
HOUSE JOINT MEMORIAL 10- EXECUTIVE TASK FORCE RECOMMENDATIONS

HJM 10 REPORT

Introduction:

HJM10 was a joint memorial passed in 2019 by both the New Mexico Senate and House of Representatives to develop recommendation for how CYFD can improve policies and practices that recruit and support foster families for children in its care. The memorial established a Task Force that itself constituted a diverse representation of individuals from all over the state of New Mexico including urban, rural, frontier, and tribal communities, and a variety of professional backgrounds, including education, medicine, social work, community organizing, non-profit, government, and more. Importantly, the Task Force also included a number of individuals with lived experience as foster parents, kinship care providers, parents, and youth who at some point had been in State custody.

CYFD embraced HJM10 as as an opportunity to dialogue with the community. Through the HJM 10 process, CYFD held four community listening sessions, town halls, and working groups with different sections of the public to inform the recommendations and action steps of this report. CYFD retained a third-party consultant, Social Change Partners, to provide an objective look at recruitment practices and collaborate with Task Force members to identify improvements that would better support foster families and the children in their care.

Unfortunately, the Covid-19 pandemic of 2020 made some of this work more difficult. While some in-person meetings had already been convened, from March 2020, all meetings had to be held online. Regardless, the Taskforce pushed onward, continuing to meet and develop the following observations and recommendations. We are confident that the attached report represents an excellent step forward.

The attached report includes the following sections:

- Recommendations from each Task Force subcommittee, presented as submitted with no substantive changes or edits;
- Recommendations developed by Social Change Partners developed from interviews with Task Force members and young people.
- Six Appendices offering additional detailed information:
 - Appendix A: Current data regarding CYFD performance on measures of placements stability and relative placement.
 - Appendix B: Detail regarding federal and state law and guidance regarding relative placement and other requirements and priorities relevant to HJM 10.
 - Appendix C: Selected research and reports relevant to the content of this report.
 - Appendix D: Youth perspectives on 144 foster placements, gathered by NMCAN through focus groups held in April 2020.
 - Appendix E: Detailed notes from interviews with Task Force members.

- Appendix F Comments from a survey of foster parents conducted by the policy and procedures committee on 7/23/20

CYFD is committed to continuing to improve our work with the community to make CYFD a better system for children, youth and their families.

Annamarie Luna, LISW
CYFD- PS Acting Director

I. EXECUTIVE TASK FORCE FOR HJM 10 COMMITTEE MEMBERS:

Members:

Karen Canaday Whitlock*	Truman Clark	Bette Fleishman*
Roslynn Gallegos*	Destiny Garzes	Jessica Harper*
Sec. Katrina Hotrum-Lopez*	J. Betsy Hoxworth*	J. Petra Jimenez Maes*
Ashley Keiler-Green	Veronica Krupnick*	Katy Kunkel
Senator Linda Lopez*	Emily Martin*	Jolene Martinez
Pamela Michaels	Veronica Montano-Pilch*	David Montoya
Kalonji Mwanza	Mariana Padilla*	Carmen Prince-Morris
William Romero*	Joanna Rubi	Lieutenant Nick Sanders*
Donalyn Sarracino*	Carri Shook	Ezra Spitzer*
Margaret Villegas		Desiree Wheeler

*active in developing recommendations

CYFD Consultants (providing resources and support to the committee members):

Annamarie Luna - Acting Director
Cynthia Chavers - Acting Field Deputy Director, Metro Region
Karla Young - Field Deputy Director
Valerie Sandoval - Deputy Director

Aubrey Lanham- Administrative Assistant

Social Change Partners, LLC Consultant:

Reed Connell

II. LEGISLATION COMMITTEE WAS CHARGED TO REVIEW, RESEARCH, OR ADDRESS:

- i. Recommend the implementation in all protective services division offices and programs throughout the state of uniform and consistent policies and procedures, and a plan to implement these policies and procedures to ensure that resource families are appropriately supported, recruited and retained;
- ii. Recommend measures to ensure that all children, youth and families department rules are made easily available to every resource family, as well as interested stakeholders and members of the general public;
- iii. Recommend measures to ensure that current rules and procedures support New Mexicans who devote themselves to being resources families and streamline the foster care system to reduce bureaucratic burdens on resource families;
- iv. Review training, support and ongoing opportunities to retain resource families, to study resource family retention and to determine desired and needed training topics and best sources of support;
- v. Analyze family reintegration policies, procedures and practices to recommend safeguards to create safe and lasting reintegration of families;
- vi. Study the benefits of placement stability to avoid multiple, disruptive placements; and
- vii. Identify better ways to recruit, support and retain resources that resource families and children and family service providers need to support the state's most vulnerable population.

Areas were divided into three Sub-committees to improve efficiency to meet requirements of the memorial:

1. Policies and Procedures:

Protective Services policies and procedures- an implementation plan (consistency) done for policies and procedures to PS staff. Accessibility to resource families (posted), stakeholders and the general public. Recommend measures to ensure these policies and procedures do not place bureaucratic burdens on families and streamline the foster care system.

2. Family Reunification Sub-Committee:

Analyze family reunification (reintegration) policies and procedures and recommend safeguards to create safe and lasting reunification (reintegration) for families.. Review the Policies and Procedures of the Children Youth and Families Department

3. Placement Stability, Recruitment and Retention for vulnerable populations :

Study the benefits of long-term foster placements to avoid multiple, disruptive placements and identify better ways to recruit, support and retain resources that resource families and children and family service providers need to support the state's most vulnerable population.”

III. SUBCOMMITTEES- NAME AND MEMBERSHIP

Policies and Procedures Sub-Committee:

Chair: Veronica Montano-Pilch

Co-Chair: Roslynn Gallegos

Secretary: Karen Canaday Whitlock

Members: Bette Fleishman*, Betsy Hoxworth*, Sen. Linda Lopez*, Emily Martin*, Pamela Michaels, Carmen Prince-Morris, William Romero*, Joanna Rubi, Nick Sanders*, Margaret Villegas and Desiree Wheeler.

CYFD Consultants: Annamarie Luna, Cynthia Chavers

Family Reunification Sub-Committee:

Co-Chairs: Veronica Krupnick, Mariana Padilla

Members: Kara Bobroff, Truman Clark, Destiny Garzes, Jessica Harper*, Secretary Katrina Hotrum-Lopez*, J. Petra Jimenez Maes*, Ashley Keiler-Green, Kathy, Kunkel, Jolene Martinez, David Montoya, Kalonji Mwanza, Donalyn Sarracino*, Carri Shook, Ezra Spitzer

CYFD Consultants: Valerie Sandoval, Karla Young

*active committee members

IV. DATES OF TASKFORCE MEETINGS:

HJM-10 Task Force:

November 21, 2019 (open meeting)
December 19, 2019 (listening session for the public)
February 27, 2020 (listening session for the public)
June 25, 2020
July 23, 2020
August 3, 2020 (Open Meeting)
September 17, 2020

Policies and Procedures Sub-Committee:

July 10, 2020
July 28, 2020
August 3, 2020
September 2, 2020
September 4, 2020

Family Reunification Sub-Committee:

July 2, 2020
July 9, 2020
July 16, 2020
August 13, 2020

August 24, 2020

August 31, 2020

September 14, 2020

September 21, 2020

September 28, 2020

October 5, 2020

October 8, 2020

Placement Stability:

One-on-one interviews conducted by Reed Connell with Task Force members took place in July and August 2020.

V. SUMMARY OF RECOMMENDATIONS:

1. Policies and Procedures Sub-Committee:

- A. Review content of Kevin S. Agreement. In March of this year, CYFD and Human Services Department (HSD) entered into a groundbreaking agreement in a class action lawsuit that brings together foster youth, children advocates, and nationally recognized experts to fix New Mexico’s foster care system. Many of the issues outlined in HJM10, which was passed before the settlement, have been addressed through the settlement agreement and continue to be addressed because of Kevin S.
- B. The Policies and Procedures of CYFD are now readily available at <https://cyfd.org/>. We recommend that verbiage be added to the policies and procedures describing how they are implemented state wide.
- C. A search of Standard Operating Procedures (SOP) appeared to be lacking. We recommend a user friendly easily accessible web portal that the public can access.

- D. RAFT Relative Adoptive Foster Parent Training appears to only be accessible to certain foster parents depending on when they became a foster parent. RAFT needs to be available to all foster parents at all times.
- E. CYFD create formal complaint/compliment from online web portal for foster parents and collect data including resolution. Currently, the complaint goes to a specific person via email and that person resolves the issue. It is crucial to know how many complaints are received and what type of immediate response is given.
- F. Consider privatizing regular foster care as others states have.
- G. CYFD create Foster Parent 101 manual that is consistent across the state.
- H. Create Foster Parent CYFD checklist when a child is first place to ensure level of care follows the child and everyone is aware of issues.

2. Family Reunification Sub-Committee:

In Section E of HJM 10, the Legislature ordered the Task Force to “analyze family reintegration policies, procedures and practices and recommend safeguards to create safe and lasting reintegration of families”. (HFL/HJM 10 - E @ p 3, lines 19-21E.)

The Family Reunification Subcommittee addressed reunification and “improving the safety and well-being of children in the care of child protective services to:

- 1) Better serve and support all resource families, and to
- 2) Collaboratively work towards better recruitment and retention of resource families.

The subcommittee reviewed training, support, home-based services, and involvement of foster parents as an individualized planning team member, and other methods to involve foster parents in efforts to reintegrate families. Input was sought from three groups: 1. foster families in New Mexico on their ability to assist in reintegration and their needs for training and support to do so; 2. from parents and families about how foster parents can best help in reintegration; and 3. Foster youth on their unique needs, and challenges. This report includes our recommendations for improving access to support and resources that will improve child and family outcomes, promote reunification efforts, prevent and respond to trauma and address the varied needs of these groups.

The Children, Youth and Families Department is in an ideal position to improve permanency outcomes and well-being for children in care and increase support and resources for all resource families (non-relative and kinship), birth families, foster youth and permanency planning staff through their agency strategic plan focused on: 1) **More appropriate placements** that includes increasing kinship care, placements aligned with ICWA, and access to community mental health services; 2) **Prevention**, including trauma-responsive services for youth in care; 3) **Optimization**, including data, funding, and accountability; and 4) **Staff**, including increased support and training. The Department also has quality improvement measures in place, such as the Child and Family Service Review which helps states to identify strengths and improvements in outcomes for safety, permanency and well-being.¹

A. Overarching themes/guiding principles

The following overarching themes emphasized the need to address systemic barriers children and families encounter throughout child welfare and the Children, Youth and Families Department and served as the guiding principles utilized by this task force in the development of its recommendations:

- The holistic well-being and self-determination of children and families is recognized and prioritized through a strength-based approach.
- Placements with family members are prioritized
- Resource families are viewed as critical partners and play a supportive role in achieving reunification and achieving positive outcomes for children.

¹ Blalock, Brian. *A Very Brief Overview of the Kevin S. Settlement*. September 17, 2020.

- Partnerships between caregivers and parents are integral components in promoting family reunification and child and family well-being.
- Agency culture should support the authentic engagement and partnership of individuals with lived experience, inclusive of foster youth and alumni, birth parents, kinship and relative guardians.
- Stigma and bias directly influences decision-making at all levels.
- Historical trauma and systemic racism directly influence decision-making on all levels and contributes to the disproportionality in the child welfare system.
- Ongoing education on cultural recognition and humility is provided in order to increase awareness and integration into Department practice.
- A trauma-informed and responsive approach is implemented at all levels.

A commitment to increase support and efforts for prevention versus intervention, through partnerships with local communities and tribes is actualized.

