

## Proposal calls for new child agency

Plan would give DYFS Cabinet-level status

BY SUSAN K. LIVIO     Star-Ledger Staff     January 04, 2006

Gov.-elect Jon Corzine should back up his commitment to fixing the state's child welfare system by creating a new department dedicated to that task, a group of his transition advisers will recommend.

Creating a new Cabinet-level department would make child welfare "a stronger, more focused state priority," according to a draft of a report the group plans to submit to Corzine next week.

The 19-member child welfare policy group voted yesterday to support the recommendation, according to four sources familiar with the discussions.

The proposal would remove the functions of the troubled Division of Youth and Family Services from the behemoth \$10 billion Department of Human Services.

Within that department, "the child welfare system competes with several other important services systems," the draft report said. "There was a consensus that child and family services needed a stronger presence when policy and fiscal decisions are made."

Advisory group members declined to comment or could not be reached yesterday. Corzine spokesman Andrew Poag refused to discuss any recommendations before the group finished its work.

If Corzine takes the advisory group's advice, he would embrace a move that the McGreevey and Codey administrations have strongly resisted. They have argued that altering the bureaucracy would be too costly and would not guarantee that child protection services would improve.

That stand has frustrated Children's Rights Inc., the national advocacy group that agreed to drop a lawsuit against DYFS when the state agreed to overhaul the agency over five years.

Since October, however, Children's Rights has accused the state of failing to make DYFS better -- in part because the bureaucracy is too big and lumbering to carry out the necessary changes. Children Rights is preparing to argue in court that a federal takeover of the agency is needed, and that it should be given Cabinet status.

"I'm very pleased to hear a group that has Gov.-elect Jon Corzine's trust has looked at this issue and agrees this is what needs to be done," Children's Rights executive director Marcia Robinson Lowry said yesterday.

The mere act of adding a Cabinet-level department that focuses on families "will not ensure an effective and efficient system," the draft report said.

But to let the structure stay the same would preserve an unacceptable status quo. "Children and families cannot access the services they need, (and) front-line staff continues to struggle with limited support," the report said.

The Department of Human Services serves more than 1 million people with disabilities like mental illness and developmental disabilities, people in poverty who rely on welfare, food stamps and Medicaid, as well as mistreated children and their families.

Corzine himself last month called creating a new children's department "a credible option."

"When you have a problem, to break it into a manageable, focused piece of organization or structure is often a way to ... resolve the problem. I'm not committing to that but it certainly has to be examined," Corzine said after a news

conference Dec. 13.

A key member of the Legislature yesterday endorsed the creation of a children's department.

"The Department of Human Services is a \$10 billion empire unto itself, with so many responsibilities, like Medicaid and welfare," said Sen. Joseph Vitale, chairman of the Health and Senior Citizens Committee. "The commissioner and staff try to do the best they can, but with the enormity of the department, it makes sense to break (children's services) out."

Corzine's child welfare advisory group is led by the Rev. Darrell L. Armstrong, pastor of Shiloh Baptist Church in Trenton; Cecilia Zalkind, executive director of the Association for Children of New Jersey, a statewide advocacy group; and Robert L. Johnson, M.D., professor and interim dean of the New Jersey Medical School.

Staff writer Jeff Whelan contributed to this report. © 2006 The Star Ledger

## **Reports Say New Jersey Falls Short of Child Welfare Goals**

By TINA KELLEY *NEW YORK TIMES* January 7, 2006

A report by the New Jersey child advocate has found that the state provided insufficient help to young adults preparing to leave foster care, and did not visit them as frequently as its policies require. Another report has found shortcomings in how the state handles cases of child abuse and neglect.

In one of the two reports, which were released yesterday, the random sampling of 68 cases of 15-year-old foster children - 10 percent of that population as of May 15, 2005 - showed that teenagers in foster care are frequently shuffled from place to place. The average stay in state care is 3 ½ years, with teenagers placed in four homes and assigned to four different caseworkers.

The problems of children aging out of the foster care system when they become adults have received increasing attention nationally. In New Jersey, as the child welfare system is undergoing a \$320 million court-ordered overhaul, the first report noted encouraging improvements, including the addition of 123 beds in facilities for such teenagers, and the policy of providing services to young people until they are 21.

Those expanded services, the report said, will "place New Jersey at the forefront of efforts nationally to care for adolescents in foster care."

