

## Panel cuts budget for DYFS plan

### Legislators vote down half of \$15M request

BY SUSAN K. LIVIO      Star-Ledger Staff      March 31, 2004

Dealing an early setback to Gov. James E. McGreevey's plan to remake the Division of Youth and Family Services, a legislative panel has rejected more than half of a \$15 million budget request to get many of the reforms rolling before the fiscal year ends in June.

The Joint Budget Oversight Committee unanimously voted Monday to approve only a \$7 million budget transfer for Human Services Commissioner James Davy to begin hiring workers and signing contracts with religious groups to recruit foster families.

Davy and a spokesman for McGreevey said yesterday they do not intend to revise their plans. State officials and child advocates said this may signal the beginning of a protracted funding battle with lawmakers over the governor's plan to spend more than \$320 million over the next 2 1/2 years to improve child protection.

"The commissioner will go back and provide (the committee) with any information they are looking for, and the remaining funds will hopefully be made available," said Micah Rasmussen, McGreevey's spokesman. "But we are not giving the commissioner any instruction to scale things back."

Davy told the committee the \$15 million is needed in part to hire 198 caseworkers and 38 case aides to help reduce the large caseloads of those responsible for investigating child abuse and neglect. The funds also would also be used to hire 11 inspectors to license foster homes and five employees to investigate abuse and neglect in foster care, schools, day care centers and other facilities.

The \$15 million is a down payment on the \$320 million reform plan driven by the settlement of a class-action lawsuit brought by Children's Rights Inc. of New York, which alleged the state violated the rights of foster children. The settlement required the state to make a huge investment in the long-neglected agency and to submit to court monitoring for years to come.

Since McGreevey and Davy released their reform plan last month, Senate Budget Committee Chairman Wayne Bryant (D-Camden) and Assembly Budget Committee Chairman Louis Greenwald (D-Camden) have publicly balked at the price tag.

On Monday, Bryant said he refused to support Davy's request for \$15 million because the state has yet to dedicate about \$8.1 million of the \$24.8 million lawmakers approved in DYFS reform money last year. He attributed the budget figures to the nonpartisan Office of Legislative Services.

"We need more detail of what is exactly going to be spent in the next three months," he said. Bryant also expressed doubts in the state's ability to hire and train so many workers at once.

Davy insisted the original \$24.8 million, while not all spent yet, "is fully obligated." In an interview yesterday, Davy said the unspent money is for salaries and benefits from now until June for 271 workers who already have been hired.

Davy said 1,000 applicants have been screened, while 2,000 more are under review. "You would think people would shy away from coming forward to be part of children's services in New Jersey given the history. But the reality is people are energized by the reform effort," he said.

The committee -- consisting of Sens. Bryant, Greenwald and Leonard Lance (R-Hunterdon), Assemblywoman Bonnie Watson-Coleman (D-Mercer) and Assemblyman Joseph Malone (R-Burlington) -- unanimously voted to give DYFS \$7 million of its \$15 million request.

"Commissioner, I know your heart is in the right place," Greenwald said. "But our decisions are difficult -- \$8 million (could be) money for research for children with autism, for cancer victims in Newark. ... The list goes on and on. It's why

we are so vigilant in finding these moneys."

Marcia Robinson Lowry, executive director of Children's Rights, said she was "very concerned" about the committee action.

"What concerns us most of all is that the money has got to come in right away -- there needs to be caseload relief," she said.

Despite the committee vote, Davy said he has a tremendous amount of support for his plan.

"I'm pleased the governor continues to say he will veto any budget that doesn't support the reform plan," Davy said. "I've got the governor's support, the moral justification, the financial justification and weight of the court behind me on this."

## **Don't stymie DYFS reform**      Star-Ledger Editorial      April 01, 2004

Lawmakers have an absolute obligation to demand a full accounting of the money they hand out. Sometimes, they actually do it.

But just as they should ask for details about what will be spent, lawmakers must provide rational explanations for cutting crucial programs like the reform of the state Division of Youth and Family Services.

The Department of Human Services asked for \$15 million in new funding to build momentum behind the DYFS reform plan. A joint legislative budget committee told the agency to settle for \$7 million.

Sen. Wayne Bryant, the chairman, said the agency had not yet fully documented spending of \$8 million that had already been allocated, and since \$8 million and \$7 million come to \$15 million, that was enough.

The department explained that the original \$8 million has not been spent but is fully obligated, mostly for the salaries and benefits of staffers who have already been hired.

The new \$15 million is a request for additional caseworkers and money to provide new services for 66,000 children under DYFS care.

With full funding, the agency can hire and train 1,000 more caseworkers. It can begin work in county juvenile detention centers and shelters that are full of children who have not committed crimes or been delinquent. They are victims of abuse and neglect or have mental health problems and are locked up in detention centers because there is no appropriate treatment for them.

Emergency funds would help DYFS provide the services to relocate those kids to the kind of treatment they need. Since many counties are struggling with the cost of housing them in detention centers, the money could have double impact.

The department's appearance before the joint committee was the first step in the budget process. We hope both sides take their roles seriously and remember that past efforts to reform DYFS have failed for two reasons.

Sometimes the agency took the resources it was given and wasted them. But in too many instances, the Legislature played cheap and did not provide what was needed.

Neither of those things can be allowed to happen this time. This reform effort is under way because of a succession of tragedies involving children who died or suffered abuse while in DYFS's care. This reform effort is also the product of a settlement that ended a lawsuit brought by Children's Rights Inc., a children's advocacy group.

The plan the Department of Human Services is trying to fund has the stamp of a federal court order on it. Playing games with the funding invites the court to move further into New Jersey's business. No one should want that.

So ask the questions, get the answers, but do not put up any roadblocks. Get the job done.

## Human Services chief rips cut in his request for funds

BY SUSAN K. LIVIO     Star-Ledger Staff     April 01, 2004

State Human Services Commissioner James Davy yesterday lashed out at lawmakers who withheld more than half of the \$15 million he requested to launch child welfare reforms this year, saying he "shouldn't have to fight for the dollars to protect children's lives."

While visiting the Center for Family Services, a prevention program serving destitute young mothers in Camden County, Davy criticized the Joint Budget Oversight Committee's decision to reduce his request to \$7 million on Monday.

"I don't have a problem as commissioner and a public servant justifying the dollars needed," said Davy, who promised to provide the lawmakers with more information. "We should be accountable. But I shouldn't have to fight for the dollars in order to protect children's lives. If I have to fight, I will fight."

Senate Budget Committee Chairman Wayne Bryant (D-Camden) and Assembly Budget Committee Chairman Louis Greenwald (D-Camden) said Davy had provided scant detail on how he would use an additional \$15 million from now until the fiscal year ends June 30. They also said Davy had not spent all of the \$24.8 million in additional funding for his agency that was included in the current budget.

Bryant's spokesman yesterday praised Davy for championing his cause: a \$320 million, court-monitored plan that would overhaul the state's troubled child welfare agency over the next 2 1/2 years. Davy has offered the plan to settle a civil rights lawsuit on behalf of foster children.