A. RECOMMENDATIONS FOR YOUTH

In regards to Foster Youth, this task force recommends the Children, Youth and Families Department to:

1. Engage and empower the perspectives and voices of foster youth and alumni throughout the Department. This is inclusive of current foster youth, foster alumni, expecting and parenting youth with lived experience in the child welfare system.
 - a) Involve foster youth and alumni in the selection, training and evaluation of foster or resource families.²
 - b) Involve foster youth and alumni in changes to policy, leadership and practices within the Department.

² NMCAN. (2020). *Youth Experience in Foster Homes*. (attached as Appendix D)

- c) Create opportunities within the Department for foster youth and alumni to develop and lead educational forums for service providers and child welfare professionals to hear their perspective and insight. ³
 - d) Create space for foster youth and alumni to provide their concerns and feedback about their experience in foster care.
2. Provide expecting and parenting foster youth with appropriate and timely services and supports to prevent inter-generational child welfare involvement.⁴
 - a) Equally prioritize maternal and paternal engagement in services and access to resources.
 - b) Promote services that will support and empower expecting and parenting youth and will prevent out-of-home placements of their children. This early prevention would include access to trauma-informed services such as independent living services, legal services, emotional and physical health resources and parenting classes.
 3. Take active efforts to identify least-restrictive and culturally appropriate placements.
 4. Provide resource families with the services, supports and training necessary to provide foster youth with normalcy.⁵
 - a) Supporting age-appropriate social interactions and activities including interactions with peers, extracurricular activities, as well as passions and skills to assist in transition to adulthood such as learning to drive.
 - b) Provide training and education to resource families on the importance of the development of social capital and connections, especially for resource families supporting youth with the potential of aging out of foster care.
 5. Recruit resource families who are willing to learn and support the unique needs and challenges foster youth face.
 - a) Provide training and education to these resource families on how to support and mentor youth without pressure of adoption.
 - b) Provide training and education to these resources families on how to parent and mentor youth living with trauma.

³ National Foster Youth and Alumni Policy Council. (2020), 7. *A Historic Opportunity to Reform the Child Welfare System: Youth and Alumni Priorities on Special Populations.*

⁴ National Foster Youth and Alumni Policy Council. (2020), 6. *A Historic Opportunity to Reform the Child Welfare System: Youth and Alumni Priorities on Special Populations.*

⁵ National Foster Youth and Alumni Policy Council. (2017). *Improving Social Capital for Youth in Foster Care.*

6. Provide education to child welfare professionals and resource families on how to support youth who are dually involved in the foster care and juvenile justice systems.
 - a) To acknowledge and address the stigma and messaging associated with foster youth. The entry of a child or youth into foster care is due to lack of protective factors, not the child or youth themselves.
 - b) To set clear expectations that foster youth will be treated with respect and without the assumption that their status in foster care will ultimately lead to their involvement with juvenile justice.
 - c) While child welfare professionals who are supporting youth dually involved in foster care and juvenile justice need to collaborate, the Department is encouraged to reflect on the messaging having both foster care services and juvenile justice services under one physical roof communicates to non-dually involved youth.

7. Engage foster youth in a trauma-informed manner during the process of their case.
 - a) Ask foster youth to identify supportive adults in their lives to look to as possible placements to avoid removing youth from their extended family, community and culture.
 - b) Ask foster youth to participate in the collaborative process of reunification and address the services and resources they will need to feel supported in their reunification with their parents.
 - c) Allow youth to help in identifying supports and services that will be beneficial for themselves and their families.
 - d) Provider training, preferably led by young people with lived experience, throughout the Department on authentic youth engagement and how to prioritize youth voice in case planning.
 - e) Explain in age-appropriate and understandable terms what is currently happening in their case, why it has happened and what is to come.
 - f) Engage youth in a trauma-informed approach in the court process and the duration of their case and accurately represent their needs, wants and perspectives. This includes providing necessary information and details to youth about their case to avoid making uninformed decisions based on the pressure from child welfare professionals.

8. Partner with community service providers and foster youth and alumni to create and implement a peer to peer support and mentorship program. This program would be accessible to and inclusive of current and former foster youth.
 - a) Youth recommended this opportunity be led by foster youth and alumni.
 - b) This type of programming would allow youth to grow their personal connections and social capital, which is crucial for young people entering adulthood with little to no familial support.

9. Provide ongoing support and services to families who have been reunified with their children or have adopted children and youth.
 - a) Provide services during a period of transition is crucial to ensure children do not re-enter the foster care system or do not have disrupted adoptions. Reunification or adoption does not mean a youth's trauma and need for services has come to an end.
 - b) Collaborate with the youth and their families to determine what services would be most beneficial to them.

B. RECOMMENDATIONS FOR NON-RELATIVE AND KINSHIP RESOURCE FAMILIES

1. Support birth and foster parent partnerships to help facilitate reunification efforts. Positive parent partnerships build on strengths, parents' effort to improve, reduce trauma, and support the goal of reunification. Parent partnerships also enhance family protective factors for parental resilience, parenting/child development knowledge, social connections, access to concrete supports, and social and emotional competence for children.⁶
 - a) Develop an agency culture and practice that supports the recruitment of non-relative and kinship resource families who are willing to serve as mentors and work in partnership with birth families.⁷
 - b) Provide specialized training for CYFD staff, service providers, and court advocates and others on how to facilitate/support birth parent/foster parent partnerships.
 - c) Share resources that provide guidance on birth and foster parent partnerships, such as the *Birth and Foster Parent Partnership: A Relationship Guide*, to foster parents, kinship caregivers, CYFD staff and others.
 - d) Develop a specific training module for foster parents that focuses on the importance of mentorship relationships with the birth parents, that help birth parents stay connected with their children, develop life and parenting skills, and expand their resources and support.

⁶ Birth and Foster Parent Partnership: A Relationship-Building Guide

⁷ Birth and Foster Parent Partnership: A Relationship-Building Guide

2. Implement early, active, ongoing, documented efforts to identify Kinship Foster Placements
 - a) Utilize the CYFD Relative Care Team to provide training and support on how to initially approach and engage relatives who may be potential kinship foster placements.
 - b) Prioritize searching for and finding possible kinships placements early in the case through utilizing the Family Finding Seneca Search Engine.
 - c) Examine and address systemic barriers that have historically prevented kinship resource families from being prioritized and approved. Families preparing to be kinship resource families should be able to achieve this without fear of retribution and bias.
3. Provide clear, consistent and comprehensive communication to all resource families throughout the process.
 - a) For kinship resource families, utilize the CYFD Relative Care Team at all levels to improve relative engagement, connection, and communication.
4. Provide all resource families with access and connections to community-based, culturally-appropriate services and supports needed to address the individual needs of their families.
 - a) Provide and connect resource families with peer support and mentorship programs that will strength their family's support network.
 - i. Utilize the BHSD Peer Recovery and Engagement Office who has tools, resources, and support groups readily available.
 - ii. Provide specific support networks and groups to grandparents raising grandchildren
 - b) Provide access to ongoing and specialized training opportunities, led by behavioral health professionals, to strengthen skills in trauma-informed parenting.
 - c) Provide staff training on how to communicate with resource families about the trauma that resulted in a child entering foster care.
 - d) Provide access to culturally-appropriate respite to all resource families. This is inclusive of awareness, skills and services related to caregiver self-care.

- e) Establish a CYFD/HSD Warm line for foster parents, kinship caregivers and birth parents who may need assistance and guidance on meeting the behavioral needs of the children in their care.⁸
5. Implement a team approach inclusive of resource families and birth parents.
- a) Include resource families and birth parents in regular care staffing and provide the necessary resources needed to support their attendance.
 - b) Implement a team approach that recognizes the strengths and contributions of resource families and birth parents.
 - c) Foster a team approach with resource families in designing visitation schedule and settings and other case planning activities.

C. RECOMMENDATIONS FOR BIRTH FAMILIES

In regards to Birth Families, this task force recommends the Children, Youth and Families Department:

1. Support relationships between birth parents and their children and support efforts for reunification.
 - a) Normalize visitation by providing opportunities for less restrictive environments outside the office, including visits with family members and community partners.
 - b) Maintain consistent and safe connections between birth parents and children early and throughout the process. Identify other options for communicating when in person meetings are not possible including video chat, phone calls, etc.
 - c) Identify opportunities for birth parents to be involved in decision-making at all stages of the case. Ensure that lines of communication with CYFD staff and resource families are established and supported.
 - d) Use language in all aspects of case planning/permanency planning that is easily understood by birth parents, foster youth, foster parents and kinship caregivers.
 - e) Be mindful of how we speak to and about individuals involved with the foster care system.
 - f) Use language that is non-stigmatizing or judgmental (e.g., drug addict).

⁸ Kevin S. Settlement. Appendix B, Implementation Target 3: CYFD and HSD will develop and promote a warm line for foster parents and Respondent parents who need assistance meeting the behavioral needs of children.

2. Strengthen the Permanency Planning Process

- a) Involve birth parents in the development and management of the permanency plan. This includes ensuring that they understand the process, expectations and timelines.
- b) Develop permanency plans that are easily understood by birth parents, foster parents, kinship foster parents and youth, including those with limited English proficiency or lower literacy level.
- c) Develop plans that focus on unique family/child needs, parent skill building, trauma responsive, collaborative, and build upon the strengths of the parents.
- d) Permanency plans should address the needs of the birth family including housing, food assistance, child care, employment, etc. CYFD should collaborate with other state agencies and community partners to ensure that parents are enrolled quickly into services and benefit programs.
- e) Improve service connections, peer supports, and community networks so there is a safety net for children and families when they return home.
- f) Implement behavioral based case planning that will reduce risk and increase safety of children
- g) Work with treatment providers to focus on behavior change and skill building.
- h) Identify opportunities to expand the New Mexico Family Advocacy Program.

3. Court Hearings/Timelines

- a) Ensure that all cases are approached with a sense of urgency to reach permanency for children and families.
- b) Ensure birth parents, kinship foster parents, and non-kin resource families have the information and support to attend and participate in court hearings.
- c) Ensure that all parties are treated with respect and empathy. The language and attitudes we bring to this work directly impact all involved especially children/youth.

4. Embrace Community Partners and Early Intervention Services

- a) Provide resources, information and facilitate connections to community partners with birth parents before children are removed from home
- b) Provide training for our first responders, ensuring children and youth are trusted and respected to represent their own experiences and perspectives.
- c) Improve safety nets for families to support safe parenting when children return home, engaging grandparents, other family members and community support networks.

D. RECOMMENDATIONS FOR STAFF TRAINING AND SUPERVISION

1. Use evidence-based case planning models that are strength-based and fully inclusive of birth parents, foster youth, and kinship caregivers.
 - a) Provide specialized staff training on evidence-based case planning models and additional best practices that will support strength-based collaboration with birth parents in permanency planning.
 - b) Permanency plans are trauma-informed, culturally-appropriate and are created in understandable language to all parties.
 - c) Permanency plans are individualized with focus on the unique needs of the family and child.
2. Create measures or tools to ensure children are achieving permanency and are not slipping through the cracks.
3. Provide staff training on how to be trauma-informed and responsive. Training should include guidance on how to implement these skills when working with children, youth and families.
4. Continue to enhance staff supervision model for investigation and treatment works, with focus on:
 - a) Support, coaching and skill building for staff
 - b) Reunification timelines
 - c) Strength-based and collaborative approach with birth parents, resource families, foster children and youth.
5. Consider weekly supervision for case review when possible
6. Prioritize interventions that do not result in the removal of a child.
 - a) Consider utilizing Protective Supervision, where the court has oversight with the child remaining in their home and with a treatment plan in place.
 - b) Consider voluntary placement agreements for short term foster care.