Andy Williams, a spokesman for the Department of Human Services, said the number of adolescents leaving state custody to an adoptive family or to a relative who is a legal guardian had more than tripled, to 194 in 2005 from 62 in 2003. And the number of adolescents receiving services past their 18th birthdays almost tripled last year, he said, to 2,483 this month from 870 a year ago.

But the report found that, in the cases reviewed, the state failed to develop meaningful plans to help teenagers in foster care make the transition to independence. Only 31 percent of the young people got instruction in life skills like job hunting, managing money, finding housing, and driving, the child advocate said.

The state's caseworkers complied with their visiting schedule for the 15-year-olds only 57 percent of the time. And during those visits, according to the files studied, almost 30 percent of the time, caseworkers did not discuss the teenagers' goals and progress toward achieving them.

Mr. Williams said new contracts for groups serving adolescents will require that life skills be taught.

In the second report, the child advocate's office reported that far too often the state had failed to follow its own procedures in managing child abuse and neglect cases.

The report looked at 269 children in 124 families, who were randomly selected from the 1,241 families who entered the Division of Youth and Family Services system in the first three months of 2004 and stayed in it at least through last June. Some of those cases were opened as early as six months before the state's child welfare reform plan was introduced in June 2004.

The report found that in 29 percent of the cases studied, assessments of child safety were not done, potentially leaving children in harm's way. Only 12 percent of the families received all the services they required, and the division planned well for only 9.7 percent of the families.

"At the dawn of a new administration, we hope the stories of kids and families who have endured this system over the last two years will resonate in a way that directs political will and attention to their needs," said Kevin M. Ryan, the state's child advocate.

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## **NJ DYFS Reform Glance** By The Associated Press 1/6/2006

(AP) — The New Jersey Office of the Child Advocate on Friday released two audits of the Division of Youth and Family Services.

Among the major findings:

Study: *"Adolescents in New Jersey's Foster Care System"*

\_DYFS does not regularly develop plans for how foster children will become independent adults, as required.

\_DYFS does not give life-skills instructions to 15-year-olds, as required.

\_African-American teens in foster care are far less likely to receive mental health services than their white and Hispanic counterparts.

\_Post-traumatic stress syndrome may be under-diagnosed and under-treated among the teens.

\_There is not enough contact between the youths and their case managers.

Study: *"Families Under the Supervision of New Jersey's Division of Youth and Family Services"*

\_The safety and case plans DYFS developed too often did not address all the families' needs.

\_Case workers did not visit the families often enough.

\_Family counseling, mental health treatment and other services were not always offered to families when they were needed.

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## **2 reports critical of DYFS' supervision**

Weak managers, poor services cited      Posted by the Asbury Park Press on 01/7/06

BY TOM BALDWIN

GANNETT STATE BUREAU

TRENTON — New Jersey's troubled system for caring for children came under criticism Friday in two reports issued by the state Office of the Child Advocate.

One report, focusing on families under Division of Youth and Family Services supervision, said weak case managers led to spotty visits by case workers and that, in a few cases, children were unnecessarily removed from their homes.

A second, less harsh report said adolescents in foster care need more attention.

DYFS — which is under a federal court order to improve itself and is subject to a \$320 million reform plan — steps in when children are thought to be imperiled. It places children in foster care and arranges for adoptions, among other services.

The first report, studying 269 children in 124 families over 18 months from January 2004 to June 2005, said that "case managers rarely complied with the minimum visitation requirement" and "supervisors provided minimal direction and oversight to case managers working directly with the family."

Department of Human Services spokesman Andy Williams, acknowledging the report was "for the most part" fair, said, "A lot of the issues were things that we have been working on. Supervision? Absolutely, we are working on those things."

The report said families sometimes lacked a case worker and that "removal (of a child) may have been avoided" if existing home services had been made available.

Services such as family counseling, mental health treatment, parenting skills education and substance-abuse treatment were often not provided when needed, the report said.

The second study looked at 68 15-year-olds in out-of-home placement, saying that "transitional plans for adult independence were not regularly developed."

The report also said black 15-year-olds "were significantly less likely to receive mental-health services as their white counterparts."

Trauma appears high among the 15-year-olds, and case worker contact with these teenagers is inadequate, according to the second report.

Williams, the DYFS spokesman, said, "The one with the adolescents, I think, had a few things in there that were pretty encouraging. . . . Adolescent services has seen pretty substantial improvement."

Criticism came swiftly, aimed primarily at the report on families.