"That's what advocates do, and we commend him for being an advocate," said Jim Manion, spokesman for the Senate Democratic Majority Office. "But (Bryant and Greenwald) have tough decisions to make."

Tensions have recently emerged between Gov. James E. McGreevey's administration and the Legislature over the cost to overhaul DYFS, which comes as the governor and lawmakers attempt to close a projected \$4 billion budget gap. Yesterday's event in Camden marked the third public appearance Davy has made in the home county of Greenwald and Bryant in less than two months.

Davy will be back before a Senate budget panel on April 7 to defend the proposal to spend \$125 million in the upcoming budget year to begin retraining DYFS staff, expanding drug treatment programs and recruiting foster parents.

During yesterday's visit to the Center for Family Services, Davy said \$6 million should be spent to expand similar child abuse prevention programs around the state. It is part of a \$29 million prevention effort included in the multiyear reform plan. The idea is to teach parenting skills to young mothers and fathers so their children are never abused or neglected and don't need the services of the state's child welfare agency.

"The rate of abuse among young children is truly disturbing," Davy said, noting that 19 percent of abuse victims are under the age of 1. "We need to start earlier and reach their parents even before these children are born."

At the center, young women explained how social workers came into their homes and showed them how to be better mothers, secure needed health services for their children and themselves, and live more independently.

"They should want to give you money for this program -- that's not right," Jennifer Wilkins, 19, of Northampton told Davy. Wilkins, who has a 2-year-old son, said the program's caseworkers "have been there for me every step."

"I was 16 when I got pregnant," said Lydia Rios, now 18. "I didn't know what to do with a baby or anything." Weeping, she said her support worker at the center is "someone very special in my life. If it wasn't for her, I don't know what I would do. ... My son would be in DYFS."

**DHS PRESS RELEASE**

March 31 , 2004

### **Davy proposes \$6 million dollar expansion of child abuse prevention programs for new mothers**

CAMDEN— Department of Human Services (DHS) Acting Commissioner Jim Davy proposed a \$6 million expansion of child abuse prevention programs for new and expectant mothers today as part of the State's efforts to reform its child welfare system.

As part of the announcement, Acting Commissioner Davy met with young mothers and their children served by the Center for Family Services' (CFS) Healthy Families program. The program promotes healthy parent-child interaction with intensive home visitation by family support workers.

"Prevention is the key to our child welfare reform plan," said Acting Commissioner Davy. "By providing more prevention services, we can help more families and children receive help earlier and hopefully prevent the tragedy of child abuse."

Healthy Families works closely with expectant and new mothers by providing early intervention and family support services. Building a bond with the family, support workers ensure families have medical providers and help families follow up on immunization schedules. Workers also assist in identifying needs of the mothers and children and linking them with other community resources such as day care options, educational training and job placement. Families are generally served until the child reaches age five.

According to Davy, there is a dire need for more child abuse prevention programs especially ones designed to protect younger children. Each year in New Jersey, 19 percent of child abuse victims are under the age of one. Thirty nine percent of victims are under the age of five.

Last year, DHS conducted a statistical analysis of child abuse neglect deaths from 1998-2002. Out of the 123 total deaths, 70 deaths or 57 percent were of children under the age of one. Out of the 70 deaths under the age of one, nine deaths occurred in Camden County including six in the City of Camden.

"The rate of abuse among young children is truly disturbing," said Acting Commissioner Davy. "We need to start earlier and reach their parents even before these children are born- this abuse and these deaths have to stop. That's why programs like Healthy Families are so important."

Started in 1996, the Healthy Families program is funded annually at \$3 million by DHS. Statewide there are 20 programs serving 1,000 families. This year, Center for Family Services received \$200,000 to serve 100 families through the Healthy Families program.

"Every dollar spent in prevention saves thousands required to fix recurring problems," said Richard Stagliano, President/CEO of Center for Family Services. "The need for prevention services like Healthy Families is much higher than what is currently available. With more money designated for prevention programs, we can significantly reduce the number of abuse and neglect cases."

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HHS Releases 2002 National Statistics on Child Abuse and Neglect

4/1/2004 11:15:00 AM

WASHINGTON, April 1 /U.S. Newswire/ -- An estimated 896,000 children across the country were victims of abuse or

neglect in 2002, according to national data released today by the U.S. Department of Health and Human Services. The statistics indicate about 12.3 out of every 1,000 children were victims of abuse or neglect, a rate slightly below the previous year's victimization rate of 12.4 out of 1,000 children.

"Our hearts break when we hear of a child being physically or emotionally abused or neglected," HHS Secretary Tommy G. Thompson said. "The abuse of children remains a national tragedy that demands our commitment and action. President Bush's budget plan gives the child welfare system at the community level more resources and more flexibility to better protect children from abuse and neglect."

The statistics released today, at the start of Child Abuse Prevention Month, are based on information collected through the National Child Abuse and Neglect Data System. The data show that child protective service agencies received about 2,600,000 reports of possible maltreatment in 2002. There were 896,000 substantiated cases of maltreatment of children -- the majority of which involved cases of neglect. About 1,400 children died of abuse or neglect, a rate of 1.2 children per 100,000 children in the population.

The rate of child neglect and abuse in 2002 was about 20 percent less than the rate in 1993, when maltreatment peaked at an estimated 15.3 out of every 1,000 children. As recently as 1998, the rate was 12.9 per 1,000 children. During the past three reporting years, the maltreatment rate has been fairly constant. Rates for 2000, 2001, and 2002 were 12.2, 12.4, and 12.3 respectively.

Also today, Surgeon General Richard H. Carmona announced he would create a new working group to focus attention on the problem of child abuse and neglect and to identify ways to reduce it. The Surgeon General's Workshop on Child Maltreatment will involve experts in criminal justice, medicine, child welfare and education.

"While child maltreatment has traditionally been thought of as a criminal justice issue, it is also very much a public health issue," Dr. Carmona said. "The wrenching mental and physical health effects of child maltreatment continue for that child long after he or she is placed in a safe environment. And the frequency with which child maltreatment occurs in our society compels us to be aggressive in developing ways to stop it. This new Surgeon General's Workshop on Child Maltreatment will help shine a bright light on this problem and help find ways to end this scourge in society."

President Bush's fiscal year 2005 budget proposal for HHS would double funding for two critical child abuse prevention programs. For the Basic State Grant Program, the funding would increase from \$21 million this year to \$42 million next year. This program provides funds for states to improve their child protective service systems.

For the Community-Based Grants for the Prevention of Child Abuse and Neglect, funding would increase from \$32 million this year to \$66 million in fiscal year 2005. The additional funds would enhance states' ability to investigate reports of abuse and neglect, to reach more at risk children and families with prevention services and to provide additional types of community-based prevention services including home visiting, parent education, parent support, respite care, outreach and education, and other family support services.

In addition, the President's fiscal year 2005 budget proposal would fully fund the Promoting Safe and Stable Families Program at its authorized level of \$505 million -- an increase of more than \$100 million above the amount appropriated by Congress for fiscal year 2004. This program supports a wide array of services to support, strengthen and preserve families at risk for abuse or neglect.