- i. Birth parents able to temporarily place their children in state custody with the understanding that when the potential harmful situation is resolved, the child will be returned to the birth parent.
7. Nationally, there is an effort to examine the disproportionality and disparity within the child welfare system. CYFD and other family serving jurisdictions and agencies should evaluate their systems to identify where and how disproportionality and disparity are occurring. The task force recommends that CYFD address over-representation of certain racial and ethnic populations and make changes to how the agency works with families of color.

E. PLACEMENT STABILITY RECOMMENDATIONS FROM TASK FORCE INTERVIEWS

The following recommendations are derived from interviews conducted by Reed Connell, Social Change Partners, with HJM10 Task Force members, federal and state law and program instruction, and research. Additional sources are included in the appendices.

SUPPORT FOR LONG-TERM PLACEMENTS

1. Continue to prioritize relative placements when appropriate, particularly at first placement. Federal and state policy prioritize relative placement as a means to maintain family and cultural connections and advance permanency, and research demonstrates that relative placements experience greater stability than other types of placements.
2. Intensify efforts to recruit resource families who reflect the cultural, ethnic, and community backgrounds of the young people in CYFD care.
3. Improve resource family recruitment, onboarding, training, and placement practices, as further detailed below.
4. Increase the availability of community based mental health services that can help resource families address trauma and mental health needs and manage behavior. Service such as high-fidelity wraparound provide additional support to resource families in addressing children's trauma, behavior, and mental health needs, and can stabilize and sustain placements.
5. Collaborate with New Mexico Tribes and Pueblos to ensure ICWA-compliant placements and access community resources.

PROVIDE SUPPORT AND RESOURCES FOR RESOURCE FAMILIES:

1. Provide additional training to all resource families and promote peer supports.
2. Launch additional proactive strategies to recruit diverse foster parents and resource families to increase the ability to provide for cultural and community continuity.
3. Increase the availability of specialized community-based foster care placements, including Treatment Foster Care.
4. Carefully match youth and resource families based on individualized assessments of families’ capacities and youths’ needs.
5. Provide timely and complete information to foster parents regarding the children they are asked to bring into their homes.
6. Before placing children in a new foster home, ensure that all necessary resources are in place to support the success of the placement.
7. Promote and implement policies prohibiting retaliation against foster parents.

VI. COMMITTEE COMMENTS IF APPROPRIATE:

Placement Stability:

In support of the deliberations of the HJM10 Task Force, CYFD consultant Reed Connell of Social Change Partners, LLC conducted one-on-one interviews with 11 Task Force Members to document their diverse perspectives on increasing placement stability. Interviews were conducted in July and August 2020. The following is a topical summary of Task Force members’ observations and recommendations, as provided in these interviews.

Interviewees: Betsy Hoxworth, Rosslyn Gallegos, Veronica Montano-Pilch, Donalyn Sarracino, Secretary Katrina-Hotrum Lopez, Bette Fleishman, William Romero, Karen Whitlock, Veronica Krupnick, Ezra Spitzer, Emily Martin

KEY TAKEAWAYS:

1. In April 2020, current and former New Mexico foster youth ages 17-24 who cumulatively had been placed in 144 foster homes throughout the state identified a range of concerns regarding their experiences in placement. Among these were a lack of acceptance by their foster parents, stigma, little normalcy, religious pressures, a sense of instability and the fear of being “kicked out,” and issues arising from racial/cultural differences between youth in care and foster parents. With regards to CYFD, youth reported that they did not feel heard by caseworkers when expressing concerns about their placements.

2. There is currently mistrust of CYFD among some New Mexico foster parents. This could be improved by increased communication and transparency, the involvement of third party community based organizations in foster parent recruitment and retention, and/or ongoing structures for community dialogue and collaboration.
3. Foster parents are in need of additional support from CYFD in order to sustain long-term, stable placements. These supports may include additional training, more timely and complete information about the children they are asked to care for, consistent proactive communication from CYFD regarding case planning and goals, and the active involvement of third parties – e.g. nonprofit organizations, the courts, CASAs.
4. High caseloads, workloads, and turnover at CYFD complicate communication, case management, and collaboration.
5. Placement stability would be improved by increasing the availability of specialized placements, including Treatment Foster Care. This means both increasing the number of available placement providers, and providing training and collateral services and supports to all placements.
6. The current CYFD Cabinet Secretary has improved relations with New Mexico tribes and pueblos. Current efforts to renegotiate memoranda of understanding and intergovernmental agreements, as well as to develop additional legislation have the potential to codify improvements to collaboration.
7. Statutorily established flexibility in the role of Juvenile Justice Staff has allowed for a number of creative approaches to serving at risk families that can inform service approaches with foster youth and their families, particularly older youth.
8. There is a need for improved differential communication and practice to bridge cultural, demographic, and geographic diversities. Grandparents, Native communities, faith communities, and rural communities are potential source of currently untapped strengths and assets.
9. The HJM10 process has played out in the context of a range of other related initiatives, many of which address some of the same issues discussed by the Task Force.

Detailed notes from the Task Force interviews are included as Appendix D.

CYFD Comments and Response:

CYFD has implemented its Extended Foster Care Program effective July 1, 2020. Many of the subcommittee recommendations related to youth will be addressed through implementation of the Extended Foster Care program which became effective July 1, 2020.

Subcommittee recommendations regarding Non-Relative and Kinship resources will be supported by the training module launched October 22, 2020.

Subcommittee recommendations regarding Relative Search and a Relative Care Team have been implemented by the department.

Subcommittee recommendations regarding a formal complaint/compliment online web portal:

CYFD tracks the number of complaints and types.

As part of the Kevin S. agreement, CYFD is drafting a Foster Parent Grievance procedure.

VII. OTHER RECOMMENDATIONS :

1. CYFD work with local experts to create a best practices manual for intake, placement, treatment, and discharge of youth identified as human trafficking victims.
2. CYFD work with law enforcement, legal experts, and local advocates to create policies and procedures surrounding the protection of victims of human trafficking in regard to information, placement, crisis management, and discharge planning.

3. RECOMMENDATIONS FOR INDIAN CHILD WELFARE ACT (ICWA)

1. Collaborate with Tribal ICWA/Social Workers to recruit tribal members who may be able to serve as tribal sponsors for children/families in the state child welfare system. These tribal sponsors may serve as mentors to help foster and/or strengthen tribal connections and a sense of belonging to the larger tribal community.
 - a) Collaborate with Tribal ICWA/Social Workers in outreach activities and/or community forums which may include tribal leadership, community members and meetings about the importance and need for relative placements and resource families.

2. Collaborate with Tribal ICWA/Social Workers, tribal judges, leaderships, Elders and other tribal members to help children and families get their needs addressed in a manner which encourages and supports involvement with their tribal communities.
 - a) Host family-centered meetings that involve extended families and other tribal members.
3. Consult with tribes to develop culturally appropriate ICWA training for CYFD staff.
 - a) Provide ongoing training about cultural awareness and cultural recognition to CYFD staff, judges, CASAs, and non-relative resource families about the importance of cultural identity, practicing cultural humility, including importance of clanships.
4. Hire CYFD staff who specialize in ICWA, including expertise in tribal customs, parenting, and parent engagement in counties with higher Native American populations such as San Juan, McKinley, Rio Arriba, Taos, and Cibola.
5. Utilize Bernalillo County to provide case consultation and reflective supervision with the CYFD's Director of Tribal Affairs or division delegate, to other county offices on ICWA cases. Reflective supervision provides the opportunity to check biases and engage in cultural humility.
6. Provide ongoing support to Native resource families about requirements for court hearings, visitation, medical appointments, etc.
7. Provide opportunities for visitation which supports the child's cultural identity development, their participation in traditional ceremonies, and reinforces their relationships within their tribal community.
8. Ensure the ICWA status of a child is being honored and upheld throughout the duration of case. The ICWA status of a child is brought to the attention of all team members early in the case.

VIII. SOURCES, CITATIONS, AND REFERENCES:

See Appendix A for current data regarding CYFD performance on measures of placements stability and relative placement.

See Appendix B for detail regarding federal and state law and guidance regarding relative placement and other requirements and priorities relevant to HJM 10.

See Appendix C for selected research and reports relevant to the content of this report.

See Appendix D for youth perspectives on 144 foster placements, gathered by NMCAN through focus groups held in April 2020.

See Appendix E for detailed notes from interviews with Task Force members.

See Appendix F for comments from a survey of foster parents conducted by the policy and procedures committee on 7/23/20

Kevin S. Settlement- <https://kevinssettlement.com/monitoring-implementation/>

CYFD RAFT Training- <https://nmraft.org/>

City of Albuquerque Policies and Procedures-<https://www.cabq.gov/culturalservices/govtv/policies-and-procedures>

Privatized Adoption Article-<https://nonprofitquarterly.org/privatizing-foster-care-in-texas-the-good-the-bad-the-unknown/>

Children’s Bureau. (2020). Birth Parent/Foster Parent Relationships to Support Family Reunification. Retrieved from <https://www.childwelfare.gov/topics/permanency/reunification/parents/reunification/>

AdoptUSKids. (2020, May). Equipping Foster Parents to Actively Support Reunification. Retrieved from <https://www.adoptuskids.org/assets/files/AUSK/Publications/equipping-foster-parents-to-support-reunification-web508.pdf>

Children's Trust Fund Alliance. (2020, June). Birth and Foster Parent Partnership: A State and Local Leader's Guide to Building a Strong Policy and Practice Foundation. Retrieved from

<https://ctfalliance.sharefile.com/share/view/s4e40e942b934761b>

Children's Trust Fund Alliance. (2020). Birth and Foster Parent Partnership: A Relationship Building Guide. Retrieved from

<https://ctfalliance.sharefile.com/share/view/sf1ed6cd79d9432b9>

Leader, Dana. (2020, October 1). Tip Sheet for Supporting Family Reunification. American Bar Association. Retrieved from