Richard Wexler, executive director of the National Coalition for Child Protection Reform, said, the report "provides still more evidence that every year hundreds, perhaps thousands of New Jersey children are needlessly torn from everyone loving and familiar, and thrown into a chaotic, often dangerous system of foster care — a system that, one recent national study found, churns out walking wounded four times out of five."

"DYFS knows exactly how to tear a family apart, but is clueless about how to keep one together," Wexler said. "Indeed, the Child Advocate's report makes clear that DYFS sets up families to fail."

Cecilia Zalkind, executive director of the Association for Children of New Jersey, said, "For years we have wondered

what happens to children under DYFS supervision. Now we know. Not much. These children and families barely get visits from their case-workers, let alone relevant services that can prevent future abuse or neglect."

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**Read the Reports at:** <http://www.childadvocate.nj.gov/>

[http://www.childadvocate.nj.gov/downloads/FUS\\_Report\\_Final\\_010606.pdf](http://www.childadvocate.nj.gov/downloads/FUS_Report_Final_010606.pdf)

[http://www.childadvocate.nj.gov/downloads/ATP\\_Report\\_Final\\_010606.pdf](http://www.childadvocate.nj.gov/downloads/ATP_Report_Final_010606.pdf)

## **Gov.-elect taps chiefs of Human Services, Health**

By REBECCA SANTANA The Associated Press 1/9/2006

TRENTON, N.J. (AP) — Moving to fill out his cabinet, Gov.-elect Jon Corzine on Monday renamed an anti-smoking advocate as chief of the Health and Senior Services Department and tapped the state's child advocate to head the Human Services Department, which oversees the state's troubled child welfare agency.

Dr. Fred Jacobs, who has headed Health and Senior Services since 2004, does not need to be approved by the Senate; Kevin Ryan's appointment as commissioner of Human Services department does need that approval.

"I'm proud to name Kevin Ryan and Fred Jacobs to our team," Corzine, who takes office Jan. 17, said in a statement. "Both Kevin and Fred understand the challenges that lie ahead for their departments, and both have the skills to tackle the important issues they will face."

Since 2003, Ryan has headed the state's Office of the Child Advocate, which monitors state agencies serving children at risk of abuse or neglect.

"More than anything, I want to make life better for kids, families and persons with disabilities. I am grateful for the Gov.-elect's confidence, and I am looking forward to tackling the many challenges ahead," Ryan said in a statement.

In addition to monitoring the state's psychiatric hospitals, overseeing the administration of Medicaid, welfare and other benefits, Ryan will oversee the state's Division of Youth and Family Services, which has been plagued by allegations of mismanagement and is currently undergoing extensive reform.

His appointment won praise from Susan Lambiase, associate director of Children's Rights Inc., an advocacy group that successfully sued the state, saying DYFS was endangering the very children it was designed to protect.

"Gov.-elect Corzine is sending a message that child welfare is a priority for his administration and given the chaos that it's in, it should be," Lambiase said.

Before heading Health and Senior Services, Jacobs headed the anti-smoking group New Jersey Breathes and has used his cabinet position to campaign against cigarette smoking. The commissioner strongly backed an anti-smoking bill, passed Monday by the Assembly, that would ban smoking in restaurants, bars and other indoor public places, except casino floors.

He previously worked at Saint Barnabas Medical Center in Livingston for 37 years.

Dr. Eileen M. Moynihan, president of the Medical Society of New Jersey, applauded Jacobs' reappointment, saying he

"knows all angles of the health care arena from that of a practicing physician to hospital administrator."

Corzine has already named four members of his cabinet, tapping Nina Mitchell Wells as secretary of state, Ronald Chen as public advocate, Lisa Jackson as environmental protection commissioner, and reappointing Maj. Gen. Glenn K. Rieth as adjutant general and head of Military and Veterans' Affairs.

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## **Corzine names human services, health chiefs**

BY SUSAN K. LIVIO    Star-Ledger Staff    January 10, 2006

Gov.-elect Jon Corzine nominated the state's first child advocate to run the \$10 billion Department of Human Services and the current health commissioner to retain his job, in his latest round of cabinet announcements yesterday.

Child Advocate Kevin M. Ryan of Fair Haven would be responsible for fixing the child protection system his office has so frequently criticized. The department also runs the public welfare system, health insurance programs for the poor and institutions for the mentally ill and disabled.

A transition advisory group is expected to recommend that Corzine split up the mammoth department and spin off a separate cabinet-level children's agency.

Ryan has supported the idea in the past and said yesterday "structural change could be an important reform. ... I will talk to the governor-elect about it."