"President Bush realizes effective child welfare isn't just about more money. It's also about greater flexibility," said Wade Horn, Ph.D., assistant secretary for children and families.

As part of HHS' fiscal year 2004 budget request, the Bush Administration proposed a new approach to protecting children in the child welfare system. Under the plan, states and tribes would have the option of using some money now designated solely for foster care to support a range of abuse-prevention services and programs. The proposal provides the flexibility and sustained financial support necessary to build innovative programs for children and families aimed at preventing maltreatment and removal from home.

The full report, "Child Maltreatment 2002," is available at

<http://www.acf.hhs.gov/programs/cb/publications/cm02/index.htm>.

Note: All HHS press releases, fact sheets and other press materials are available at <http://www.hhs.gov/news>.

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## **Taking on Mississippi's Short-of-Resources Child Protection System**

By ANDREW JACOBS New York Times April 1, 2004

JACKSON, Miss., March 31 — The start of Child Abuse Prevention Month on Thursday will be especially grim in Hancock County, where child welfare advocates have long gotten used to making do with less.

Counselors at the Family First Resources Center, which was set to open this week on the Gulf Coast and teach parenting skills to those at risk of losing their children, are instead packing up their office, a result of a sudden cutback by the state. In explaining the closing of 34 child abuse prevention centers across the state, officials at the Mississippi Department of Human Services blamed the previous administration for allocating \$20 million it never had.

"It's always been a struggle but this has been a real blow to us," said Bridget Logan, executive director of the Center for the Prevention of Child Abuse, in Gulfport.

The cuts could not have come at a worse moment for children's advocates in Mississippi, which critics say has one of the most flawed and poorly financed child welfare systems in the nation. To compound the growing sense of crisis, state and federal investigators announced last week that they had begun an investigation into whether \$89 million in child abuse financing was misspent, including accusations that some of the money was used for vacations and expensive cars. Buffeted by a \$150 million deficit, the state will stop child care assistance payments to 100 families this month.

In an effort to force improvements, Children's Rights, an advocacy group in New York, filed a class-action lawsuit in federal court on Tuesday accusing the state of turning its back on vulnerable children by ignoring all but the most egregious complaints or leaving neglected children in the homes of people whom caseworkers have identified as unfit. Faced with a lack of qualified foster families, hundreds of children languish in group homes or shelters, sometimes for years.

In a similar lawsuit last year, Children's Rights forced New Jersey to overhaul its child welfare system.

"Terrible things are happening to children in Mississippi, and the state isn't doing anything about it," said Marcia Robinson Lowry, the group's executive director. "In New Jersey, children were taken into care and treated barely. In Mississippi, they're not even taking kids into custody."

In recent years, the group has filed lawsuits in six other states that have led to court-ordered overhauls.

Idetra Berry, a spokeswoman for Mississippi's Department of Human Services, said the agency had not yet reviewed the lawsuit and could not comment.

Since the early 1990's, the state's Division of Family and Children's Services has been plagued by budget cuts and staff shortages so severe that in some counties, social workers handle as many as 100 cases; in one county, Forrest, the load exceeds 200. The Child Welfare League of America suggests a caseload of 17, a widely accepted national standard.

Judge Margaret Alfonso, a family court judge in Harrison County, said the impact on children had been "disastrous."

"When you have that kind of caseload, there is no way that children are being adequately protected," Judge Alfonso said. In one of the more sensational cases of abuse, a Jackson man pleaded guilty last May to scalding to death his girlfriend's infant son. In a case cited by Children's Rights, a 2-year-old in a home that had been recently visited by a caseworker was killed for wetting himself.

As early as 1995, federal officials criticized Mississippi for failing to protect children from abuse. In 2001, the agency's director resigned to protest a lack of adequate protection for children. In January, the newly elected Republican governor, Haley Barbour, told reporters that the department "has collapsed for lack of management and a lack of leadership."

Because of a shortage of finances, the agency loses millions of dollars in federal matching grants, giving Mississippi the lowest ranking among states receiving child welfare financing from Washington. According to Children's Rights, the state spends about \$50 million each year on child abuse prevention programs compared with \$74 million in Arkansas, \$172 million in Kansas and \$309 million in Iowa.

In 2002, the agency provided services in fewer than half the cases in which abuse or neglect had been confirmed. Each year the state receives more than 16,000 reports of children being harmed but, according to its own assessment, is able to investigate fewer than half of them because of a dearth of caseworkers. Less than 15 percent of abuse complaints to the agency are substantiated, down from 34 percent in 1997.

The decline, child advocates say, can be tied to a steep drop in social workers, many of whom quit in frustration. "We can't recruit anyone to come here because there's such negative feelings about D.H.S.," said Laurie Johnson, executive director of Casas Mississippi, which works with children in the court system.

Jeffrey Johns, executive director of the nonprofit Mississippi Court Advocacy and Justice Institute, said he often watched in frustration as cases of severe abuse went uninvestigated. He cited the case of an 18-month-old girl who had been sexually assaulted in her home. Rather than identify the assailant, caseworkers, Mr. Johns said, were trying to send the child back home.

"It's like a house on fire that we're all watching burn," he said.

Among the plaintiffs in the Children's Rights lawsuit are four siblings in Forrest County who were reportedly malnourished and living in an unsafe home. Instead of referring the case to the county's youth court, a caseworker sent the children, ages 2 to 9, to the home of their elderly great-grandmother, who was already struggling to care for six other children, the lawsuit alleged.

When the woman protested, according to the lawsuit, she was told the children would otherwise be given to strangers and she might never see them again. When the woman had a stroke, the caseworker sent the children back to the mother, who

had earlier been determined to be unfit.

Court documents cite another plaintiff, Jamison J., 17, who has spent most of his life cycled through 28 foster homes and institutions, some of them abusive. The lawsuit claims the Division of Family and Children's Services ignored opportunities for adoption and later sent the boy back to the home of his mother, where he witnessed the beating of another child. Despite his complaints to a caseworker, the child was later killed by the mother's companion.

Wayne Drinkwater, a Jackson lawyer who is co-counsel in the Children's Rights lawsuit, said the deficiencies were longstanding and systemic.

"This has gone on so long that it's hopeless to expect the state to ever cure the problems on its own," Mr. Drinkwater said. "Part of the problem may be financial, but it's more than that. It's about priorities and abused and neglected children don't have a lobbyist. They have no political influence in the Legislature."

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## **Committee on Education and the Workforce Hearings**

Testimony Prepared for United States House of Representatives

Committee on Education and the Workforce

Subcommittee on Select Education

### **"CAPTA: Successes and Failures at Preventing Child Abuse and Neglect"**

**August 2, 2001**

Testimony Presented by Richard J. Gelles, Ph.D.

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Chairman Hoekstra, members of the House Select Committee on Education, I am honored to be invited to testify today at your hearing on "CAPTA: Successes and Failures at Preventing Child Abuse and Neglect." I had the privilege to attend one of the hearings held to consider the initial version of the Child Abuse Prevention and Treatment Act in 1973, and I have testified on occasion regarding the reauthorization of CAPTA.