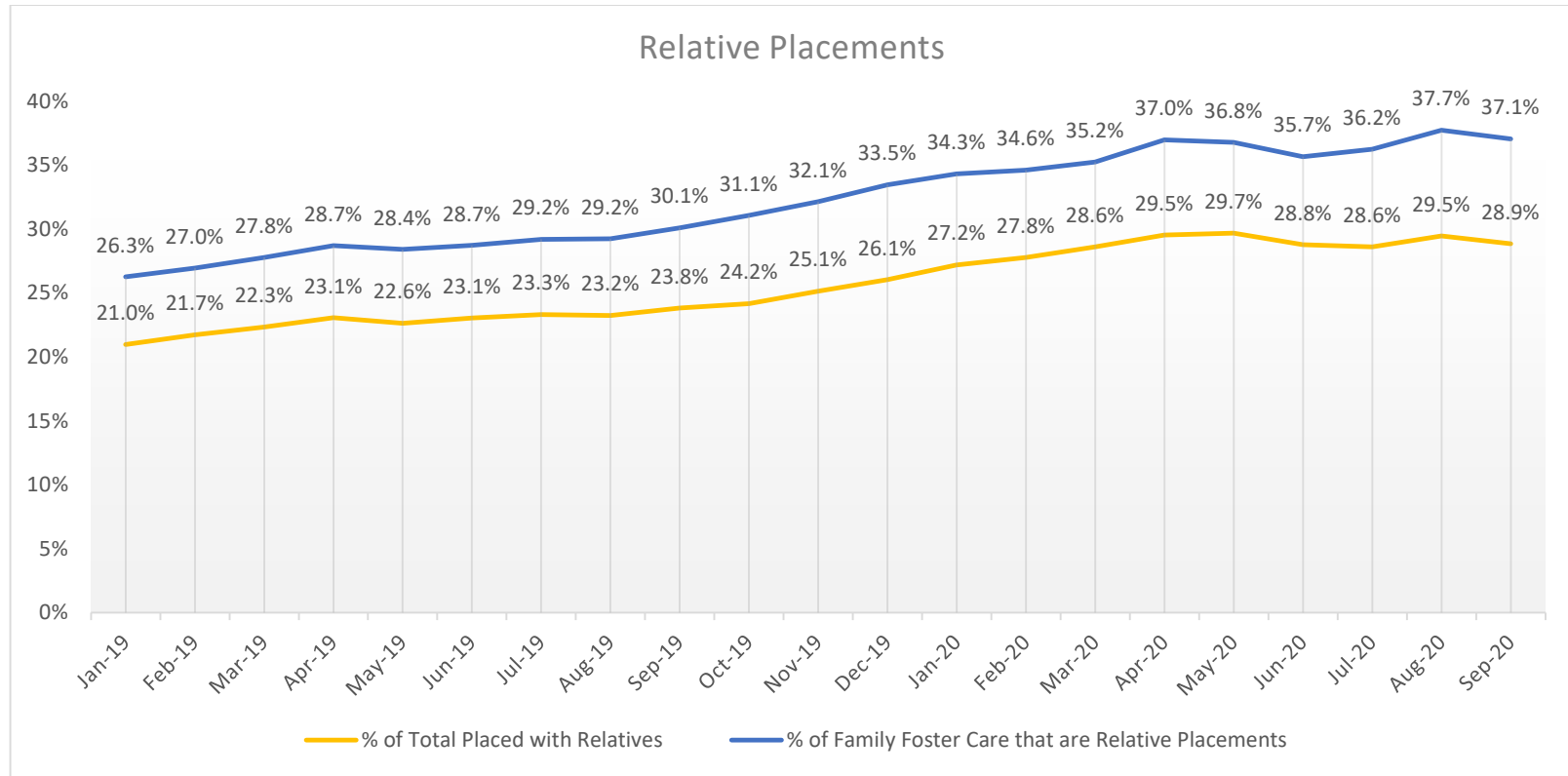
https://www.americanbar.org/groups/public_interest/child_law/resources/childlawpracticeonline/child_law_practice/vol-36/sept-oct-2017/tip-sheet-for-supporting-familyreunification/#:~:text=%20Tip%20Sheet%20for%20Supporting%20Family%20Reunification%20,r

The National Foster Care Youth & Alumni Policy Council. (2017, October 1). Preventing Unnecessary Removal of Children from their Families. Retrieved from

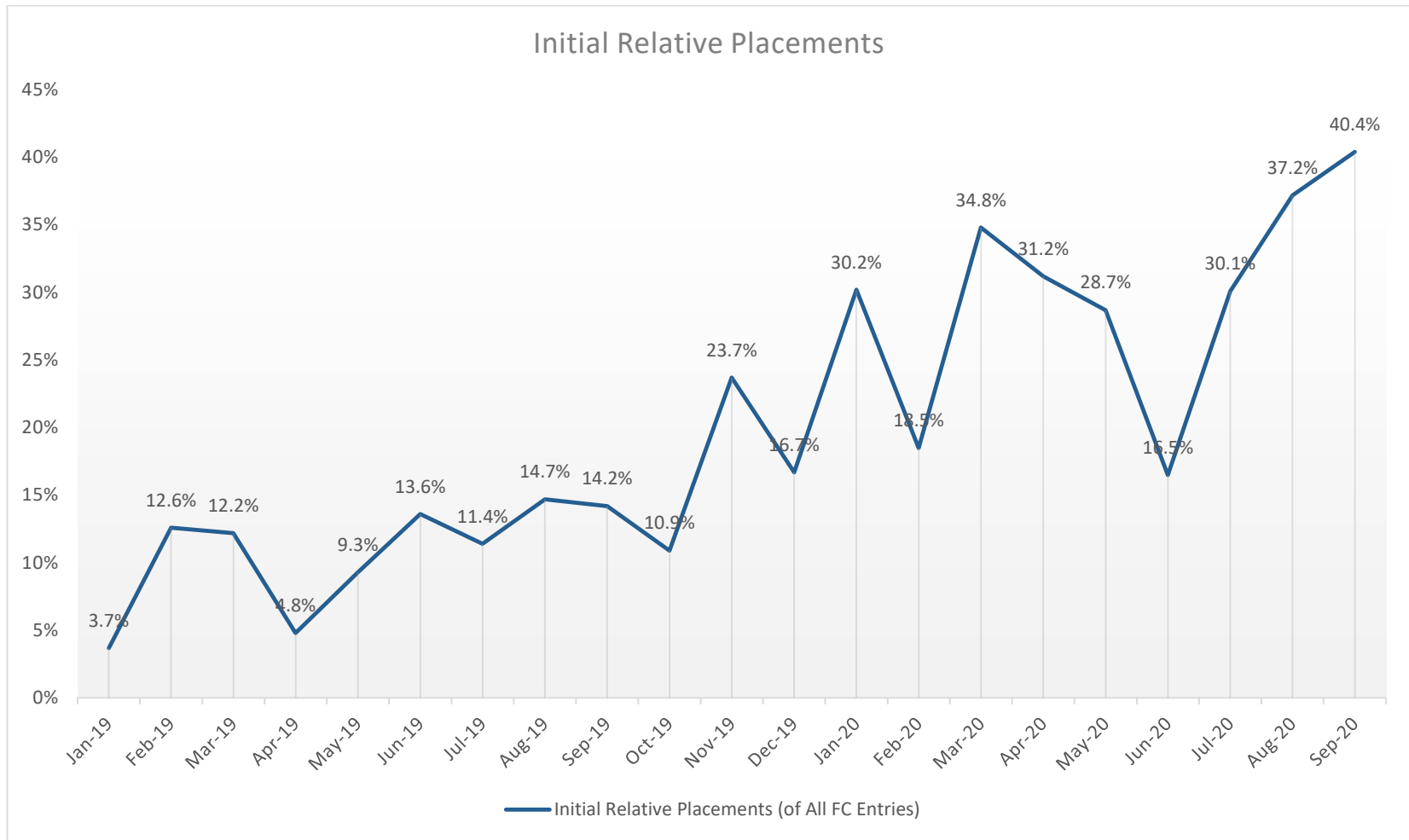
<http://nationalpolicycouncil.org/sites/default/files/docs/landingpage/Prevention%20Priority%20%281%29.pdf>

IX. APPENDIX A

RECENT DATA REGARDING PLACEMENT STABILITY AND RELATIVE PLACEMENT

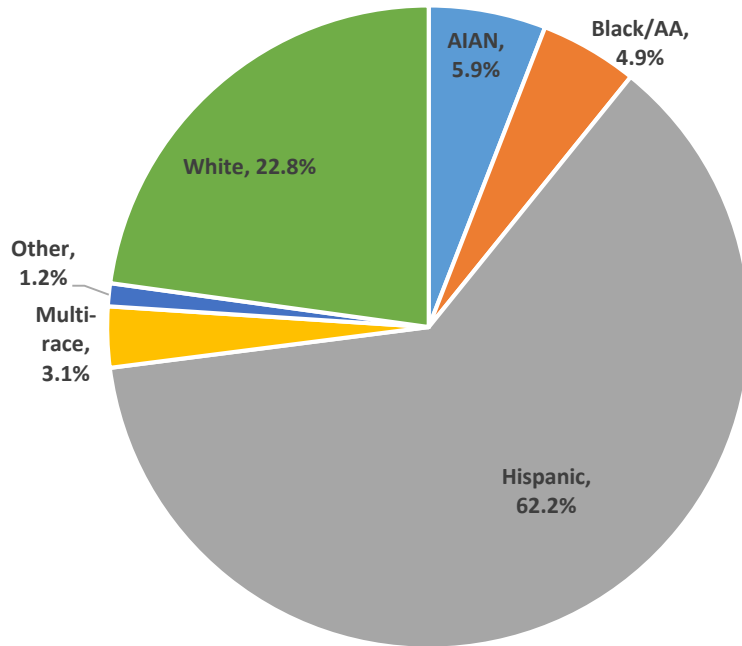


The proportion of all children in CYFD custody who are placed with relatives has increased significantly since January 2019.

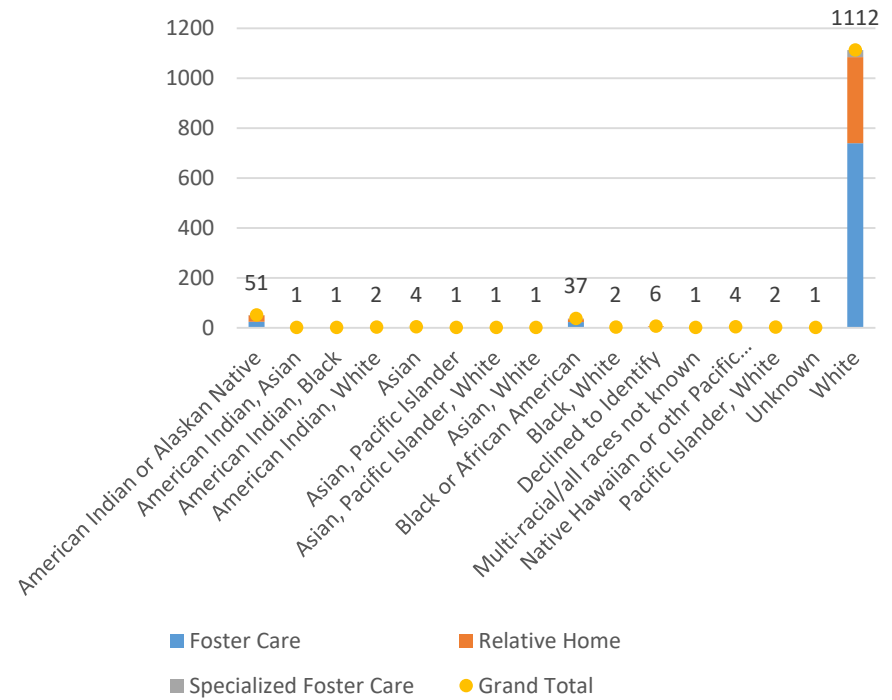


The proportion of children placed with relatives immediately following removal has increased ten-fold since January 2019.

