



501 3rd Street, NW · 8th Floor
Washington, DC 20001
T 202.467.4900 · F 202.467.4949
childrenslawcenter.org

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Judith Sandalow
Executive Director
Children's Law Center

Good morning Chairwoman Nadeau and members of the Committee on Human Services. My name is Judith Sandalow. I am the Executive Director of Children's Law Center¹ and a resident of the District. I am testifying today on behalf of Children's Law Center, which fights so every DC child can grow up with a loving family, good health and a quality education. With nearly 100 staff and hundreds of pro bono lawyers, Children's Law Center reaches 1 out of every 9 children in DC's poorest neighborhoods – more than 5,000 children and families each year. We represent the best interests of hundreds of children in foster care and represent foster parents and relative caregivers of children who are in or at risk of entering the District's child welfare system.

Although Children's Law Center has a long history of raising concerns during CFSA's performance oversight hearings, I recall quite vividly the optimism that I conveyed six years ago at the February 2013 CFSA performance oversight hearing. That was almost exactly one year after Director Brenda Donald's return to the helm of CFSA. Director Donald had made more positive changes in one year than I have seen any agency director make before or since. She prioritized kinship relationships, improved case management practice, built a strong differential response system, began supporting more children at home rather than through foster care, and routinely worked with community partners to identify tailored and flexible solutions for children in care. By the conclusion of fiscal year 2013, Director Donald had also secured the

Children's Bureau's approval of the District's proposed Title IV-E Waiver demonstration project.

Perhaps most importantly, Director Donald spoke often about how the child welfare system was more than just CFSA. According to Director Donald, the child welfare system included families, their lawyers, the community, service providers, advocates and other government agencies as well as CFSA. This wasn't just talk. In her first year, Director Donald had taken many steps toward the type of transparency and engagement that supported this vision.

Director Donald fostered opportunities for real time problem solving. For example, we met with Director Donald and shared our concern about the barriers to kin becoming placements for children who needed to be removed from their parent's care for safety reasons. Director Donald listened. She sought our input about solutions. And she took quick action to make change and implement effective solutions.

These were the times when reform was on the horizon, and Children's Law Center and CFSA shared a positive forecast for the District's children welfare agency and system.

Knowing this history, I come before the Committee today confused and distressed by the state of CFSA's current operation.

When we talk to advocates in other states, they often admire the fact that we work in a jurisdiction with such progressive placement policies. CFSA was one of the

first states to extend foster care to age 21 and to initiate an emergency licensing process for kin caregivers. However, in the past few years CFSA has not kept up with the national trend of placing children in foster care with kin caregivers. Nationally in 2016, 32% of children in foster care were placed in a relative's home.² In DC in 2018, only 26% of children in foster care were placed in a relative's home.³ Equally concerning, CFSA has done little to address a several-year-long shortage of foster parents, unwilling until recently to even acknowledge the crisis. We see the impact almost daily with our own clients, and the statistics support our experience: 63% of DC youth over the age of 16 have had 5 or more placements, while nationally only 33% of youth over the age of 16 have had 5 or more placements.⁴ I have many other concerns about CFSA's current practice that my colleague, Aubrey Edwards-Luce, will testify about in more detail.

I believe that one of the reasons we have seen a decline in CFSA's effectiveness is their move away from the philosophy and practice that embraces the larger community as part of the child welfare system. Gone is the openness and engagement. Gone is the creative problem-solving. There was a time when Children's Law Center could reach out to Director Donald and her senior team when a child or family had a problem that required a creative solution and the ability to put a child before bureaucratic or structural barriers. Director Donald herself used to blaze trails right through administrative problems.

There was a time when Director Donald welcomed the input of providers, families and advocates into the implementation of its strategic vision, but now those opportunities are gone. Differential response was eliminated without any input from community stakeholders. The Family First prevention planning meetings, arguably the most important city-wide initiative focused on children and families - are almost exclusively government entities and include no one with an independent relationship directly with children, youth or families. When we raised the lack of inclusion with CFSA leadership, the response was confounding: that we were given a chance to share what we saw as problems, and community input isn't relevant in formulating the solution. What CFSA leadership missed was the understanding that their solutions didn't resolve the problems identified – and that community stakeholders could have explained why those solutions were inadequate if only they had been invited to provide feedback before new processes were instituted.

The lack of inclusion is made worse by a lack of transparency. Whether Children's Law Center is working on behalf of one child or for systems change, we have difficulty getting the information we need to be productive partners. In individual cases, CFSA often refuses to give reasons for its conclusions, making it hard for children and families to team effectively. At a systemic level, policies are changed without informing community stakeholders – and we often find that CFSA social workers themselves do not know what policy to follow. This lack of transparency is more than a

barrier to our advocacy: it makes our child clients, their foster families and their biological families feel unstable and keeps them in a toxic state of high stress.

I hope this committee will encourage CFSA to return to a vision of a city-wide child welfare system and to become transparent, inclusive, solution-oriented and child and family focused. Please also deepen your inquiry into CFSA's decision-making processes and outcome measures in order to bring transparency and accountability.

When laws and regulations need revision, we stand ready to work with CFSA and this committee to make such changes. When input from community stakeholders is sought, we stand ready to assist. In short, whether it is through collaboration or confrontation, Children's Law Center will continue to zealously advocate for the individualized and systemic responses necessary to support DC's children, youth, and families. Thank you.

¹ Children's Law Center fights so every child in DC can grow up with a loving family, good health and a quality education. Judges, pediatricians and families turn to us to advocate for children who are abused or neglected, who aren't learning in school, or who have health problems that can't be solved by medicine alone. With more than 100 staff and hundreds of pro bono lawyers, we reach 1 out of every 9 children in DC's poorest neighborhoods – more than 5,000 children and families each year. And, we multiply this impact by advocating for city-wide solutions that benefit all children.

² U.S. Department of Health and Human Services, Administration for Children and Families, Children's Bureau. *The AFCARS Report*. (Oct. 2017). Retrieved from <https://www.acf.hhs.gov/sites/default/files/cb/afcarsreport24.pdf>

³ CFSA. *Four Pillars Scorecard FY2018, Q4*.

⁴ Child Trends. *Transition-Age Youth in Foster Care in the District of Columbia*. (Aug. 2017). Retrieved from <https://www.childtrends.org/wp-content/uploads/2017/09/Transition-Age-Youth-District-of-Columbia.pdf>.