b>NORMAN CASH MANAGEMENT SYSTEM:</b> <i>Automated Cash Assistance Program</i>
<b>B</b>	<b>From Child Protective Services to Family Intervention: Redesigning the Front Door: Concept Paper</b>
<b>C</b>	<i>Memorandum Opinion and Order, April 11, 1996</i>
<b>D</b>	<i>A Model of Practice for the Illinois Dept. of Children and Family Services</i>
<b>E</b>	<b>Norman Certification Data: Currently Certified Norman Families, % of State Periods 1-9; Norman Families &amp; Children with 02 Goal; Currently Certified <i>Norman</i> Families Reason &amp; Certifier 9</b>
<b>F</b>	<b>January, 1996 Review of 02 Cases</b>
<b>G</b>	<b>DCP Statewide Review</b>
<b>H</b>	<b><i>Norman</i> Cash Assistance: Purpose of Cash Assistance Periods 8 &amp; 9; Expenses by Prevention/Reunification and Average Expenditure Per Family Per Region 8 &amp; 9</b>
<b>I</b>	<b>Policy Transmittal 95.21</b> <b>Revision to the <i>Norman</i> Procedures</b>
<b>J</b>	<b><i>DCFS</i> Response to Sixth Monitoring Report January 1 - December 31, 1996</b>
<b>K</b>	<b>List of Norman Liaisons</b>
<b>L</b>	<b>List of Cash Assistance Agencies Statewide</b>
<b>M</b>	<b>Risk Assessment Factor 4 - Environmental Conditions of the Home</b>
<b>N</b>	<b>Child Endangerment Risk Assessment Protocol (CERAP)</b> <b>Safety Assessment Form</b>
<b>O</b>	<b>Response to Statewide Review of Housing Advocacy Program</b>
<b>P</b>	<b>List of HAP Agencies Statewide</b>
<b>Q</b>	<b>HAP Closing Form and Draft Request for Cash Assistance /Housing Assistance</b>
<b>R</b>	<b><i>Draft Domestic Violence Protocol</i></b>