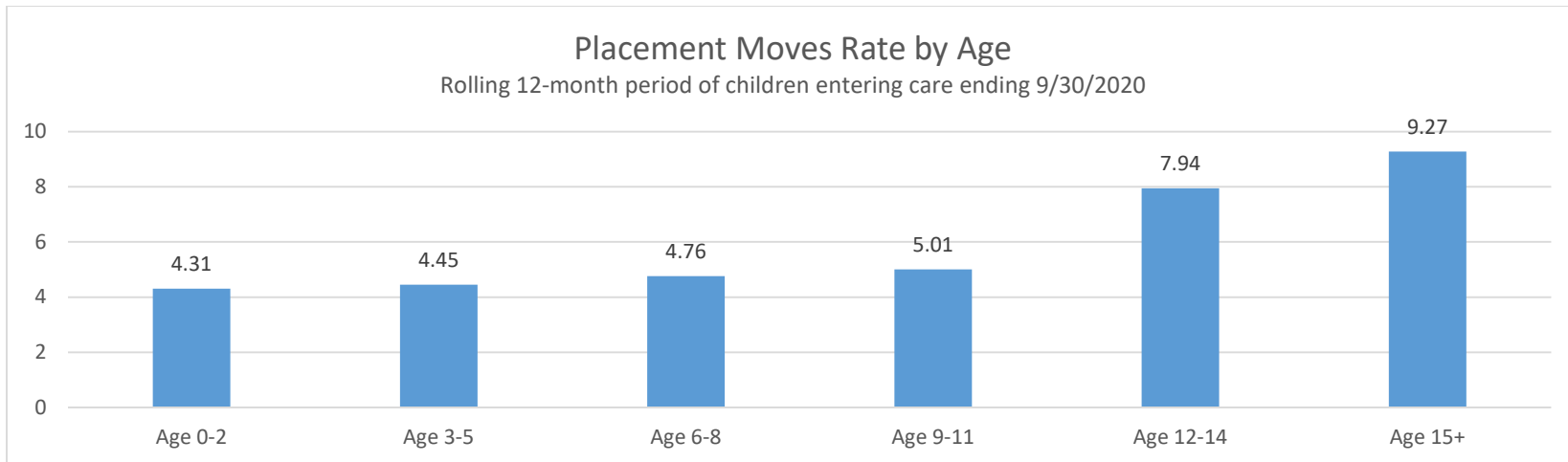
Children in CYFD Care by Race/Ethnicity



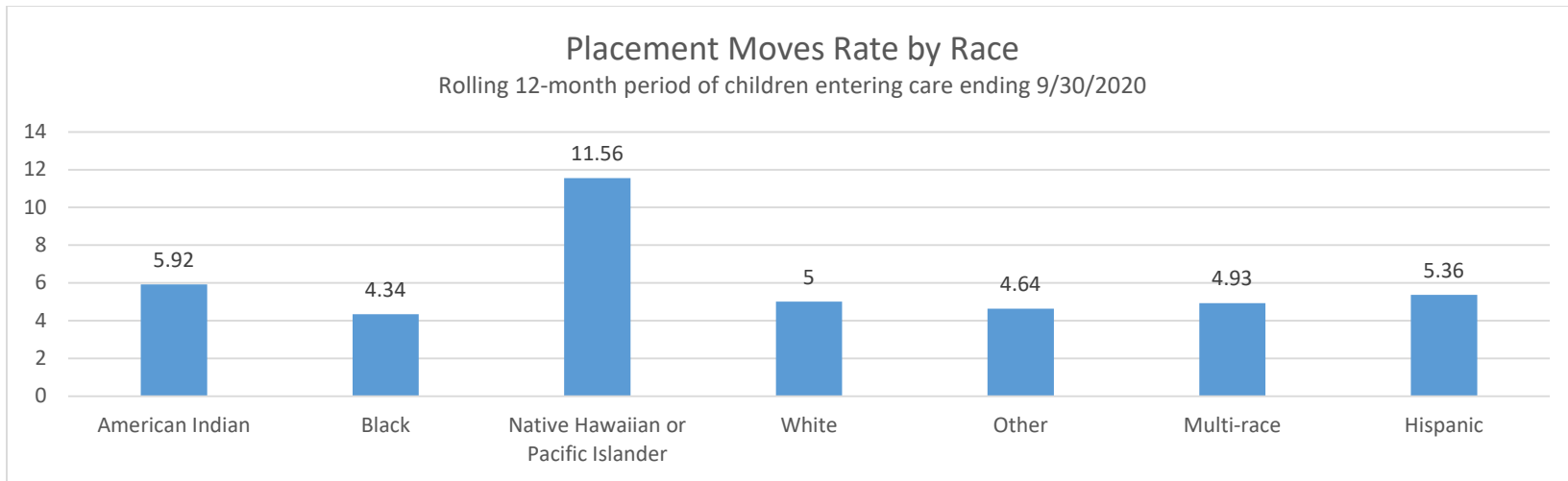
New Mexico Resource Families by Race/Ethnicity



As of 12/1/19 77.2% of children in CYFD care were non-white: 62.2% Hispanic, 5.9% Native, 4.9% Black, and 4.3% mixed or other. On that date, of 1227 CYFD licensed foster homes 6.4% of non-relative foster homes were non-white. These data were presented to the HJM10 Task Force in at its December 2019 meeting.

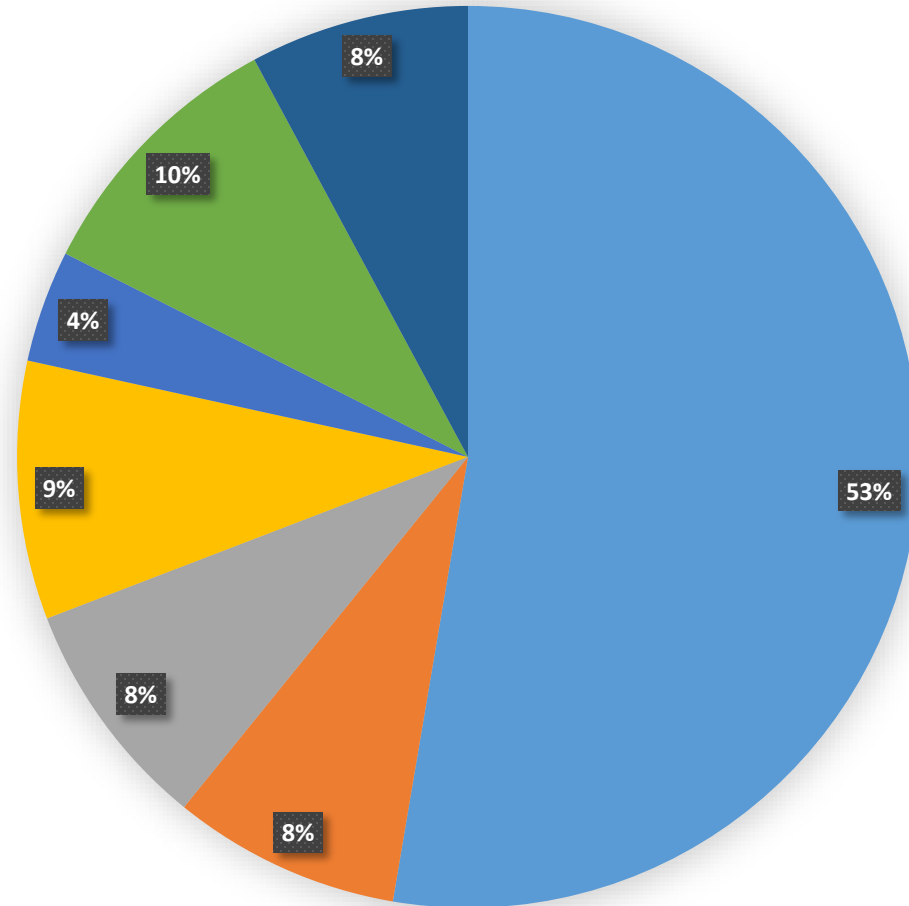


Placement moves are most frequent among older youth.



Placement moves are most frequent among children whose racial identity is overrepresented in foster care.

Placement Moves by Category, June 2019-May 2020*



- Non-Relative Foster Care to Non-Relative Foster Care (Lateral)
- Relative Foster Care to Relative Foster Care (Lateral)
- From Congregate Care to Congregate Care (Lateral)
- Non-Relative Foster Care to Relative Foster Care
- Relative Foster Care to Non-Relative Foster Care
- Congregate Care to Family Foster Care
- Family Foster Care to Congregate Care

*Excludes moves related to trial home visits, pre-adoptive placements, runaway, and independent living

APPENDIX B:

RELEVANT FEDERAL AND STATE LAW AND GUIDANCE

Relative Preference

Title IV-E of the Social Security Act requires all states to “consider giving preference to an adult relative over a nonrelated caregiver when determining placement for a child, provided that the relative caregiver meets all relevant State child protection standards.”⁹ In nearly all situations where a child must be removed from the birth parents’ home, then placement with a relative, or kinship care, is considered the least restrictive option.

In New Mexico, state policy is that children’s best interests are best met when raised by their parents. In cases where parents are unable or unwilling to provide adequate care, then the state’s policy is that the child should be raised by other family members whenever possible.¹⁰

New Mexico is included in 26 states that requires social services agencies to exercise due diligence, through the use of statutes and regulations, in order to identify and locate a child’s relative with necessary out-of home placement. This process includes detailed steps.¹¹

New Mexico’s Kinship Guardian Act of 2006 had two goals: first, to establish procedures implementing legal relationships between a child and kinship caregiver, and second, to support children in sustaining stable relationships with their kinship caregiver, allowing the child to develop as wholly as possible.

The Family First Prevention Services Act of 2018 reduced licensing barriers to kinship families, encourages the creation of kinship navigator programs to support kinship placements, and provides prevention and support services to kinship families.¹²

Of children adopted from foster care in New Mexico, a significant proportion are adopted by family members¹³. Research suggests that kinship care can help reduce the trauma of being removed from a parent’s home.

Permanency Planning

New Mexico’s Children’s Code includes a permanency planning mandate that integrates the requirements of the Adoption and Safe Families Act and other federal laws, including the Adam Walsh Child Protection and Safety Act of 2006, the Child and Family Services Improvement Act of 2006, and the Safe and Timely Interstate Placement of Foster Children Act of 2006. In 2009 New Mexico’s Children’s Code was

⁹ 42 U.S.C. § 671(a)(19)

¹⁰ Child Welfare Information Gateway. (2016). Kinship caregivers and the child welfare system.

¹¹ “Placement of Children With Relatives” (2018). Children’s Bureau.

¹² Sprow, S. (2020). Family First Prevention Services Act. Children’s Defense Fund.

¹³ “Kinship Caregiving New Mexico”. (2015). Child Trends.

updated to assure compliance with the Fostering Connections to Success and Increasing Adoptions Act of 2008.¹⁴

The Adoption and Safe Families Act of 1997 established federal requirements that state agencies document efforts to move children toward adoption and hold permanency hearings annually. Additionally, it required states to move to terminate parental rights for children who have been in Foster Care for 15 out of the last 22 months, with the notable exception of children in kinship care¹⁵. The Adam Walsh Child Protection and Safety Act of 2006 expanded state requirements for sex offender registries, requiring states provide more information on a wider range of offenders, and make the information more readily available to the public and law enforcement officials¹⁶. The Safe and Timely Interstate Placement of Foster Children Act of 2006 amended the Social Security Act, requiring each state develop clear procedures for interstate placement of children, as well as coordinate with other states for completing home studies¹⁷. Finally, the Fostering Connections to Success and Increasing Adoptions Act of 2008 called on states to negotiate and establish written, binding kinship guardianship assistance agreements with relative guardians of foster children, specifying payments, services, and procedures¹⁸.

When children in state custody are placed into foster care, permanency planning services are provided to support caregiver capacities. The New Mexico Children, Youth, and Families Department's 2020-2024 Child and Family Services Plan states that "Reunification is the initial plan of choice for each child, unless that plan is determined not to be appropriate. Other acceptable plans are adoption, permanent guardianship, placement with a fit and willing relative, and other planned permanent living arrangement."¹⁹

In accordance with federal program instruction New Mexico's Children, Youth, and Families Department tracks and reports data regarding two permanency outcomes measures: one, that children have permanency and stability in their living situations, and two, that the continuity of family relationships and connections is preserved. Data elements include the stability of foster care, the permanency goal for the child, the achievement of a planned permanent living arrangement, placement with siblings, visitation with parents and siblings in foster care, preserving connections, relative placement, and relationship of child in care with parents.

¹⁴ "Child & Family Services Plan 2020-2024" (2019). New Mexico Children Youth and Families Department.

¹⁵ "Public Law 105-89" (1997). 105th Congress.

¹⁶ H. R. 4472 One Hundred Ninth Congress of the United States of America AT THE SECOND SESSION.

¹⁷ S. 2999 (109th): Safe and Timely Interstate Placement of Foster Children Act of 2006

¹⁸ "Public Law 110-351" (2008). 110th Congress.

¹⁹ "Child & Family Services Plan 2020-2024" (2019).

APPENDIX C:

SELECT RESEARCH AND REPORTS

Placement Stability:

[What explains instability in foster care? Comparison of a matched sample of children with stable and unstable placements](#)

Children and Youth Services Review - February 2014

This study investigates what characteristics explain placement instability for children in foster care. Using a matched sample of children experiencing stable and unstable placements, bivariate and logistic regression analyses were conducted to identify factors for placement instability. The study also examines specific reasons for placement changes for a group of children who experienced multiple placements.