Fred Jacobs, a physician and a lawyer from Short Hills, would remain as commissioner for Health and Senior Services, continuing an appointment Gov. Richard Codey made 14 months ago.

Both nominations must be approved by the Senate. Commissioners earn \$141,000 a year.

Ryan would replace James Davy, whom former Gov. James E. McGreevey appointed two years ago to overhaul the child welfare system after the state settled a class-action lawsuit on behalf of foster children.

Davy launched a \$320 million DYFS reform effort in 2004, but a court panel monitoring the state's work found "seriously inadequate progress" last year. Children's Rights, Inc., the national advocacy group that filed the lawsuit, asked a federal judge to take control of the reform and put it directly in Corzine's hands.

Susan Lambiase of Children's Rights praised Corzine's appointment of a "passionate" child advocate, but said her organization "will not put the litigation on hold. Appointing a new commissioner is a first step but not the only step," she said.

Among his immediate goals, Ryan said he wants to extend health coverage to uninsured children, reorganize the adoption system that is "in a state of disrepair," and improve health services for foster children.

Former DYFS Director Edward E. Cotton, whose work was often the target of Ryan's criticism, credited Ryan for his focus and intensity. "We have had agreements and disagreements, but I do think he was always focused on what was best for the kids. Child welfare in New Jersey really needs that."

"He is certainly aware of all the problems, and now he's got the difficult job of fixing them. That's much harder. He's got a big challenge," Cotton added.

Cecilia Zalkind, executive director of the advocacy group, the Association for Children of New Jersey, said Ryan's 2 1/2 years of experience examining the plight of children under DYFS care has seasoned him. "A big advantage is he

understands the system from the child and family point of view."

Corzine's decision to keep Jacobs yesterday coincided with final legislative approval of a bill banning smoking in bars and restaurants, which the health commissioner strongly advocated. Jacobs is past president of New Jersey Breathes, an anti-smoking group.

Tom Duffy, executive vice-president for the Eastern Division of the American Cancer Society, called the timing fitting: "He's been at the forefront of this fight for 30 years."

As he left the Statehouse beaming after the vote, Jacobs said: "I love this job. It's the best job I ever had. ... You can't get tired of it, you make a difference everyday."

Jacobs said he wants to play a more public role in stabilizing the University of Medicine and Dentistry of New Jersey, which was taken over last month by the U.S. Attorney's Office investigating the institution for Medicaid fraud.

Jacobs was the senior consultant for medical affairs at Saint Barnabas, the largest health network in New Jersey, before he became commissioner. He was previously the company's executive vice president for medical affairs, and past president of the state Board of Medical Examiners, which licenses and disciplines physicians.

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## **A Corzine Pick Wins the Praise of Reformers**

By TINA KELLEY NEW YORK TIMES

January 10, 2006

Governor-elect Jon S. Corzine yesterday nominated New Jersey's child advocate, Kevin M. Ryan, to run the state's Department of Human Services, a choice that social service advocates said was likely to speed the pace of child welfare reform.

In addition to directing foster care, the \$10 billion agency administers Medicaid and welfare, and oversees six psychiatric hospitals and seven centers for developmentally disabled people, as well as other services.

Mr. Corzine, who takes office on Jan. 17, also nominated Fred M. Jacobs, 69, to continue as the commissioner of the Department of Health and Senior Services.

The nominations require the approval of the State Senate.

In 2003, Mr. Ryan became the state's first child advocate and issued numerous reports critical of the agency he will now be running. Previously, he worked as deputy chief of management and operations for Gov. James E. McGreevey, and as the chief of staff for the Department of Human Services.

For 10 years before entering public life, he was a lawyer for Covenant House, a group of shelters for homeless teenagers.

As commissioner of human services, Mr. Ryan, 39, will oversee a child welfare reform plan enacted in 2004 as part of a federal court settlement. Critics charge that those reforms, costing at least \$320 million, have not proceeded quickly enough.

Children's Rights, a nonprofit advocacy group in Manhattan that sued New Jersey in 1999 over what it said was inadequate care for foster children, has requested that the Division of Youth and Family Services, which oversees victims of child abuse and neglect, be placed under a federal receiver. Last month, it requested that Mr. Corzine be that receiver.

Susan Lambiase, associate director of Children's Rights, praised the nomination of Mr. Ryan. "Governor-elect Corzine is sending a clear message that child welfare is a priority for his administration, which it should be, given where we are," she said.

