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Children Languish in Group Homes*More Efforts Needed To Move Children To Family-Based Placements***Executive Summary**

Maryland can make a stronger effort to find alternatives to group homes for teenagers in Baltimore City, based on a review of court records and group home contracts. The State needs to redouble efforts to find relatives or foster parents in Baltimore City willing to care for these children, with supports and services as needed. The courts can help by requiring more evidence from caseworkers and documenting whether efforts to move children to less restrictive placements have taken place. Group home providers can work collaboratively to support this effort and to expand the services they can provide to children who do not live in group homes.

Background

When abused or neglected children are removed from their homes, they can be placed in a variety of temporary settings, including with relatives, in foster homes or in group care.¹

In group care, children are housed with other children who may have more severe problems. They often live far away from their families. They are not with foster parents who might potentially adopt them.

Negative outcomes associated with group care include longer stays in out-of-home care and an arrest rate two-and-a-half times greater than the rate for comparable children in family-based settings.² Teenagers are particularly likely to be placed in group care.

Lengthy time in group care is not only bad for children, it is expensive. Group care costs about

\$70,000 per year; placement in a family foster home costs about \$12,000.

Group homes may be the most appropriate placement for a child for a period of time. However, there are compelling policy and financial reasons to keep the length of stay in a group home to the minimum necessary.

Using court records, this study examines efforts to find alternative placements for Baltimore City children who the State placed in non-family settings. Advocates for Children and Youth also examined data on group home placements, and the existing contracts for group home providers.

Methodology

Advocates for Children and Youth secured a court order to look at the court records of children in Baltimore City placed in group care.³

The Children

The study examined all children who met the following criteria:

- The child was living in a group home as of the latest review by the court in May, June or July 2009;
- The child had lived in a group home for at least a year;
- The case was relatively new; the court had made its initial "10-month" review in November or December 2008; and⁴
- The child was between 14 to 18 years old.

More than 200 children received their 10-month review in November or December 2008. Fourteen of these children met the selection criteria,

³ Under state law, a court can authorize access to court records for "good cause," and ACY agreed to maintain the confidentiality of the records.

⁴ The 10-month review occurs one time during the first year of placement. After that, a case is supposed to be reviewed every six months.

¹ Group care includes group homes, residential treatment centers and state-run facilities.

² J. P. Ryan *et al*, "Juvenile Delinquency in Child Welfare: Investigating Group Home Effects" (2008).



including nine boys and five girls. All of the children were African-American. They had lived in group homes on average for one year and five months.

Looking for Alternatives

ACY did an intensive review of the court records of the 14 children to examine efforts by the Baltimore City Department of Social Services to find an alternative placement to group care. The study looked for the following activities:

- Identification of an alternative placement: Did the caseworker identify a placement other than a group home and identify steps needed to move the child to that placement?
- Trial home visit: If possible, did the child return home to live with a biological parent to determine whether and how family reunification could occur?
- Family-team decision making: Did the caseworker facilitate a meeting of the child, parents, relatives, friends and other supporters of the family to identify an alternative placement and the services needed to make it work?
- Search for a relative placement: Was the child asked to identify relatives or non-relatives who might care for him or her?
- Identification of a relative placement: Has the caseworker identified a relative or non-relative who, with certain supports, could care for the child?
- Search for a family foster home: Has the caseworker identified family foster parents who, with certain supports, could care for the child?
- Search for a treatment foster home: If a family foster home is not suitable, has the caseworker identified a treatment foster home that could care for the child?
- Need for specialized services: Is it clear that the child originally needed specialized services that could only be provided in a group home?
- Regular visits to the group home: Has the caseworker observed the child to see whether he or she could be successful in a less restrictive placement?

- Independent psychological assessment: Has someone not connected with the group care provider determined that the mental health needs of the child continue to preclude a less restrictive placement?⁵

Materials Examined

ACY looked at both the computerized court records and the court's physical files. At each review of the case, the court issued an order which contained various findings and described activities undertaken by the Baltimore City Department of Social Services since the previous review. The court orders are largely based on entries made independently by each of the parties into the computerized system. There are also "stipulations," facts agreed to by the parties.