Findings from this study highlight the following three components that contribute to placement stability for children in foster care: a) a caregiver's commitment to a child's legal permanence; b) the absence of a child's mental health diagnosis; and c) placements with a relative caregiver. The findings of the study also illustrate that while system- or policy-related reasons explain the largest proportion of placement changes for children's earlier stay in foster care, a majority of placement changes are attributed to either foster family-related or child behavior-related reasons over time.

[A review of how states are addressing placement stability](#)

Children and Youth Services Review - February 2012

Initial results from the federal Child and Family Service Reviews (CFSR) of 48 states found that only 40% of states met targets for placement stability.

Semi-structured interviews were conducted with 44 state and county child welfare administrators, supervisors, managers, staff members, and/or foster parents from 33 states to gain an understanding of the range of approaches that states are using. Thematic analysis of the interviews revealed that states are using the following nine approaches to reduce the incidence of foster home disruptions: improving services to foster children, placement-matching, recruitment of foster parents, services and support to foster parents, training, consultation and collaboration, collaborative team approaches, involvement of biological parents, and prevention.

Although 91% of states are using five to nine of these approaches to reduce placement disruption, few states are systematically evaluating the effects of these programs. More research is needed to focus on the effectiveness of the various approaches that states are using to address placement disruptions.

[Foster parent parenting characteristics that lead to increased placement stability or disruption](#), *Children and Youth Services Review* - February 2010

The goal of this study is to identify parenting characteristics of foster parents that are likely to increase placement stability or disruption.

Foster parents of public child welfare agencies were asked to complete the Parent–Child Relationship Inventory to measure parental characteristics and the Parenting Alliance Measure to determine perceived alliance between foster parents.

Results of the multiple regression revealed a significant relationship between the predictor variables, parenting support and limit setting on placement stability. These two variables explained approximately 15% of the total variance in placement stability. No significant relationship was found between the predictor variables on placement disruptions.

[The Impact of Placement Stability on Behavioral Well-Being for Children in Foster Care](#)

Pediatrics - February 2007

The goal of this study was to disentangle the effect of a child's baseline problems at entry into foster care on subsequent placement stability and behavioral outcomes in order to separate out the direct impact of placement stability on behavioral problems of children in foster care.

Using a sample of 729 children who entered continuous foster care in the National Survey of Child & Adolescent Well-Being (NSCAW), placement stability over the first 18 months in out-of-home placement was categorized as: early stability (permanency or stable placement within 45 days); late stability (permanency or stable placement beyond 45 days); and unstable (never achieving permanency or stability).

Weighted analyses revealed that half (52%) of the children achieved early stability; 19% achieved later stability; and 28% remained unstable. Early stabilizers were more likely to be young ($p=0.02$), have normal baseline behavior ($p=0.07$), have no prior history with Child Protective Services ($p=0.03$), and have birth parents that did not have serious mental or behavioral problems ($p=0.09$). After accounting for baseline attributes, stability remained an important predictor of wellbeing at 18 months. Children with unstable placements were more likely to have behavior problems. Than children who achieved early stability across every level of risk for instability. Among the low risk group, the probability of behavioral problems among early stabilizers was 22%, compared to 36% among unstable children, showing a 63% increase in behavior problems due to instability alone. ($p<0.05$)

Children in foster care experience placement instability unrelated to their baseline problems, and this instability has a significant impact on their behavioral well-being. This finding presents an opportunity for intervention to improve both placement stability and outcomes among youth entering care.

Kinship Care:

[Kinship Care Is Better for Children and Families](#)

American Bar Association - July 2017

The purpose of the report was to share the benefits of kinship care for foster children, conducting a review of many different statistics around kinship care and foster youth.

Research shows that living with relatives is better for children and benefits them in several ways. It minimizes trauma, improves children's wellbeing, increases permanency, improves behavioral and mental health outcomes, promotes sibling ties, provides a bridge for older youth, and preserves children's cultural identity and community connections.

[Is higher placement stability in kinship foster care by virtue or design?](#)

Child Abuse & Neglect - April 2015

Prior research has repeatedly documented higher placement stability for children who enter kinship care rather than non-relative foster care. This study uses longitudinal state administrative data to explore possible explanations.

This study uses Wisconsin administrative data for years 2005 through 2012.³ There were 52,752 foster care episodes (43,184 children) in which the first placement was on or after January 1, 2005. Data include 7 basic types of placements. Results suggest that, while children in non-relative foster care are indeed at higher risk of any placement move than their peers in kinship care, this appears to be partly driven by child selection factors and policy preferences for kinship care. That is, the gap is not explained primarily by different rates of caregiver-requested moves. However, the gap was sizably smaller among select high-risk subgroups of foster children, suggesting that higher stability in kinship care may be partly explained by differences in the characteristics of children entering kinship care (versus non-relative foster care). Moreover, a large portion of the gap is explained by children in non-relative care being moved into kinship care; a move that is likely the result of policy preferences for kinship care rather than a defect in the initial placement.

In sum, these results suggest that kinship care provides only a limited stability advantage, and the reasons for that advantage are not well understood.

[Kinship Care for the Safety, Permanency, and Well-being of Children Removed from the Home for Maltreatment: A Systematic Review](#)

Campbell Systematic Review - March 2014

This study examines whether kinship care is more effective than foster care in ensuring the safety, permanency and wellbeing of children removed from their home for maltreatment. The review summarizes findings from 102 studies involving 666,615 children. 71 of these studies were included in meta-analyses.

The outcome data suggest that children in kinship foster care experience fewer behavioral problems, fewer mental health disorders, better well-being, and less placement disruption than do children in non-kinship foster care. For permanency, there was no difference on reunification rates, although children in non-kinship foster care were more likely to be adopted, while children in kinship foster care were more likely to be in guardianship. Lastly, children in non-kinship foster care were more likely to utilize mental health services.

This review supports the practice of treating kinship care as a viable out-of-home placement option for children removed from the home for maltreatment. However, this conclusion is tempered by the pronounced methodological and design weaknesses of the included studies.

Least Restrictive Settings:

[Assessing Restrictiveness: A Closer Look at the Foster Care Placements and Perceptions of Youth With and Without Disabilities Aging Out of Care](#)

Journal of Public Child Welfare - December 2013

The study examines the experience of restrictiveness among transition-aged youth with disabilities in foster care. Utilizing a sample of 207 youth, placement types were explored for differences in disability status, race and sex. Further, youth perceptions of restriction around communication, movement around one's home, and access to the community were examined for youth receiving special education services (SPED), youth receiving developmental disability services (DD), and youth without disabilities.

Youth with disabilities were more likely to be placed in more restrictive placement types and had significantly higher levels of perceived restriction around communication, movement, and community when compared to youth without disabilities. Additionally, males with disabilities experienced higher levels of restrictiveness, particularly those who received DD services, while White youth with disabilities also experienced greater community restrictiveness.

Restrictive placement recommendations warrant a higher level of review by child welfare and disability program leaders who are positioned to direct additional individualized supports and careful monitoring to avoid altogether or minimize time spent in highly restrictive settings. Restrictive placements also should not be used as a default living option for youth with complex needs when kinship and nonrelative foster care placements are in short supply.

[Children in Nonparental Care: A Review of the Literature and Analysis of Data Gaps](#)

Office of the Assistant Secretary for Planning and Evaluation - December 2012

The first purpose of the analysis was to gather existing information from the research literature on this population of children and identify both where

considerable information existed and topics on which little or no research was available. Second, to identify survey instruments that have previously been used with this population of families and ensure that where possible we ask questions in a manner that allows for comparison with other data sources.

The literature review summarizes research on children who live apart from their parents and identifies gaps in knowledge regarding this vulnerable population.

Children in non-parental care seem to be at risk of lower levels of well-being than other children. Studies comparing the well-being of children living with relatives versus those living with non-relatives—often focused on children with some involvement in the child welfare system—frequently find few differences between the two groups. Only a few studies have focused on the caregiver-parent relationship, but some evidence suggests positive relationships may be beneficial to the child. For instance, they may promote parent-child contact, and are associated with more stable placements. Placement of siblings together in the same living arrangement can be beneficial for the children, yet research suggests that sibling separations are common across subgroups. Sibling separations tend to occur less frequently for children in relative care than among those cared for by non-relatives.

[Children's appraisals of their experiences in out-of-home care](#)

Children and Youth Services Review - October 2010

This study uses data collected from 180 nine-to-11-year-old children currently in out-of-home care who were asked about their perceptions and appraisals of out-of-home care. Analysis of variance and chi-square analyses were used to examine whether children's appraisals of their lives following removal from their families of origin differ.

Youth who were sexually and emotionally abused, youth who were satisfied with their current caregivers and placements, and girls were more likely to state that their lives would have been worse had they remained with their families of origin. Youth who were physically abused were more likely to report that their lives would have remained the same. Children living in group care were more likely than those living in family foster care or with kin to report that their lives would have been better had they remained with their families of origin. Differences were not found between children living in family foster care and those living with kin nor did children's appraisals differ based on age, race, ethnicity, length of time in out-of-home care, neglect, or severity of maltreatment.

Permanency

[Effectively Implementing Effective Practices for Sustainable Permanency: A Synthesis of Research and Practice](#)

Casey Family Programs - March 2018

Colorado Department of Human Services sought to develop a Sustainable Permanency Practice Model to reduce the rate of reentry into out of home care from 19.2% to 8.2%.

Conducted a targeted research review from a 2017 CFF brief, academic literature around permanency, re-entry, out of home care, foster care, reunification, and child welfare, and the Child Welfare Information Gateway and California Evidence-Based Clearinghouse.

Effective practices include therapeutic supports to enhance parent-child interactions, intensive in-home services, increased contact between workers and caregivers, comprehensive assessments, caregiver skill development, mental health and substance abuse services, anti-poverty services, social support, respite care, family group decision-making, assessment of parental ambivalence/readiness, post-reunification services, case worker training in permanency practices, access to ongoing coaching and supervision, assessments of permanency practice, and dedication of funding.

[Achieving exits to permanency for children in long term care](#)

Journal of Evidence Based Social Work - May 2013

The study focuses on the federal Child and Family Services Review measure that measures agency performance related to achieving permanency for children in foster care for long periods of time. Broad strategies that may be linked to achieving permanency are described, followed by explicit models developed to increase the likelihood of timely permanency. Summarizes the factors associated with timely discharges from care; while each child and family involved with the child welfare system brings a set of unique challenges and characteristics, research points to common individual and system factors that may be associated with long stays in foster care.

On an administrative level, child welfare agencies are evaluated by the federal government for their performance on outcomes including long-term care and exits to permanency. This federal oversight and evaluation (and its connection to funding) means that child welfare agencies have a keen interest in improving their performance on these measures. However, the more immediate issue for practitioners involves improving outcomes for the clients that they serve.

[Predictors of foster care exits to permanency: A competing risks analysis of reunification, guardianship, and adoption](#)

Children and Youth Services Review - June 2011

Identify which child and placement characteristics were important predictors of exit to three types of permanency outcomes: reunification, guardianship, and adoption.

A sample of 3351 children who entered foster care in 2006 was observed for 30 to 42 months. Permanency outcomes were analyzed using competing risks survival

analysis. Children exited foster care to different types of permanency at different rates and frequencies. Reunification occurred most quickly and frequently. Guardianship was second in terms of median duration but third in frequency. Adoption was the second most common exit but had the longest median duration. One in four children remained in foster care or exited without permanency.