In many ways, CAPTA is a rather minor piece of federal legislation. The funding authorized in CAPTA is modest; in fact, we use to refer to the total amount as a mere rounding error at the Pentagon. This legislation does not focus on some of the more fundamental and controversial aspects of child protection, such as the core mission of state and county child protective service agencies. Nonetheless, CAPTA has always been considered the centerpiece of federal legislation regarding child abuse and neglect. The definitions of child maltreatment included in CAPTA have served as a template for defining what acts of omission and/or commission warrant reporting to state child protective service agencies. While funding for research and demonstration projects are decidedly modest, the projects and issues specified by Congress in CAPTA have established the knowledge-seeking and knowledge-building agenda for researchers and practitioners.

Nearly thirty years ago, when Congress first began to formulate what was to become CAPTA, the abuse and neglect of children was a private trouble that was hidden behind closed doors. CAPTA helped elevate the tragedy of maltreatment to a social issue and ultimately to a social problem. Today, there is general agreement that child abuse and neglect is a major social problem that affects the lives of millions of children.

Generating public concern and the establishment of a child protective service system are perhaps CAPTA's major successes. Thirty years ago, child protective records were often recorded on index cards, many child welfare workers had only a high school education, and the knowledge base that workers drew upon was often laden with myths and misconceptions. At the initial hearings on CAPTA, witnesses could not even agree as to the magnitude of the problem, its causes and consequences, or what should be done to address maltreatment. Even the most expansive estimate of the extent of child maltreatment underestimated the extent by 2 million children.

Unfortunately, the successes that grew out of CAPTA have been limited. Certainly, children in the United States are better off as a result of CAPTA. On any given day, many families are helped by the child welfare system, and many children are kept out of harm's way. In addition, there are many better-trained workers in the child welfare system.

The many successes brought about by CAPTA notwithstanding; our child welfare system is in trouble. One obvious problem is the failure to protect children from harm that is reported by local media almost weekly. Although the names and locations change, the stories are numbingly familiar--a child, usually an infant or toddler, is killed or horribly injured by his or her caregivers. The death or injury is tragic enough, but it is often compounded by the fact that the child was known to be at risk by the local child welfare agency. Occasionally, a death is so horrific that it captures national attention, as in the case of Elisa Izquierdo in New York City, or Joseph Wallace, whose mother hung him with an electrical cord in Chicago. More often than not the tragedies are local events, focusing a critical spotlight on a local or state agency and not the national system.

There are, of course, other tragedies. Children are often inappropriately removed from their caregivers. Deaths and injuries

occur in foster placements and residential placements as well. It often seems that the child welfare system and workers are trapped between "a rock and the hard place" when they consider their options for providing services and protection to vulnerable children.

The troubles are not merely local. They are not the failings of individual caseworkers, supervisors, or administrators.

When tragedies occur, the mantra-like claim is that the child "fell through the cracks in the system." These are not small cracks. They are national fault lines: long, deep, and always on the verge of swallowing up more victims.

The limitations of child welfare systems are well-known. Nine years ago, the National Commission on Children reported: "If the nation had deliberately designed a system that would frustrate the professionals who staff it, anger the public who finance it, and abandon the children who depend on it, it could not have done a better job than the present child welfare system."

The U.S. Advisory Board on Child Abuse and Neglect, in its initial report to the nation in 1990, concluded that abuse and neglect constituted a "national emergency." The board stated that "in spite of the nation's avowed aim of protecting children, each year hundreds of thousands of them are being starved and abandoned, burned and severely beaten, raped and sodomized, berated and belittled." According to the report, "The system the nation has developed to respond to child abuse and neglect is failing. It is not a question of acute failure of a single element of the system; there is a chronic and critical multiple organ failure." The board's final assessment was that the safety of the nation's children could not be assured.

The crisis of child welfare is more than individual tragedies and dire pronouncements of national advisory boards and commissions. At present, at least 27 states, including many of the home states of members of this committee, are under court order to improve child welfare services

While high-profile tragedies capture media attention and are used to emphasize the conclusions of national advisory boards, failing to protect children is not the system's only flaw. Between 1,500 and 2,000 children are killed by their caretakers each year--and half of these children are slain after they or their families have come to the attention of authorities--however child homicide, sodomy, and rape are, fortunately, still relatively rare. Neglect, starvation, abandonment, berating, and belittling are far more common. On any given day, as many as 600,000 children reside in some form of out-of-home care, largely due to their being victims of abuse or neglect. Usually they have been made wards of the government, their custody residing with the state, county, or local child welfare agency. Each year, approximately 20,000 to 25,000 children "age out" of the system. In other words, while residing in out-of-home care with their legal custody in the hands of the state, these children achieve the age of majority. At that point the state relinquishes legal custody, and the foster families or residential facilities no longer receive financial support. "Aging out" puts the former wards of the state onto the street with some assistance. In some states, the age of majority can be as young as seventeen.

Responses to Tragedy, Crisis, and Legal Action: Round-Up the Usual Suspects

When a tragedy occurs or a crisis hits, political leaders, agency administrators, and advocates tend to "round up the usual suspects" in the hope of curing the failing system. Agency heads are replaced, laws are passed, and legislatures are lobbied for more money for child welfare staff and training.

After the half-life of the tragedy subsides and the news coverage turns to other issues, the same problems persist and the same tragedies occur. The usual suspects and the new strategic plans do not work.

The Usual Suspects?

When the usual suspects are rounded-up they include the following:

**More Money.** "We have too little money, we need more." Funding for child welfare never kept pace with the rising number of reports brought about by CAPTA and the complexity of child abuse and neglect cases. Thus, child welfare agency administrators are constantly trying to secure sufficient budget allocations to hire and train staff, and to develop and implement appropriate policies and interventions. To a certain extent, CAPTA's broadened definitions, technology, and public awareness campaigns bolstered the case for more funds by generating more reports, but there has always been a significant gap between resources and caseloads.

**More Staff.** As funds were always short, agency administrators argued that they had too few workers to meet the demands of increasing caseloads. When a tragedy became public, the nearly automatic response was to request an increase in child protective staff. While agencies rarely received what they believed to be adequate staffing, staffing tended to increase following a tragedy.

**More Training.** Additional staff would allow caseloads to be decreased, so that child welfare caseworkers did not have to carry 40 to 60 cases. In the unusual event that caseloads would meet the desired level of about 15 to 20 cases per worker (Child Welfare League of America, 1993). However, more staff did not solve the problem because child welfare workers often receive only the most minimal pre-service training before they are assigned a caseload. It is not unusual for a child welfare worker to get 20 hours of training before being assigned a full caseload. In-service training is also minimal. Thus, agency workers and directors would often respond to a crisis with a call for new and more training for workers.