State Senator Joseph F. Vitale, chairman of the Health, Human Services and Senior Citizens Committee, called Mr. Ryan's nomination an excellent choice. "Few people understand the complexities of what is necessary for meaningful reform," he said. "There's no better advocate in the State of New Jersey."

The state's efforts to overhaul its child protection system have been criticized for focusing more on bureaucracy than on the work of caseworkers and their supervisors.

Hetty Rosenstein, president of Local 1037 of the Communications Workers of America, which represents many of the social workers, said Mr. Ryan had the skills to address that concern. "He's a person who's been in the trenches himself," she said. "He will put a lot of emphasis on what's happening on the front lines, and he will support the front lines to make sure they do the work."

Cecelia Zalkind, executive director of the Association for Children of New Jersey, another advocacy group, said: "I think the lawsuit has unfortunately gotten polarized, and people are in what seem to be very extreme positions. I think Kevin is a very good choice to get reform back on track."

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## **Corzine picks DYFS watchdog to lead state's human services**

Critics of the agency praised the selection of Kevin Ryan, who has headed the Office of the Child Advocate since '03.

By Jennifer Moroz Inquirer Trenton Bureau Jan. 10, 2006

TRENTON - For the last two years, Kevin Ryan has critiqued the state's progress in overhauling its troubled Division of Youth and Family Services.

Now Gov.-elect Jon S. Corzine wants to put Ryan, director of New Jersey's independent Office of the Child Advocate, in charge of fixing the child-welfare agency.

Corzine yesterday nominated Ryan to head the Department of Human Services. The department includes DYFS, which is in the midst of court-monitored efforts to improve conditions for the tens of thousands of children in its care. DHS has more than 20,000 employees and serves more than one million residents.

Ryan's appointment, which needs Senate confirmation, drew applause from child advocates who argue that changes in child welfare have come too slowly.

"We look forward to working with him," said Susan Lambiase, associate director of Children's Rights Inc., the Manhattan organization whose 1999 lawsuit forced the child-welfare overhaul. "Kevin Ryan obviously brings a lot to the table, having dedicated his life to child-welfare issues and making lives better for kids."

Hetty Rosenstein, president of a union that represents DYFS caseworkers, called Ryan a "great choice."

"He's smart, he knows what he's doing, and he's creative," she said. "He'll care about [workers on] the front lines, and he'll care about the families."

In addition to DYFS, the human-services commissioner oversees six psychiatric hospitals, seven centers for people with developmental disabilities, three residential treatment center for children, and social benefits.

Ryan, 39, a married father of six from Fair Haven, has built his career on working with at-risk kids. He graduated from

Catholic University of America before earning a law degree at Georgetown University and an advanced law degree at New York University.

From 1992 to 2002, he did legal and advocacy work for Covenant House, representing homeless youths in New York City and New Jersey. In 2002, he went to Trenton, where he briefly was chief of staff at the DHS during one of the child-welfare system's most tumultuous periods.

Ryan later joined the governor's staff as deputy chief of operations. In that job, he helped settle the Children's Rights lawsuit against the state after the January 2003 discovery of 7-year-old Faheem Williams' body in a Newark basement, which drew national attention.

The body of the boy, a victim of abuse, was found after a DYFS caseworker closed a complaint that he and his brothers were mistreated.

In September 2003, Gov. Jim McGreevey named Ryan to a five-year term as director of the new Office of the Child Advocate, whose role is to investigate and monitor the state's performance in caring for abused or at-risk children. The office has released several reports detailing persistent problems within DYFS, including social workers who are overburdened and inadequately trained.

Ryan said yesterday that he embraced the challenge of moving from his role as watchdog to the hot seat.

"I understand with eyes wide open what the problems are," he said. "I have spent the last two years identifying issues and thinking of ways to make them better."

The chance to implement the recommendations he has made as child advocate, he said, was "a job of a lifetime."

"The opportunity to step up to the plate and hit this one out of the park," he said, "is like a dream come true."

Ryan did acknowledge that a lot of hard work lies ahead.

The child-welfare system is under threat of a federal court takeover after Children's Rights alleged in the fall that the state had violated the 2003 settlement outlining changes. The organization argues that the state has been too slow to meet a series of benchmarks, including providing adequate medical care to children and reducing numbers placed in shelters and out-of-state care.

Children's Rights asked a judge to appoint Corzine court receiver for the agency, and Lambiase said her group still was pushing for DYFS to be removed from the Department of Human Services. An advisory panel convened by Corzine, who has said he would consider a separate department for DYFS, is expected to submit its recommendations to him before he takes office next Tuesday.