While patterns varied by type of permanency, three major categories of important predictors were identified: 1) demographic characteristics of age at entry and race, 2) clinical needs related to children's disabilities and mental health problems, and 3) continuity and connections represented by kin placements, sibling placements, early stability, and absence of runaway events.

[Social Support in Family Reunification: A Qualitative Study](#)

Journal of Family Social Work - February 2011

Examines the strengths families found helpful in the process of achieving and maintaining reunification when children are removed from their parents due to child maltreatment, the goal remains to reunite families whenever possible. Although extensive research exists regarding barriers to reunification, little is known about the families who are successfully reunited. Researchers posed the question, "what strengths do CPS involved families appraise as helpful in achieving family reunification?"

In-depth, qualitative interviews were conducted with 15 reunified families. Thematic coding of these narrative interviews was completed, uncovering the ways the families perceived intrafamilial and external social support that was given and received played an important role in their stories of reunification.

Within the thematic code social support, three subcodes were uncovered, providing specific detail to the ways support gained through relationships was relevant for these families. The significance of external social support (stemming from outside the immediate family unit) and intrafamilial social support (coming from inside the immediate family) was identified as (1) external social support, (2) intrafamilial social support, and (3) giving social support.

Findings suggest these participants perceived social support as influential in their ability to achieve family reunification and maintain healthy functioning.

[Permanency outcomes of children in kinship and non-kinship foster care: Testing the external validity of kinship effects](#)

Children and Youth Services Review - March 2010

This study investigates the permanency outcomes of children in kinship foster homes in comparison to children in non-kinship foster homes. It utilizes the Adoption and Foster Care Analysis and Reporting System (AFCARS) data obtained for five states that participated in the Fostering Court Improvement project: Arizona, Connecticut, Missouri, Ohio, and Tennessee.

The study finds that the direction and the size of kinship effects vary across the states with respect to the outcome of legal permanence, but positive advantages of kinship placements are reported for placement stability in all five states.

Trauma-informed Care

[Development and Implementation of a Child Welfare Workforce Strategy to Build a Trauma-Informed System of Support for Foster Care](#)

Child Maltreatment - February 2016

This study evaluated two approaches to increase trauma symptom identification and use of screening results to inform case planning. The first study evaluated the impact of training on trauma-informed screening tools for 44 child welfare professionals who screen all children upon placement into foster care. The second study evaluated a two-stage approach to training child welfare workers on case planning for children's mental health. Participants included (a) 71 newly hired child welfare professionals who received a 3-hr training and (b) 55 child welfare professionals who participated in a full-day training.

Results from the first study indicate that training effectively increased knowledge and skills in administering screening tools, though there was variability in comfort with screening. In the second study, participants self-reported significant gains in their competency in identifying mental health needs (including traumatic stress) and linking children with evidence-based services.

These findings provide preliminary evidence for the viability of this approach to increase the extent to which child welfare professionals are trauma informed, aware of symptoms, and able to link children and youth with effective services designed to meet their specific needs. Effective strategies that increase the extent to which child welfare professionals engage in trauma-informed case planning are needed.

Reports on New Mexico Policy and Practice

[Child Welfare and Aging Programs](#)

Report to the Special Committee on Aging, U.S. Senate - July 2020

Officials from New Mexico's state agency on aging said one of the biggest challenges for kin caregivers in the state is navigating the various services that are available to support them across government agencies and programs, adding that kin caregivers often sacrifice their own needs to care for the children, and caregiving can cause or worsen health problems and long-term stress.

One child welfare official in Bernalillo County, New Mexico, said that kin caregivers may be caught between having too much money to qualify for public assistance and not having enough money to meet the medical, dental, and other needs of the child.

Bernalillo County, New Mexico, was unique among four selected communities in that the state and local agencies on aging fund two nonprofit groups to help kin caregivers with legal issues. These issues ranged from providing direct legal representation in kinship guardianship proceedings to assisting caregivers in obtaining caregiver authorization affidavits to allow caregivers to enroll children in school or obtain other services.

New Mexico child welfare agency officials reported in May 2020 that they had recently contracted with four legal services organizations to assist kin caregivers.

The report recommends that the Assistant Secretary for the Administration for Children and Families (ACF) should establish an ongoing process to proactively share information and best practices with states about programs it administers that are available to serve kin caregivers, especially in states with a relatively large share of grandparent caregivers.

The report further recommends that Administrator for the Administration for Community Living (ACL) should establish an ongoing process to proactively share information and best practices with states about using National Family Caregiver Support Program (NFCSP) funds to serve older relative caregivers of children, especially in states with a relatively large share of grandparent caregivers.

[Results First Children's Behavioral Health](#)

Legislative Finance Committee - June 2017

This report, a joint collaboration between CYFD, HSD, and LFC, reviews the current children's behavioral health system, identifies constraints, and compiles an inventory of behavioral health programs and practices offered in New Mexico, identifying which practices are evidence-based.

The report mixed literature and research review with relevant government statistics from different New Mexico agencies.

New Mexico experiences either higher or similar rates than national averages rates of children's behavioral health diagnoses. The state also experiences high suicide rates among both youth and the general population. Undiagnosed or untreated behavioral health issues have long-term effects including lower earnings, a decreased chance of being employed, and an increased chance of memory problems and emotional instability.

[New Mexico Juvenile Justice Tribal Notification Policy Research Project: Final Report](#)

National Indian Child Welfare Association and Association on American Indian Affairs - March 2015

The tribal notification provision for Native youth entering the state juvenile justice system, unique to the State of New Mexico, has been identified as a method to address the disproportionate number and disparate treatment of American Indian

and Alaska Native (AI/AN or Native) youth in the juvenile justice system. While tribal notification represents a potential solution to the problem, it has not been known to what extent this approach is working in New Mexico.

This project considers the efficacy of tribal notification as it is currently implemented and how it can be adjusted to work more effectively and become a model to improve outcomes for Native youth in the juvenile justice system across Indian Country.

Three New Mexico-based tribal communities formally participated in the research project, and there were also three broad convenings of tribal, state, and non-profit leaders, judges and others who participate or have an interest in the juvenile justice system. Three rounds of interviews were conducted with 28 participants.

The study found that tribal notification is not practiced consistently among CYFD juvenile probation officers (JPO), particularly in regard to identifying Native status and the timing of notification, as there are no clear procedures for the administration of tribal notification. Also that tribal notifications are not consistently received.

Recommendations include the creation of clear procedures and protocols regarding how, when, and to whom tribal notification should be administered and how Native youth should be identified; increased collaboration and information sharing through formal or informal agreements between tribal and state juvenile justice personnel; compliance with the Indian Child Welfare Act's benefits and protections for Native status offenders; the use of tribal notification to improve tribal and state capacities to identify and address mental health issues among Native youth; and the use of tribal notification to decrease incarceration and route Native youth to alternative programs.

APPENDIX D:

Conversations with Young People on their Experiences in Foster Homes Prepared by NMCAN

April 2020

We spoke with former foster youth ages 17 through 24 who entered care in Bernalillo, Cibola, Curry, and Valencia counties, but were in foster homes across the state. Cumulatively they were in 144 different foster homes (this does not include residential treatment centers, shelters, or other congregate care settings). A number of common challenges and potential solutions arose from these conversations.

Common Challenges:

- Lack of acceptance. Young people felt that their foster parents did not accept them for who they were - as a teenager, as a person with a history of trauma, as an LGBTQ youth, as a person of color, as a person. In most homes they did not feel accepted, loved, or wanted.
- Stigma. In most placements young people felt an immediate stigma upon entering a new home, the stigma of being a teen and of being in foster care. They felt that foster parents and the department assumed the worst of them because they were teenagers and because of their past and the trauma they have experienced. This stigma prevented them from being seen and accepted and impacted the way their behavior was interpreted and how they were treated.
- Instability. As teenagers in foster care they felt no stability. There was a sense that they could be "kicked out" of a foster home at any moment. They were moved out of foster homes for normal adolescent behavior such as smoking at school, talking back or acting out, and not getting along with foster parents. Many times they were not given reason for their change in placement and it would happen very suddenly...sometimes the same day as a foster parents would demand their removal immediately. They would then be placed in a respite home or youth shelter.
- Little normalcy. There were limited opportunities to participate in normal teenage activities such as hanging out with friends, participating in afterschool activities, and doing things outside of the house. Access to these activities was wholly dependent on the particular foster parent. Only some of them were aware of the prudent parenting standard.
- Race issues. These young people, nearly all of whom were people of color, were placed primarily in homes with white foster parents. In some instances there was a lack of understanding of cultural differences, no respect for or affirmation of cultural identities, and basic grooming and appearance needs were not recognized or met.
- Not being heard. Young people felt their caseworkers did not listen to them when they shared feedback on their placements. When they told

caseworkers about their concerns, grievances, or negative experiences with foster parents they were ignored or not taken seriously. If they brought their concerns up with their worker the foster parent would "put on a show" at the home visit and later punish them for speaking up.

- Religious pressures. There were numerous stories about how foster parents' religious beliefs impacted how young people were treated. Examples include young people being treated differently than others in the home after choosing not to convert to the foster parents' religion, being shamed for being LGBTQ, and not being allowed to celebrate holidays.
- Aging out. The most common placement prior to aging out was a shelter or other facility. Each young person who aged out of a congregate care setting was couchsurfing or homeless after their 18th birthday - they were not supported in finding housing. The few who were placed in a foster home prior to aging out were kicked out of the home on or within days of their birthday, and also found themselves homeless.

Potential Solutions:

- Engage youth authentically. Young people should participate in the interviews and selection of foster parents. They can provide invaluable feedback on whether someone is suited to be a foster parent. Young people should also be meaningfully engaged in the training of foster parents. It is important for foster parents to hear directly from former foster youth.
- Change foster parent recruitment and selection. People should be foster parents for the right reasons - to love and parent someone, not for the money, not to be a savior, and not as a path to adoption. More accepting, understanding, patient, and loving people need to be recruited as foster parents. There is also a need for more foster parents that are representative of the racial and cultural backgrounds of young people in care.
- Improve foster parent training. Foster parent training can be improved by providing a realistic picture of what it is like to be a foster parent for a young person - don't sugarcoat it. They need to be trained specifically to care for teens and to understand adolescent brain development. It is also necessary for them to understand trauma and mental health issues and how to parent someone who has experienced it, as well as how to respect boundaries and allow foster youth to build trust.
- Elicit feedback. Create mechanisms to get honest feedback from young people about their placements, without fear of retribution. Listen to, consider, and take action on their feedback.
- Remove the stigma. Do not treat teens as problems; treat them with respect, kindness, and love. Allow young people to enter homes without assumptions and bias against them - stop providing foster parents with case files that list every mistake the young person has made.
- Ensure young people are housed. No foster youth should face homelessness on their 18th - or 21st - birthday. Transition planning should require that every young person is housed upon exiting care.

APPENDIX E:

DETAILED NOTES FROM HJM10 TASK FORCE INTERVIEWS BY TOPIC- SOCIAL CHANGE PARTNERS

Each bullet represents a comment from a single speaker

Foster Parent Perspectives and Needs

- Foster parents want to be part of the dialogue around policy and systems change.
- Some feel that nonrelative caregivers have been disparaged in comparison to relatives.
- Nonrelative caregivers need to be cultivated as a specialized, trained, motivated group.
- Some foster parents are interested in the support of a third party community based organization that can train and support them.
- Different foster parents have different needs – not every parent can take every kid – they already have children/spouses/relatives in the home.
- Foster parents are concerned about retaliation – that if they complain or question, children will be pulled from their home or their license will be revoked.