**Blame the Judges and/or the Laws.** The final "usual suspect" is the legal system, or "the judges." Child welfare workers

and administrators frequently identify their core constraint as the legal system and the on or inaction of judges. Case workers claim that the law requires them to make "every possible effort" to keep families together. They also claim that judges ignore caseworkers' recommendations. Many child welfare critics claim that legal reform and judicial training is the solution,

A case can be made for all of the above arguments. The child welfare system is under-staffed, under-funded, under-trained and limited by legal constraints and judicial decisions. Yet, each of the above problems has been addressed over the past three decades with little measurable impact. As important as the "usual suspects" are, they do not constitute the real "offender" that causes the child welfare crisis.

#### Out-Of-The-Box: New Thinking for Reforming the System

The time has come for new solutions. Swinging the pendulum from child safety to family preservation has not succeeded. Replacing treatment programs such as Homebuilders with Family Group Conferencing is unlikely to succeed. Child welfare reform can only be achieved by identifying the true weaknesses of the system and applying out-of-the box thinking to the problem solving

Any system is only as strong as its weakest link. The weakest link of the child welfare system is the individual worker. It is only a slight hyperbole to characterize the typical front-line child welfare workers as a 25 year-old Art History major. Obviously, there are many seasoned and mature front-line child welfare workers that have a wealth of experience to draw upon in their work. On the other hand, it is equally true that the field of child welfare has not been professionalized in the past 30 years. For all the increases in the number of workers in child welfare and in funding for child welfare agencies, front-line child welfare workers still enter homes severely lacking in training, insight, and the proper skills to assess risk and family needs.

Schools of Social Work in the United States bear much of the responsibility for the dearth of professionally trained front-line child welfare workers, and for the fact that the field of child welfare has not been professionalized during the time child abuse was transformed from a personal trouble into a social problem. By and large, Schools of Social Work remain focused on turning out clinicians trained for either private clinical practice or administration. Until Schools of Social Work commit themselves to instituting a professional child welfare track and appropriate curriculum, rounding-up the usual suspects, in the form of hiring additional workers, will yield more of the same well-intended but poorly prepared workers.

Even if child welfare workers are adequately prepared to undertake front-line work, when they go about their business, they open a toolbox that provides only limited tools. The core of a child protective worker's responsibilities is to investigate and assess the suspicion that a child was abused or neglected and then to determine the level of risk to the child and the services the caregivers may require. Again, it is not entirely an exaggeration to say that many front-line child welfare workers employ what I call "olfactory" risk assessment. How neat a house is and how it smells may be the most important factor in the risk assessment process. Many states have implemented formal risk assessment tools, but almost all the tools are lacking in that they: (1) Are not psychometrically sound—that is they are not reliable and valid measures of risk; and (2) They can all be subverted in the field by the workers. No matter how psychometrically sound a risk assessment is, a worker can subvert it by arriving at a subjective sense of risk and then completing the form to attain the desired risk score.

Even if the worker objectively completes a psychometrically sound risk assessment, nearly all risk assessment instruments are limited and naive with regard to assessing the caregiver's willingness and capacity to change. Many child welfare workers believe in the following three principles:

Parents want to and can change their abusive and neglectful behavior. At the core of child welfare work is the belief that most, if not all, parents want to be good and caring parents and caretakers. Whether maltreating behavior is thought to arise from psychological causes, alcohol or substance abuse, or social or structural stresses, the child welfare system is structured under the assumption that parents want to change their behaviors. As a result, both the hard and soft services offered by the child welfare system assume that parents want to receive and can make use of resources, such as therapy, parenting classes, homemaker services, and advocacy.

Changes can be achieved if there are sufficient resources. The second belief follows directly from the first. If parents and caretakers want to change, then the only constraint or roadblock to change is the lack of resources. If change does not occur, it is attributed to a lack of soft or hard resources, not to the parents' lack of willingness or ability to change

A safe and lasting family reunification can be achieved if there are sufficient resources. Given the first two beliefs, the child welfare system believes that if the system has sufficient personnel and service resources, children could be safely kept at home or returned home to their parents.

In reality, change in general, and change in the particular case of caregivers that maltreat their children, is much more difficult to bring about. A substantial body of research provides evidence that people in general, including abusive and neglectful parents are difficult to change. These data counter the notion that all parents want to and can change their behavior. A major failing in child abuse and neglect assessments is the crude way behavioral change is conceptualized

and measured. Behavioral change is thought to be a two-step process--one simply changes from one form of behavior to another. For example, if one is an alcohol or substance abuser, then change involves ceasing to use alcohol or drugs. If one stops, but then begins again, then the change has not successfully occurred. Change, however, is not a two-step process. All individuals are not equally ready to change. Although there is a general belief that change can be achieved if there are sufficient soft and hard resources, as yet, there is no empirical evidence to support the effectiveness of child welfare services in general or the newer, more innovative intensive family preservation services. The lack of empirical support for the effectiveness of intensive family preservation services was the finding of the National Academy of Sciences panel on Assessing Family Violence Prevention and Treatment Programs, and the United States Department of Health and Human Services national evaluation of family preservation programs.

The last and most important weakness of front-line services is the limited ability of front-line workers to provide close monitoring of child welfare cases. Federal guidelines require that state and county child welfare agencies have caseworkers visit and see children in the child welfare system at least once per month. Most child welfare agencies are unable to deliver even this limited level of case monitoring. In Philadelphia, workers see only half the children in the child welfare system once a month; the remainder is seen less frequently. The lack of monitoring and contact creates one of the greatest and widest structural chasms in the child welfare system.

#### Solutions

Money alone will not reform the child welfare system; Class action lawsuits and consent decrees have not yielded the desired changes and reforms. Reform must be built into the system from the ground up.

As Congress considers the reauthorization of CAPTA, there are some critical issues that should be considered:

Is CAPTA's definition of child abuse and neglect too broad? While CAPTA has indeed led to increased reporting, less than half of the nearly 3 million reports made annually are substantiated upon investigation.

Is mandatory reporting working? The effectiveness of mandatory reporting has been a matter of faith for more than 30 years. Yet, the actual result of mandatory reporting laws has never been scientifically examined. No more than three other nations in the world have mandatory reporting laws. Are we correct and the rest of the world behind, or have we erred in placing so much emphasis and resources at the front end of the system.

Are there technologies available that can aid the child welfare system in assessing reports, conducting risk assessments, and monitoring children at risk? The major technology of child welfare is the telephone and pager. Data management systems, such as AFCARS and SACWIS were developed in a pre-internet environment, and many states are spending millions of dollars to comply with federal requirements that pre-date current computer technology.

Are the provisions of CAPTA consistent with the Adoption and Safe Families Act? Four years after the passage of ASFA and five years after CAPTA's reauthorization, child protective workers and administrators are still unclear regarding their primary obligation to children and families. Despite ASFA, a significant number of children still remain in foster care for more than 18 months.

## DYFS is hiring to ease caseload

**The child-welfare agency is adding 158 employees. A cash infusion, however, was not warmly received.**

By Kaitlin Gurney      Inquirer Trenton Bureau      April 06, 2004

TRENTON - The state's troubled child-welfare agency will hire 158 people to help overburdened caseworkers, Human Services Commissioner James Davy announced yesterday.