A spokesman for Corzine said simply that Ryan would "be at the center of the discussion" about how to structure the agency.

Corzine yesterday also nominated Fred Jacobs to remain commissioner of health and senior services. Jacobs, of Short Hills, has led the department since 2004 and helped write the smoking ban that gained final legislative approval yesterday. Previously, he worked for 37 years at St. Barnabas Medical Center in Livingston.

Corzine called Ryan and Jacobs "outstanding individuals with distinguished records of service."

"Both Kevin and Fred understand the challenges that lie ahead for their departments, and both have the skills to tackle the important issues they will face," he said in a statement.

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## **DYFS receives 4-month reprieve**

**An advocacy group wants to give the new administration a chance.**

By Jennifer Moroz

Inquirer Trenton Bureau

January 26, 2006

TRENTON - The children's advocacy group that last month asked for a federal court takeover of New Jersey's beleaguered child-welfare system has consented to a cease-fire.

Children's Rights Inc. of Manhattan has agreed to suspend its dramatic request for four months to give the new Corzine administration a chance to refocus and reinvigorate efforts to improve the Division of Youth and Family Services.

Officials at the advocacy group said their willingness to return to the negotiating table had a lot to do with Kevin Ryan, the former state child advocate whom Corzine this month tapped to head the Department of Human Services, which includes DYFS.

Associate director Susan Lambiase said Children's Rights wanted to give Ryan, a career child advocate who for the last two years monitored and critiqued the state's overhaul efforts, "the opportunity to get the job done from the inside."

"We really feel that, given his prior role as child advocate, that he's in the best position to jump-start what has thus far been a failed reform effort," she said.

If Ryan's results fail to satisfy Lambiase and her colleagues, they can revive their request to place the agency in receivership.

That's a move that Ryan said "is not going to happen on my watch."

"This agreement demonstrates that the plaintiffs have confidence in this new administration and confidence in us that we will deliver," he said at a news conference yesterday. "Failure is not an option for Gov. Corzine, and it is not an option for me."

In requesting the court takeover, Children's Rights argued that the state had violated a 2003 settlement outlining benchmarks for change at the agency, which it said continued to put children in danger.

The group, whose 1999 lawsuit prompted the settlement, pointed to a court-appointed panel's reports of insufficient progress in several key areas, including health care and the placement of too many children in shelters and out-of-state care.

Under yesterday's agreement, brokered by the monitoring panel, Ryan and his staff will have 120 days to convince Children's Rights that DYFS is on the right track.

Ryan's team will have to come up with strategies to better execute the overhaul plan, or, if necessary, change the plan to ensure a primary focus of "child safety, permanence and well-being." The state must also analyze how best to structure DYFS, and whether removing it from the Department of Human Services would better serve the children under its care.

Ultimately, Ryan said, the agreement "will help us reframe the reform effort and help us determine which strategies are working and which strategies are not working."

Hetty Rosenstein, president of the union local that represents most DYFS social workers, said she was pleased that the agreement provided for a full review of the overhaul plan, which she called "scattered" and "flawed."

The plan, she said, needs to better target child safety, which means giving greater priority to lower caseloads, better training, and a stronger foster-home program.

"They've spent a ton of money on setting up these bureaucratic structures that have nothing to do with keeping children safe," Rosenstein said.

Ryan agreed that meaningful change did not happen just in Trenton but also in the field, which he described as being in "chaos." He vowed not only to continue adding caseworkers but to be in better communication with the front lines and to "clarify the roles and expectations of the workforce."

He also announced the position of an ombudsman to respond to citizen concerns and complaints.

To help him accomplish his goals, Ryan is assembling a management team that includes child advocates from around the country and members of his former staff. All will report directly to him, he said, adding, "I want to get my hands directly around this reform effort."

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## **Advocates delay request for a takeover of DYFS**

Agency has 120 days to get reforms on track

BY SUSAN K. LIVIO      Star-Ledger Staff      January 26, 2006

The national advocacy group that asked a federal judge to take control of New Jersey's beleaguered child welfare system has agreed to put that request on hold for 120 days to give the new Human Services commissioner a chance to get reforms on track.

Children's Rights Inc. said it will meet periodically over the four-month period with acting Human Services Commissioner Kevin M. Ryan to determine whether he has assembled a management team and a strategy that can bring about real improvements.