Relative Placement

- Relative placement is seen as an end in and of itself, but the relatives need help.
- Relatives need to be better supported and asked what they need to be successful.
- When placing with relatives, CYFD needs to give them time and help to think through the commitment and prepare – everything from furniture to training.
- Need to be able to expedite provisional licenses for family members.
- Parents and CYFD might be at odds about relative placements.
- Many NM seniors are raising their grandchildren but don't have the resources, don't have the tools. They need more financial support, but also need training and supports appropriate to their life stage.
- There are various cultures of poverty in New Mexico, and lots of historical mistrust.
- Community based organizations can play a role in bridging cultural divides.
- There are tremendous opportunities for collaboration between the departments, including ALTSD and CYFD, to launch intergenerational approaches.

- When focusing on kinship placements we need to think about institutional racism. Parents in white communities have lots of options and services, but in other parts of the state there's nothing available but the parents are held to the same standards.
- Current practice fails to recognize the strengths of diverse families, including regarding community standards for housing.
- If people with college degrees can't understand the process and the paperwork, how can we expect impoverished or non-English speaking families understand them

Foster Parent Recruitment and Retention

- The pandemic has strained resources across systems and in family households. There is concern that the foster parent "pipeline has dried up."
- Foster parents need additional information and different engagement in order to make them true partners in reunification. All parties – CYFD, youth, foster parents, and families, should be engaged and aligned around the goal of reunification.
- CYFD should partner with foster parents and resource families to educate and engage the community regarding the role and goals of child welfare intervention.
- Having a more diverse and kin based population of resource families could "change the face of foster care" and align public understanding with CYFD goals and priorities.
- CYFD could better honor and recognize foster parents.
- Faith-based organizations are an untapped resource for recruiting and supporting foster parents.
- We cannot figure out the solution for recruiting more kinship and foster parents until we have a conversation about structural racism.
- Recruitment materials and messages can be improved.
- There are effective models of community partnership in some parts of the state.
- CYFD could partner with CBOs to do joint outreach so that different people can find different levels of commitment.
- NM needs additional capacity in specialized placements for when kids first come into care. Treatment Foster Care is a good working model that could be expanded.
- Foster parents need and want more and better training on how to provide for the children in their care.
- Foster Parents who become CASAs get a lot more training – about the system, ages and stages, how children come into care – and also get ongoing in-service training – could do some of it in parallel.
- NM also needs a better system to hold foster parents accountable. There are some that shouldn't be foster parents. CYFD just stops placing, but there's no clear mechanism for hiring, firing, and performance improvement plans.

CYFD Role and Responsibilities

- High caseloads and high turnover set everyone up for failure.
- There is currently very little support or respect for frontline workers.
- CYFD should create supervised tiers for advancement, based on comprehensive assessments of performance.
- CYFD has really broad areas of practice and needs additional resources for further specialization – need to promote cross-collaboration, expand networks, and enlist community supports.
- There is significant mistrust between CYFD and some foster parents and other members of the child welfare community.
- NM should explore new ways of providing for accountability for the integrity of foster parent recruitment, retention, and matching – both for process and decision-making.
- Team meetings are not always effective. Some community partners don't feel heard and don't want to participate. Or their input is recorded but they feel excluded from decision-making.
- Current data systems are problematic – FACTS, Foster Parent list. Data isn't reliable, and conflicts with data kept by other parties, such as CASA.
- Currently CYFD doesn't have enough information about placements, relatives, foster parents – i.e. how many rooms they have, other children in the home.
- It is not clear what the current standard is for creating policies – parameters, process, participants, and approval process. But the current process is not transparent and this creates mistrust. CYFD should ask for questions and input, not just edits.

Mental Health Services

- HJM10 presents an opportunity to focus attention on behavioral health services.
- There is a need for an ongoing forum to plan and discuss how to support adolescents, particularly with behavior and substance use.
- NM needs to make sure that behavioral health professionals are highly qualified and well trained.

Tribal Relations

- The current CYFD Secretary has significantly improved relations with the Tribes and Pueblos. They are feeling hopeful about future collaboration.
- There should be better Tribal representation in all CYFD workgroups.
- There are still legislative initiatives coming down with no Tribal input at all.
- There is still stigma on both sides when it comes to child welfare - still a fear of children being taken. To figure out what a family/child needs we have to understand the community. Need to transition the relationship from fear to opportunity.

- There are many places where Native youth fall through the cracks – from first report through placement to court process.
- Tribes don't always get notice of removals, court hearings.
- When NM leadership thinks about tribes they need to remember the urban population, who have a very different worldview and culture than in the sovereign areas.
- Current data is problematic – there is clearly an overrepresentation of Native American youth, but in some cases the data kept by the tribes is different.
- Tribes use Federal licensing standards, but CYFD is reluctant to place because they're not licensed by CYFD.
- ICWA placements have a lower proportion of relative placements and poor permanency outcomes.
- Lots of Tribal relatives want to be placements, but don't have the resources.
- The joint powers agreements and MOUs are out of date. Currently working to revise them, including to provide for subsidized guardianship.
- Most tribes don't utilize IV-E agreements – use child only TANF or General Funds, BIA funds, but it's not enough. CYFD should help Tribes renegotiate their IGAs & JPAs to they can tap into IV-E funds. It doesn't make sense for all of the tribes to become IV-E agencies, but funds could be passed through.
- The formation of the New Mexico Tribal Child Welfare Consortium is a good thing. But not all sovereigns are on the same page.

Juvenile Justice

- Some current practices in Juvenile Justice Services could be helpful with CYFD youth, especially adolescents.
- Through FINS, JJS workers try not to involve youth in the system if don't have to.
- JJS is enthusiastic about and encouraged by current conversations with CPS, and interested in increasing access to subsidies and services that can prevent kids from becoming more systems involved.
- JJS sees a new normal of relatives (grandparents, aunt/uncles) raising kids.
- JJS works successfully with families relying on informal caregiving arrangements.
- It would be beneficial to cross train JJS and CPS, particularly regarding the facilitation of team decision making meetings.
- The Goals of CPS & JJS are increasingly aligned, but we should also align training, processes, and tools.
- As with CPS, there is very significant variation in JJS across different geographies – some are more aligned with CYFD than others.
- Current leadership is effective and NM has never seen people working together as closely as in the pandemic.

Youth Partnerships

- Where do youth come into HJM10 conversations? Older youth in particular are not addressed by the memorial.

- Current youth participation is limited to one, which seems like tokenism.
- CYFDs participation in HYDP required the development of a Youth Action Board. On that with a handful of other people – but the “kid table” is always held separate from the “adult table.”

HJM10

- The HJM10 Task Force was created by the legislature, but the process was changed many times and it was difficult for some participants to have confidence in the outcome.
- Not currently clear what is motivated by HJM10, what by the Kevin S settlement, and what by current CYFD leadership.
- The pandemic disrupted the implementation of the Task Force, but some feel that there could have been a better effort to maintain consistency. Had less than 90 days by the time it really got rolling.
- The work of the Task Force should continue, and be organized around life stages. For example, have committees on early childhood, school age children, and adolescents and young adults. Could also be organized with subcommittees focused on education,
- A lot of the conversation has been about what seem like persistent grievances of small numbers of people. The Task Force should focus on systemic factors.

APPENDIX F – SURVEY COMMENTS WITH FOSTER PARENTS ON JULY 23, 2020- POLICY AND PROCEDURES GROUP

Comments:

- I would really love to see true change in the relationship between FP and the dept. It's been 9 years and each time they say things will change it is short lived.
- We have NEVER been given a "traveling file for children placed in care". We have given binders I created to the PW when a child left, but never received one for a child we accepted for placement. I don't know if the binder went with the child or the PW kept it.
- We need to really evaluate what is concerned the "best interest of the [INDIVIDUAL] child" and not the "best interest of the financials of New Mexico". Too many children are either falling through the cracks or being forced through as sacrifices for the hope of future gains with more funding towards Child Welfare.
- This was the original joint memorial. CYFD ruined it
<https://nmlegis.gov/Sessions/19%20Regular/memorials/house/HJM010.pdf>

APPENDIX G: AT THE REQUEST OF THE POLICY AND PROCEDURE COMMITTEE

X. SECTION of legislation committee was charged to review, research or address:

Policies and Procedures of Children Youth and Families

XI. Subcommittees- name and membership:

Fleishman	Bette	Children's Court Improvement Commission
Gallegos	Roslynn	Licensed Behavioral Health Expert
Hoxworth	Betsy	Foster Parent
Lopez	Linda	Kinship Caregiver, NM State Senator
Martin	Emily	Classified CYFD Employee
Montano-Pilch	Veronica	CASA
Romero	William	JJS Experienced Classified Employee
Sanders, Lieutenant	Nicholas	APD Expert Representative of Law Enforcement
Whitlock	Karen	Social Worker

XII. Dates of meetings:

Meeting via Zoom in 2020: July 10, July 28, 2020, August 3, Sept 2, Sept 4

XIII. Summary of Recommendations:

3. In March of this year, CYFD and Human Services Department (HSD) entered into a groundbreaking agreement in a class action lawsuit that brings together foster youth, children advocates, and nationally recognized experts to fix New Mexico's foster care system. Many of the issues outlined in HJM10, which was passed before the settlement, have been addressed through the settlement agreement and continue to be addressed because of Kevin S. We believe that it is important to look at that agreement.
4. The Policies and Procedures of CYFD are now readily available at <https://cyfd.org/> because of a recommendation of this committee. We recommend that verbiage be added to the policies and procedures describing how they are implemented state wide.
5. A search of Standard Operating Procedures (SOP) appeared to be lacking. We recommend a user friendly easily accessible web portal that the public can access.
6. RAFT Relative Adoptive Foster Parent Training appears to only be accessible to certain foster parents depending on when they became a foster parent. RAFT needs to be available to all foster parents at all times.
7. CYFD create formal complaint/compliment from online web portal for foster parents and collect data including resolution. Currently, the complaint goes to a specific person via email and that person resolves the issue. It is crucial to know

how many complaints are received and what type of immediate response is given.

8. CYFD will research privatized foster care models and document best practices from states that support a demographic similar to New Mexico such as Texas.
9. CYFD create Foster Parent 101 manual that is consistent across the state.
10. Create Foster Parent CYFD checklist when a child is first placed to ensure level of care follows the child and everyone is aware of issues.
11. CYFD work with local experts to create a best practices manual for intake, placement, treatment, and discharge of youth identified as human trafficking victims.
12. CYFD create a resource manual with the help and collaboration of local experts so that foster parents may become well trained in caring for this specialized population.
13. CYFD work with law enforcement, legal experts, and local advocates to create policies and procedures surrounding the protection of victims of human trafficking in regard to information, placement, crisis management, and discharge planning.

XIV. Committee comments if appropriate:

Conducted a survey with Foster Parents on July 31, 2020

Some of the comments are below:

“I would really love to see true change in the relationship between FP and the dept. It’s been 9 years and each time they say things will change it is short lived.”

“We have NEVER been given a "traveling file for children placed in care". We have given binders I created to the PW when a child left, but never received one for a child we accepted for placement. I don't know if the binder went with the child or the PW kept it.”

“We need to really evaluate what is concerned the "best interest of the [INDIVIDUAL] child" and not the "best interest of the financials of New Mexico". Too many children are either falling through the cracks or being forced through as sacrifices for the hope of future gains with more funding towards Child Welfare.”

“This was the original joint memorial. CYFD ruined it

<https://nmlegis.gov/Sessions/19%20Regular/memorials/house/HJM010.pdf>”

XV. Sources, citations and references:

1. Kevin S. Settlement- <https://kevinssettlement.com/monitoring-implementation/>
2. CYFD RAFT Training- <https://nmraft.org/>
3. City of Albuquerque Policies and Procedures- <https://www.cabq.gov/culturalservices/govtv/policies-and-procedures>
4. Privatized Adoption Article-<https://nonprofitquarterly.org/privatizing-foster-care-in-texas-the-good-the-bad-the-unknown/>