The staff expansion will jump-start Davy's plan to hire 1,500 workers over the next 2 1/2 years in a major overhaul of the Division of Youth and Family Services. The move will be financed with part of a \$7 million allocation the Legislature's Joint Budget Oversight Committee approved last week.

But Davy offered no thanks for the midyear infusion of cash.

Instead, he lashed out at legislators he accused of shortchanging the state's children by denying the agency an additional \$8 million it had requested.

If lawmakers had approved the full \$15 million the agency had asked for, the state could have hired 86 new youth case managers as well, Davy said. DYFS now employs 1,675 caseworkers to oversee 64,889 children.

"This isn't the kind of issue where you can nickel and dime this thing to death," Davy said. "It is time for [legislators] to stand tall and to do the right and moral thing."

The disagreement sets the stage for Davy's scheduled appearance before the Senate Budget Committee tomorrow. He says he is prepared to make a case for why the agency needs an additional \$125 million next year to fund court-mandated changes to an agency dogged by crises.

An oversight panel has accepted in principle DYFS's overhaul plan, which was drawn up after last year's settlement of a 1999 lawsuit brought by the advocacy group Children's Rights over the treatment of children in state custody.

The total price tag for the DYFS overhaul - which also calls for adding 1,000 foster homes - is expected to reach \$320 million over the next 30 months.

"I'm expecting tough questions," Davy said. "But \$125 million is an important number. It's not about support of the department, it's about support of children. It will be well-spent."

State Sen. Wayne R. Bryant (D., Camden), chairman of the Senate's budget committee, said yesterday that he decided to reduce DYFS's midyear allocation because he did not believe the agency could spend \$15 million wisely in the less than four months before the new budget year begins July 1.

Davy has failed to offer details about how the agency will spend the money - or what happened to \$24.8 million in emergency aid the Legislature approved for the agency last year, Bryant said.

"We're not a rubber stamp for the executive [branch]," Bryant said. "We deserve to have a full accounting of how these dollars will be spent, or we're not doing our job."

But Senate President Richard Codey (D., Essex) said yesterday that he was confident that DYFS would receive the full funding it needed for its overhaul initiative. The rest of the initial \$15 million request could be allocated if Davy provided additional documentation to the joint committee.

"We will find the funding because we recognize the need to overhaul an agency, which has failed to carry out its mandate to provide adequate protection for vulnerable children," Codey said.

Davy said the agency would begin spending the \$7 million it had received immediately. It will cost \$2.8 million to add the new staff positions, which include 72 frontline caseworkers, 78 caseworker aides, and eight supervisors. Of those new employees, 40 will be sent to the agency's seven-county southern region.

DYFS will also spend \$1.4 million to help children with behavioral health issues who are often sent to county detention centers because there is no other place for them to go. Mobile crisis response centers will be built in Middlesex, Mercer and Passaic Counties to serve these children, Davy said.

The remaining \$2.8 million will go toward providing medical examinations for children referred to DYFS and continuing safety assessments of children in foster care.

"We are able to get a lot done with only the \$7 million, but I will continue to fight for more," Davy said.

DYFS gained national notoriety for a series of tragedies last year. Faheem Williams, 7, was found dead in Newark, the victim of beatings and starvation, after a DYFS caseworker closed an abuse complaint without ever seeing the boy or his brothers. And in a home in Collingswood that DYFS workers had visited numerous times, police found four adopted brothers who authorities say had been starved over a period of years.

RELEASE: April 5, 2004

## **Davy announces emergency hiring of 158 new DYFS staff**

TRENTON – Department of Human Services (DHS) Acting Commissioner Jim Davy announced today the emergency hiring of 158 new staff for the Division of Youth and Family Services (DYFS) to help ease the burden of heavy caseloads.

As part of the hiring initiative, 72 frontline caseworkers will be added as well as eight supervisors and 78 case aides to assist caseworkers. The \$2.8 million cost is part of a \$7 million budget transfer the Department received last week to begin the process of reforming the State’s child welfare system.

“When meeting with DYFS staff the past few weeks, I have received nothing but positive feedback on our reform efforts and assurances we truly are moving in the right direction,” said Acting Commissioner Davy. “However, time and time again I have heard a common complaint- caseloads are too high and our staff needs immediate relief.”

Earlier this year, DYFS initiated a case closing project with managers and supervisors working overtime to close cases no longer needing attention. Though 11,823 cases have been closed, the same number of cases have been opened during the same time period, limiting the Division’s ability to make a serious dent in its caseload of 65,000.

In addition to the emergency hiring initiative, Davy also announced \$1.4 million will be spent to help children with behavioral health issues. Many children are languishing in county detention centers and other institutional settings because there is no where else for them to go.

Mobile crisis response will be expanded into Middlesex, Mercer and Passaic counties and 28 treatment beds (eight emergency and 20 non-emergency) will be added to serve children with behavioral health issues in local communities. According to Davy, intensive behavioral assistance services will be expanded so an additional 326 families can be served.

The remainder of the \$7 million supplemental will be used to continue DYFS’ ongoing safety assessment project of children in foster care, provide medical examinations for children in placement and eliminate the problem of children spending hours in local DYFS’ offices waiting for a place to go. Staff will also be added to the DHS Office of Children’s Services so the reform plan can continue to move forward.

“We are able to get a lot done with only the \$7 million,” added Davy. “I will continue to push for the additional \$8 million so we can expand services even further – especially for children with behavioral health issues.”

With the additional funding, Davy would spend \$4.8 million to add 86 youth case managers to coordinate services for children, add an additional 67 treatment beds (bringing the total to 95 beds) and expand intensive behavioral assistance services to over 1,000 families (instead of only 326).

###

Region/Office	Caseload (children)	Current # of Caseworkers	New Caseworkers	New Supervisors	New Aides	Total New Staff
<i>Adoption Operations</i>						
ARC Central	569	39			2	2
ARC Essex	649	39			2	2
ARC Metro	639	40			2	2
ARC Metro-Select	473	30			2	2
ARC North	699	35			2	2
ARC South	981	55			3	3
<b>Totals</b>	<b>4,010</b>	<b>238</b>	-	-	<b>13</b>	<b>13</b>
<i>Central Region</i>						
Mercer	2,568	66		2	3	5
Ocean	2,646	61		5	3	8
So. Monmouth	1,473	42		2	2	4
No. Monmouth	1,398	53			2	2
Somerset	889	30			2	2
Hunterdon	426	12			1	1
<b>Region Totals</b>	<b>9,400</b>	<b>264</b>	9	-	<b>13</b>	<b>22</b>

*Metro Region*

Edison	1,843	41	2		2	4
Perth Amboy	3,039	48	4	1	2	7
East Orange	2,258	43	4	1	2	7
Bloomfield	2,278	43	2		2	4
Newark I	2,030	47	2		2	4
Newark II	2,552	54	2		2	4
Newark III	1,880	51			3	3
Union East	2,637	50	4	1	2	7
Union West	1,661	38	2		2	4
<b>Region Totals</b>	<b>20,178</b>	<b>415</b>	<b>22</b>	<b>3</b>	<b>19</b>	<b>44</b>