The agreement reached Tuesday postpones an effort by Children's Rights to convince U.S. District Court Judge Stanley R. Chesler that a federal takeover was needed because state officials were incapable of fixing problems at the Division of Youth and Family Services.

The advocacy group made that request in a motion filed in November. It accused the state of failing to live up to its commitment, under the 2003 settlement of a class-action lawsuit, to vastly improve children's services.

"We have broken the logjam to suspend the litigation for a federal takeover of our child welfare system," Ryan said at a news conference in Trenton, his first since taking office Jan. 17. "This signals a significant measure of trust among us ... and confidence in each other that if work together, we can get this reform on track and make this system better for kids and families across the state."

The state dedicated \$320 million over the last two years to the DYFS overhaul. But a panel of experts monitoring the effort for the court concluded in October that New Jersey had made "seriously inadequate progress" in areas such as finding enough foster homes and reducing worker caseloads.

In his previous post as Child Advocate, Ryan often publicly criticized the pace of DYFS reform. Having Ryan now in the commissioner's chair persuaded Children's Rights to back off, at least temporarily, said Susan Lambiase, the group's associate director.

"He's got a proven track record in child welfare issues. He knows what the problems are. We are taking a leap of faith right now, but we think it's the right thing to do," Lambiase said.

Children's Rights reserves the right to go back to court if Ryan's team does not produce an effective strategy to implement the reform, according to the agreement.

"What we would like to see is movement on the most important issues -- investigations, training, reducing caseloads -- the things the Office of the Child Advocate diagnosed as being seriously in disarray," Lambiase said.

Ryan insisted, however, that a federal takeover "will not happen on my watch."

The deal was brokered by the expert panel, which under the agreement will continue monitoring the state's progress on behalf of the federal court throughout the 120-day period. The panel was supposed to expire in December.

"We are very pleased that the parties have agreed to set aside their differences for 120 days and work together to strengthen the reform effort," said Steven D. Cohen, panel chairman.

During this period, Ryan also will have to decide whether a new department of children's services should be created, separating it from the rest of Human Services -- which also runs state institutions for the mentally retarded and mentally ill, the public welfare program and Medicaid.

It's an idea Children's Rights favors and that Ryan and Gov. Jon Corzine have said deserves consideration.

Ryan yesterday also introduced key members of his management team and announced the creation of a department ombudsman to respond to citizens' complaints.

Ryan tapped Lisa Eisenbud as his chief of staff. Eisenbud was the director of the Child Advocate's effort to monitor the child welfare reform plan, and was a principal author of the plan in 2004 under then-Commissioner James Davy.

Jennifer Velez, Ryan's first assistant at the Child's Advocate's Office, was named deputy commissioner in charge of welfare and Medicaid. Ryan also named Molly Armstrong as director of policy and planning. She had previously worked in the Louisiana juvenile justice system, and at a nonprofit in New York that helped implement child welfare reform.

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## **NEEDED: A single entity for all child-welfare agencies**

### **FIELD-LEVEL OPERATIONS: Require attention now**

**Report:** DYFS must have higher priority

BY LAUREN O. KIDD Asbury Park Press 01/28/06 GANNETT STATE BUREAU

TRENTON — Officials must provide "immediate attention" to field-level operations while discussing a long-term plan to restructure New Jersey's child-welfare system, according to a report released Friday by a group advising Gov. Corzine's transition team.

"Child and family services need an ongoing, visible, institutionalized voice at the highest level of government that will be a single accountable entity with the appropriate span of authority and responsibility," the report states.

The report stops short of explicitly recommending a new department but says the existing structure should focus more on children, youth and families. Juvenile justice issues would be transferred to the department.

"I think there was a sense that children's services needed to be a greater priority and that organizing under one department might ensure that that happens," said Cecilia Zalkind, executive director of the Association for Children in New Jersey, a co-chairwoman of the group.

"It's hard to know which part breaks away, but you end up with a department that is about children and family services, as opposed to what is there now," said group member Hetty Rosenstein, president of Communications Workers of

America Local 1037, which represents Division of Youth and Family Service workers.

Zalkind said the team had "a lot of concern about the fact that the field continues to be in crisis, in chaos."

The report recommends improving adoption services and staff training, reassessing the behavioral health system and ensuring financial support for kin who take children in during out-of-home placement.

The report stresses the importance of keeping families from requiring DYFS intervention in the first place.

"Prevention must be a priority," it says. "This requires the resources to ensure the development of long-term effective prevention efforts that strengthen children and families."