It is possible that more was done by the Department of Social Services than appears in the court records. In most, but not all cases, the court is provided with a lengthy print out of the Department's computerized record for that case at each review hearing. However, these reports are not put into the court files because of space limitations. The court may also have learned of step down activities verbally during the hearing.⁶

Under state law, the court is required to confirm that the Department made "reasonable efforts" to meet the needs of the child. As part of this finding, the court must consider whether a child is "in the least restrictive setting appropriate, available and accessible for the children during the period since the most recent hearing held by the court." The court is obligated to assess the Department's evidence of efforts made since the last adjudication. Even if the court finds that reasonable efforts have occurred, the court is required to indicate if "during the period since the most recent hearing, the child has not been...in

⁵ The criteria were selected based on conversations with child welfare experts and other attorneys for children in state custody. The research instrument can be found in Appendix A.

⁶ Meeting with Judge Edward Hargadon (Sept. 4, 2009). ACY has asked the Baltimore City Department of Social Services to provide the progress reports for these cases.

the least restrictive setting appropriate, available, and accessible.”⁷

Thus, if significant step down activities occurred, the Department should have entered them into the computerized court records. If the court learned of these activities by reviewing the Department’s print out or from a verbal exchange during a hearing, the court order should include those activities in support of its finding.

Findings

Court Records

Overall, the court records did not reveal significant efforts to step down any of the children from group homes to less restrictive placements.⁸

The following step down efforts did not occur for *any* of the children:

- Identifying a potential less restrictive placement within the last six months;
- Carrying out a family team meeting;
- Asking the child about relatives who are potential placements;
- Identifying relatives as potential placements;
- Identifying a foster home as a potential placement;
- Identifying potential treatment foster homes which could be a better placement; and
- Making regular visits to group homes to observe the child’s progress.

One child had a trial home visit. Half of the children had psychiatric conditions, but there were no documented progress reports on the effectiveness of their mental health treatment and no independent evaluations of whether their psychiatric conditions necessitated continued group home placement.

Group Home Contracts

The existing, standard contract for group home providers does not require any specific efforts to develop and implement plans to secure alternative placements. The contract does not have any performance standards or incentives relating to

safely and effectively reducing the length of stay in the institution.

Case Examples

Tyler*

Tyler is an 18-year-old boy who has been in a group home for about 18 months. His mother’s whereabouts are unknown, and his father has a history of abusing Tyler when intoxicated. At his initial hearing, Tyler said that he was fearful to remain in his father’s care and was subsequently placed in a group home. He has been making steady progress at school, obtained his GED and found employment. There was nothing in his case file documenting efforts to locate an alternative less restrictive placement for Tyler at his initial hearing or any of the subsequent court hearings. Tyler now wants to pursue an independent living placement, but there is no evidence of efforts to prepare him for this potential change.

DeShaun*

DeShaun is a 15-year-old boy whose mother is deceased, and his father’s identity is unknown. He was initially placed with a maternal relative after his mother’s death, but she became unwilling to care for DeShaun due to his increasing behavior issues. He was then placed in a group home almost two years ago. He is doing well at school and has no physical or mental health issues. DeShaun has had at least four court review hearings and yet, there were no documented efforts to locate relatives or to transfer him to a less restrictive placement, such as a family foster home.

Antonette*

Antonette is a 16-year-old girl who has been living in a group home for one year. She sees her mother weekly and is home on weekends for trial home visits. But no additional steps have been taken to permanently reunite Antonette with her mother.

**Names have been changed*

⁷ See Maryland Courts and Judicial Proceedings, §3-816.1(c)(4).

⁸ The full results are in Appendix B.

Discussion and Recommendations

Significant reductions in the number of children in group homes have occurred in Baltimore City. This was achieved primarily through avoiding group home placements, not removing children already in group homes. This means that the children coming into group homes are likely to have more needs. Still, this does not mean that the children should remain in group care indefinitely.

In order to ensure that children, once placed in group homes, do not remain there longer than necessary, the Department, courts and group home providers will need to undertake additional activities.