*Northern Region*

Bayonne	2,006	55	2		2	4
Bergen	2,895	60	5		2	7
Jersey City	1,230	37	1		3	4
No. Hudson	1,790	39	4	1	1	6
Morris	1,693	37	4	1	2	7
Central Passaic	2,016	53	1		3	4
Sussex	794	19	2		2	4
Warren	653	17			1	1
Northern Passaic	883	39			2	2
<b>Region Totals</b>	<b>13,960</b>	<b>356</b>	<b>19</b>	<b>2</b>	<b>18</b>	<b>39</b>

*Southern Region*

Atlantic	2,000	54	3		2	5
Burlington	2,539	59	2		3	5
Camden Central	3,831	81	4	1	2	7
Camden North	2,861	66	4	1	1	6
Cape May	890	30	2		2	4
Cumberland	2,251	51	2		2	4
Gloucester	2,009	38	4	1	1	6
Salem	960	23	1		2	3
<b>Region Totals</b>	<b>17,341</b>	<b>402</b>	<b>22</b>	<b>3</b>	<b>15</b>	<b>40</b>

**D.O./Region totals**      **60,879**      **1,437**      **72**      **8**      **65**      **145**

**Grand Totals**      **64,889**      **1,675**      **72**      **8**      **78**      **158**  
(Including ARCs)

**NOTE:** Current staff/caseload numbers do not include the Institutional Abuse Investigation Unit.  
Current staffing numbers also do not include 26 regional/permanency caseworker positions.

## Senate panel asked to give DYFS \$125M

### Davy seeks extra funds for agency reforms

Associated Press      Thursday, April 08, 2004

The state's child welfare agency has been deprived of money for more than two decades and desperately needs an extra \$125 million this year to carry out reforms, the acting human services commissioner told a Senate committee yesterday.

"Year after year, funding has been carved out of the DYFS budget to pay for initiatives and programs elsewhere in state government," James Davy said. "Today we can see the results: a system that is understaffed, undertrained, underequipped, under siege and leaving children in harm's way."

But a top lawmaker said that while he supports better protection for children in New Jersey, officials at the Division of Youth and Family Services must provide concrete details about their reform plan before legislators will agree to additional funding.

"This is only a skeleton," said Sen. Wayne Bryant (D-Camden), chairman of the Senate Budget and Appropriations Committee. "It's not a fleshed-out plan.

"All we're asking for is to give us the details. I'm hoping as we get that detail we'll make sure that whatever funding is necessary will happen."

Bryant's comments came after Davy asked the committee to increase the DYFS budget to \$659 million from the current level of \$535 million.

The additional money is part of a blueprint to overhaul an agency that faced fierce criticism after a series of horrific child abuse cases.

State officials agreed to the reform plan in order to settle a lawsuit brought by a children's rights group. An independent panel appointed by the court to oversee reforms tentatively approved the plan and its price tag. Officials have warned that the state could be held in contempt of court if it fails to carry out the reforms.

But Bryant said the Legislature would make its own decision. He previously questioned the \$125 million figure and was one of several lawmakers who last week pared a Davy request for \$15 million in emergency funding. The agency got \$7 million instead.

The senator said he shouldn't be criticized for asking questions.

"If I question anything in this plan, am I against children? No," Bryant said.

Senate President Richard Codey (D-Essex) said Monday that he was confident that DYFS would get the full \$15 million it is seeking.

Davy and members of his staff highlighted various aspects of the reform plan, including new efforts to recruit foster families, treat substance abuse in communities and improve management at DYFS. But members of the committee pressed for more details.

Sen. Barbara Buono (D-Middlesex) called the plan too complex.

"It left me more confused. I had more questions than answers," Buono said.

Sen. Leonard Lance (R-Hunterdon), leader of the Senate Republicans, said the GOP is willing to help but stopped short of endorsing the additional funding.

## **Lawmakers talk DYFS, not politics**

### **A state Senate budget committee began weighing \$125 million more and plans for an overhaul.**

By Troy Graham      Inquirer Staff Writer      April 8, 2004

TRENTON - After weeks of wrangling over the cost of overhauling New Jersey's troubled child-welfare system, senators controlling the state's pocketbook struck an amicable tone and posed few tough questions about the package of proposals at a budget hearing yesterday.

Sen. Wayne R. Bryant (D., Camden), chairman of the Senate Budget and Appropriations Committee, opened the hearing by saying he wanted "to lower the rhetoric" surrounding the plan, which would cost an additional \$125 million in the next

fiscal year.

"If I question anything in this plan, am I against children? No," he said. "We're going to work together. We're going to protect kids."

But Bryant offered no promises to fully fund the plan, saying he did not have enough information to "make an informed decision."

The most vocal support for the plan came from a Republican, Minority Leader Leonard Lance, who pledged on behalf of the Senate's 18 Republicans to "work on a bipartisan basis" to change the Division of Youth and Family Services.

"I pledge personally to give this issue the highest priority," the Hunterdon County legislator said, drawing applause from a committee room packed with DYFS employees and supporters.

James Davy, acting commissioner of the Department of Human Services, which oversees DYFS, said this week that he expected a tough inquiry from the committee.

Instead, the senators asked mainly technical questions on a variety of topics - such as how many cars the agency intended to buy - without substantially challenging the plan or the need for the \$125 million. The additional funding would bring the total for the coming year to \$659 million.

Many included congratulatory remarks and thanked Davy for taking on the challenge of improving DYFS.

Bryant and other senators, however, said the plan was too vague. Sen. Barbara Buono (D., Monmouth) called parts of it "Kafkaesque."

Bryant said lawmakers needed to see "the meat on the bone" before making any decisions on funding the plan.

"Not one legislator has ever been involved in this whole process, so how can you expect us to be up to speed on what they've been discussing for the past six months?" he asked after the three-hour meeting.

He recommended that legislative staff members meet with DYFS officials as they tweak the plan, and he said he would probably meet privately with Davy. He did not know whether Davy would be asked to testify again after the committee learned more.

"It seems to me that what we've been presented is in a framework," Bryant said. "It's not detailed enough."

The agency was staggered by a series of high-profile tragedies last year. Faheem Williams, 7, was found dead in Newark, the victim of beatings and starvation after a DYFS caseworker closed an abuse complaint without ever seeing the boy or his brothers. And in a home in Collingswood that DYFS workers had visited numerous times, police found four adopted brothers who authorities say had been starved for years.

The state agreed to overhaul DYFS after settling a lawsuit filed by the advocacy group Children's Rights Inc. As part of the settlement last year, an oversight panel of experts was created, and a federal judge will supervise the effort.

A 191-page plan, introduced in February, called for changes in nearly every aspect of DYFS. It places a heavy emphasis on preventing child abuse through programs to combat substance abuse, domestic violence, homelessness and mental illness. Davy said yesterday that \$56 million of the \$125 million would go toward prevention and intervention.

The oversight panel has approved the package in principle. Davy said he expected the judge to approve the plan in June, about the time the state must pass its fiscal 2005 budget.

The plan calls for an additional \$320 million, the hiring of 1,500 workers, and the addition of 1,000 foster homes in the next 30 months.