Other points made include ensuring strong monitoring of the reform plan, improving data collection and accountability, and developing an overall family policy for New Jersey.

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## **DYFS ignored 13 complaints made in 2004**

### **Kids found safe after reports to hotline turned up last week**

BY SUSAN K. LIVIO Star-Ledger Staff January 29, 2006

Thirteen allegations of child neglect reported to a state hotline were tossed into a cardboard box and sat for more than a year without being investigated, state officials discovered last week.

Division of Youth and Family Services workers have since located all 13 children and confirmed they are safe, said acting Human Services Commissioner Kevin Ryan, who now wants to know why the cases were overlooked for so long.

All 13 of the complaints were called in to the statewide child-abuse hotline between July and November 2004 and involved allegations of abuse outside the children's homes. Call screeners took the information on paper, but never entered the cases into the DYFS computer system, Ryan said.

None of the allegations involved sexual or physical abuse, Ryan said, adding he is awaiting additional details from investigators.

Ryan, newly appointed by Gov. Jon Corzine to head the department that oversees New Jersey's troubled child protection system, said the discovery highlights the severity of problems at the agency, which has never recovered from a series of missteps involving children killed or seriously hurt in 2003.

"This box is a metaphor now," Ryan said. "There's one box I know of. I wonder how many of these detours, hurdles, obstacles and barriers lay in wait for us?"

The 13 complaints were mixed in with about 200 other paper records of abuse and neglect allegations in a cardboard box found at the hotline and centralized screening center in Trenton in February 2005. Even after the box initially was discovered, Ryan said, no one checked to see if the files had been investigated or entered into the computer system.

Only after Ryan took office Jan. 17 and learned about the box did child welfare workers compare the 200-plus paper records to complaints entered into the computer. That's when his office learned 13 of the files had never made it into the computer.

The statewide hotline to screen child abuse and neglect complaints was one of the first changes to emerge from the effort to reform DYFS after the state settled a class-action lawsuit in 2003. But from the time it was launched in July 2004, the hotline has been hampered by numerous problems with worker training and technology.

The acting commissioner also said he is unsettled by what the revelation says about the agency long after the court-ordered reform began. But disclosures like these are needed to fix the lingering problem, Ryan said.

"This is what I want the staff to be doing. Without any fear of retribution from management, tell us where the holes in the safety net are," he said.

DYFS has about 5,000 employees and the state has spent \$320 million on the reform since March 2004.

Complaints about mismanagement and dysfunction have plagued New Jersey's child welfare system for years, said Cecilia Zalkind, executive director of the Association for Children of New Jersey, a statewide family advocacy and research group. She said the latest incident raises new concerns about DYFS' ability "to provide the most basic protection for kids."

"We know there are problems all the way through the system, but it's the fundamental responsibility of DYFS to investigate," Zalkind said. "This is leaving kids in very vulnerable situations."

Edward Cotton, the DYFS director from July 2003 to October 2005 who established the hotline and screening system, said yesterday he had no knowledge of the missing files.

"That really surprises me," said Cotton, now a child welfare consultant in Nevada. "It sounds like somebody may have screened them out," or decided they didn't need to be in the system. But, Cotton said, "I don't know why hard copies would be hanging around."

When told of Cotton's explanation, Ryan said, "All of the complaints should have been entered into the computer system, regardless of whether the allegations were going to be substantiated. There is no evidence these 13 were entered into the computer."

James Davy, the Human Services Commissioner Ryan just replaced, said in a telephone interview last night that the files were "never brought to my attention" and he called the situation "outrageous."

"It's odd," Davy continued, but "it sounds to me like they (department officials) are doing the right thing tracking down the 13 children and investigating ... making sure they were not harmed."

Ryan said he learned about the box this month after his team inquired about a backlog at DYFS' Institutional Abuse Investigative Unit of at least 228 cases. The institutional unit pursues allegations of child abuse and neglect outside the home, such as at schools, day care centers or foster homes.

Davy, the former commissioner, had said in October that the unit had cleared its backlog, as required by the court-enforced system reform.

After being told this month the new backlog was due to the discovery of the box of old complaints, Ryan and his staff probed further. Cross-checking with the computer identified the 13 unchecked cases.

"This is unacceptable, that the information I received at first blush was inaccurate. It's unacceptable there is a backlog of ... allegations. And it's unacceptable that 13 alleged victims haven't been seen for a year and a half," Ryan said. "This represents very succinctly the enormity of the challenges we face as we try to get this reform back on track."