The Department of Human Resources is preparing to issue a Request for Proposal for group homes; every potential provider will need to apply. Hopefully, the RFP will require a stronger commitment from providers to keep length of stay to a minimum. Given the financial incentive of providers to extend stays, the Department needs to use some combination of enforced standards and incentives.

For the Department of Human Resources and the Baltimore City Department of Social Services:

1. Make more significant efforts to identify relatives or non-relatives who will care for children currently in group placements;
2. Determine, independently of group home providers, whether children with mental health problems can be served in alternative placements;
3. For each child, develop a detailed step down plan describing the planned activities;
4. Require group home providers to proactively seek and support alternative placements, enforcing these standards and providing incentives as needed.

For the courts in Baltimore City:

1. Require that a step down plan be developed by the Department for each child in group care;
2. Make sure that step down plans and plan updates on each child are in the court records;
3. Include in the court order following each review the specific activities that the court found took place since the last review to pursue less restrictive placements, reflecting information provided in writing and verbally;
4. Order additional step down activities when there is not sufficient evidence that the Department is pursuing alternatives to group home placement;
5. Require the Department to indicate in the computerized court records any time that a child is placed in group care, so that the court can more easily review the status of all children in group care.

For group home providers:

1. Work collaboratively with the Department to identify and support family-based placements for children placed in group homes;
2. Expand services that they can provide to children who do not reside in the group home, e.g., children living with their parents or in foster homes.

Finally, for the Governor:

1. Allow the Department to invest resources needed to help more children leave group care safely and quickly, knowing that this investment will produce overall savings.

9. Are reasonable efforts being done by the agency in support of step down efforts documented in the court file?
- Have they identified a potential less restrictive placement within the last 6 months?
 - Have they carried out trial home visit(s)?
 - Has a Family Team Decision Making meeting been carried out?
 - Has the child been asked about alternative relatives who are potential adoptive resources?
 - Have they identified relatives as potential adoptive resources?
 - Have they identified any potential treatment foster homes which could possibly be a better placement for this child?
 - Have they identified foster home as potential placements as part of the step down plan?
10. Has the agency, independently of the group home provider, determined that child cannot be placed in a less restrictive placement?
- Independent psychological evaluation has been carried out
 - Regular visits to group home to observe and evaluate child's progress have been carried out
 - Child clearly is in need of specialized services; hence group home placement is necessary

If all the above boxes are checked, then indicate that there is sufficient evidence of reasonable efforts done by the agency.

Yes No

11. Does the Court have specific evidence that child cannot be placed in a less restrictive placement?
- Monitored independent psychological evaluation carried out by the agency
 - Monitored that regular visits to the group home by the agency to observe and evaluate child's progress have been carried out
 - Child clearly is in need of specialized services; hence group home placement is necessary

If all the above boxes are checked, then indicate that the Court has verified for sufficient evidence of reasonable efforts done by the agency.

Yes No

Status

12. Implementation of Permanency Plan to be done by (date):

13. Progress Reports recommended by Court

Yes No

14. Are Progress Reports in the Court file?

15. Next Progress Report to be filed on/by:

16. Next Review date:

17. Determinations made by Court:

18. Information obtained from Court order dated: _____

19. Was the above order from a scheduled review hearing? _____

Appendix B – Results

Child	Reasonable Efforts Criteria											Judicial Review			
	Identify less restrictive placement	Trial home visit	Family Team Meeting	Alternative relatives	Identified relatives	Treatment foster homes	Regular foster homes	Indep. psych eval.	Regular visits	Need of special services	Reasonable efforts	Monitor psych. eval.	Monitor regular visits	Need of special services	Court reasonable efforts
1	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No
2	No	Yes	No	No	No	No	No	No	No	No	No	No	No	No	No
3	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No
4	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No
5	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No
6	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No
7	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No
8	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No
9	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No
10	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No
11	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No
12	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No
13	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No
14	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No

Key: “Yes” – Yes, the event did occur, e.g. trial home visits occurred; “No” – No, the event did not occur, e.g. A less restrictive placement was not located within the past 6 months