When it was introduced, several lawmakers balked at the cost. This week, Davy lashed out at a budget oversight

committee that endorsed just \$7 million of a \$15 million request for the remainder of this budget year, which ends June 30.

"Year after year, funding has been carved out of the DYFS budget to pay for initiatives and programs elsewhere in state government," Davy said yesterday. "Today we see the results - a system that is understaffed, undertrained, under-equipped, under siege, and leaving children in harm's way."

He said New Jersey had the lowest per-capita funding for children's services of any Northeastern state except New Hampshire.

Buono, posing the most pointed question of the morning, asked Davy: "What assurances do we have that [the plan] will actually work?"

Davy said the plan called for more accountability and had benchmarks for success, but he acknowledged that many of those goals had to be determined.

"It's a lot of everything, senator," he said. "But we're headed in that direction, and that's our commitment."

## **Overhaul begins with reinforcing DYFS' front line**

BY SUSAN K. LIVIO    Star-Ledger Staff    April 11, 2004

Acting Human Services Commissioner James Davy announced last week he will start hiring the first wave of 1,500 additional workers for the oft-maligned, understaffed and demoralized Division of Youth and Family Services.

But bulking up the work force will be the easy part of his mission, which is to reverse decades of systemic mismanagement and dysfunction.

Davy's ambitious reconstruction project will have to survive the competing needs of an entrenched bureaucracy, a Legislature struggling with budget shortfalls and an unflinching panel of child welfare experts appointed by a federal court judge.

The infusion of reinforcements will no doubt reduce onerous DYFS caseloads -- a key component in the recent settlement of a class-action lawsuit filed on behalf of New Jersey's 13,000 foster children. But, Davy said, he is equally focused on the quality of those workers, whose performance has been criticized frequently in the past year.

DYFS, he testified before a legislative committee last week, "is understaffed, undertrained, under-equipped, under siege and leaving children in harm's way."

These failings were laid bare in Collingswood last fall when police discovered four boys starving in a licensed foster home under DYFS' watch. They were painfully clear when the body of 7-year-old Faheem Williams was found in a basement in Newark in January 2003 -- 11 months after a caseworker and a supervisor, struggling with 100 cases, stopped monitoring his family without investigating a claim of abuse.

Later this month, state officials will begin a massive retraining of the child welfare work force. More than 3,000 people will receive intensive instruction in how to spot abuse and neglect, how to work more closely with the families they supervise and how to use a new \$27 million computer system that will automate many functions of their jobs.

Davy also told the budget committee that he has launched a nationwide search for a top administrator. The Special Deputy Commission for Children's Services has been vacant since January.

Within three weeks, Davy must show the expert panel a long-term plan to improve the quality of the work force. That plan is expected to demand, among other things, that supervisors hold master's degrees in social work and that certain employees work nights and weekends.

That could provoke a showdown with the powerful Communications Workers of America, the union representing the DYFS

work force.

There is an air of discontent in the rank and file of DYFS. Nine employees were fired after the Collingswood case; one was fired and another quit in January 2003 after the Newark case. Yet top managers escaped blame, union leaders said.

"People feel brutalized, demoralized, all but crushed," said Hetty Rosenstein, president of CWA Local 1037, representing DYFS workers in Central and North Jersey. "But at the same time, they are hopeful that with the additional staff and resources, maybe they can have a job a human being can do."

Rosenstein declined to discuss any specific workplace changes until "we have a conversation with our employer. They haven't put their cards on the table."

The New Jersey Child Welfare Panel, appointed by the court to monitor the state's reform efforts, also is whispering rather loudly in Davy's ear.

In exchange for approving Davy's DYFS reform plan on March 19, the panel "'exercised its authority" by requiring DYFS to "strengthen and further professionalize its front-line and supervisory child welfare work force," according to a panel press release.

"Hiring and training are the building blocks of DYFS reform," said panel chairman Steve Cohen.

DYFS currently requires bachelor's degrees for entry-level caseworkers -- but it doesn't matter if the degrees are in psychology, meteorology or political science. The panel strongly urged Davy to aim higher.

By 2007, the panel expects DYFS to hire front-line staff with bachelor's degrees in social work or related fields, according to an internal state memo obtained by The Star-Ledger. The panel also wants supervisors hired or promoted after 2009 to hold master's degrees.

"In child welfare systems that are carrying out reform efforts, it's become pretty common to require a master's degree in social work or a related field for supervisors ... and give preference in hiring direct-care staff with a bachelor's degree in social work or a related field," Cohen said.

The new educational requirements would be a seismic shift for veteran staffers. Only 8 percent of front-line supervisors currently have bachelor's degrees in social work, according to the state reform plan. Among higher-level supervisors, 13 percent hold master's degrees in social work or a related field.

A 1993 study in the Child and Adolescent Social Work Journal found employees with social work degrees succeeded in helping place foster children in permanent homes. Another review published in the National Study of Public Child Welfare Job Requirements in 1987 found lower turnover rates in states that required master's degrees.

Ten years after budget cuts eliminated many formal training programs, DYFS and college social work professors are planning to open a training academy by summer, DYFS Director Edward E. Cotton said.

Employees will learn how to use "structured decision making," a computer-linked uniform set of measures assessing a child's safety and risk; conduct "family team meetings" by consulting families to decide what's best for children; and adapt to a computer network that will finally automate DYFS.

While structured-decision-making classes began this month, opening the training academy, hiring trainers and obtaining the curricula for other aspects of reform are still not complete. The training academy was supposed to open in February.

Then there is the delicate issue of discipline.

"DYFS is a system that has functioned very poorly for a long time with impunity," said Marcia Robinson Lowry, executive director of Children's Rights Inc., which brought the landmark lawsuit against DYFS. "Administrative people have to start demanding good performances, but their workers need the tools to do it, and all of that has been missing."

Prior to the start of Davy's tenure in January, Special Deputy Commissioner Colleen Maguire, promised to change rigid civil

service rules that compromised quality work. She said, and many child welfare advocate agreed, that personnel rules shield incompetent people.

Davy is taking a different approach.

"I don't need laws or rules to be changed," Davy said. "People have not known how to use civil service rules to hold people accountable, but I do."

For now, that's fine with the Child Welfare Panel. "But in 12 to 18 months we want to take a hard look at human resource issues -- hiring, promotions, discipline," Cohen said. "If the state is not using its authority, we want the state to talk about it."

Lowry is succinct in her appraisal: "There has to be someone looking over everybody's shoulder."

Reform does not come cheaply.

Davy is asking for \$320 million over the next 30 months to make hundreds of improvements to DYFS, which include hiring and training staff and expanding drug treatment and child abuse prevention programs.

But Democratic lawmakers immediately questioned the price tag and recently cut his \$15 million request for the current fiscal year to \$7 million.

In an emotional plea to the Senate Budget and Appropriations Committee on Wednesday, Davy asked for \$125 million more for DYFS next year. "Our system doesn't work and it is failing kids," Davy said. "As adults, thousands of these children are still in our mental health, welfare and correctional systems. We have helped consign our children to this fate by years of shortsighted decision making."