

LEGISLATIVE FISCAL ESTIMATE:

Yes 11/20/2022
12/12/2022

VETO MESSAGE:

No

GOVERNOR'S PRESS RELEASE ON SIGNING:

Yes

FOLLOWING WERE PRINTED:

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REPORTS:

No

HEARINGS:

No

NEWSPAPER ARTICLES:

Yes

DANA DIFILIPPO; newjerseymonitor.com, 'New law expands child welfare oversight and caps caseloads New law expands child welfare oversight, caps caseloads', Press of Atlantic City, The (online), 22 Dec 2022 5A

end

P.L. 2022, CHAPTER 130, *approved December 20, 2022*
Assembly, No. 3707 (*First Reprint*)

1 AN ACT concerning child welfare, amending P.L.1994, c.119, and
2 supplementing Chapter 4C of Title 30.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 2 of P.L.1994, C.119 (C.9:6-8.75) is amended to
8 read as follows:

9 2. There is established the “New Jersey Task Force on Child
10 Abuse and Neglect.” For the purpose of complying with the
11 provisions of Article V, Section IV, paragraph 1 of the New Jersey
12 Constitution, the New Jersey Task Force on Child Abuse and
13 Neglect is allocated within the Department of Children and
14 Families, but, notwithstanding this allocation, the task force shall be
15 independent of any supervision or control by the department or by
16 any officer or employee thereof.

17 a. The purpose of the task force is to study and develop
18 recommendations regarding the most effective means of improving
19 the quality and scope of child protective and preventative services
20 provided or supported by State government, including a review of
21 the practices and policies utilized by the Division of Child
22 Protection and Permanency and the Division of Family and
23 Community Partnerships in the Department of Children and
24 Families in order to:

25 (1) optimize coordination of child abuse-related services and
26 investigations;

27 (2) promote the safety of children at risk of abuse or neglect;

28 (3) ensure a timely determination with regard to reports of
29 alleged child abuse;

30 (4) educate the public about the problems of, and coordinate
31 activities relating to, child abuse and neglect;

32 (5) develop a Statewide plan to prevent child abuse and neglect
33 and mechanisms to facilitate child abuse and neglect prevention
34 strategies in coordination with the Division of Family and
35 Community Partnerships;

36 (6) mobilize citizens and community agencies in a proactive
37 effort to prevent and treat child abuse and neglect; and

38 (7) foster cooperative working relationships between State and
39 local agencies responsible for providing services to victims of child
40 abuse and neglect and their families.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AHU committee amendments adopted October 17, 2022.

1 b. The task force shall receive, evaluate, and approve
2 applications of public and private agencies and organizations for
3 grants from moneys annually appropriated from the "Children's
4 Trust Fund" established pursuant to section 2 of P.L.1985, c.197
5 (C.54A:9-25.4). Any portion of the moneys actually appropriated
6 which are remaining at the end of a fiscal year shall lapse to the
7 "Children's Trust Fund."

8 Grants shall be awarded to public and private agencies for the
9 purposes of planning and establishing or improving programs and
10 services for the prevention of child abuse and neglect, including
11 activities which:

12 (1) Provide Statewide educational and public informational
13 seminars for the purpose of developing appropriate public
14 awareness regarding the problems of child abuse and neglect;

15 (2) Encourage professional persons and groups to recognize and
16 deal with problems of child abuse and neglect;

17 (3) Make information about the problems of child abuse and
18 neglect available to the public and organizations and agencies
19 which deal with problems of child abuse and neglect ¹including by
20 continuing to publish such information through a publicly
21 accessible online portal¹; and

22 (4) Encourage the development of community prevention
23 programs, including:

24 (a) community-based educational programs on parenting,
25 prenatal care, prenatal bonding, child development, basic child care,
26 care of children with special needs, coping with family stress,
27 personal safety and sexual abuse prevention training for children,
28 and self-care training for latchkey children; and

29 (b) community-based programs relating to crisis care, aid to
30 parents, child abuse counseling, peer support groups for abusive or
31 potentially abusive parents and their children, lay health visitors,
32 respite ¹[of] for¹ crisis child care, and early identification of
33 families where the potential for child abuse and neglect exists.

34 The task force shall, in awarding grants, establish such priorities
35 respecting the programs or services to be funded and the amounts of
36 funding to be provided as it deems appropriate, except that the task
37 force shall place particular emphasis on community-based programs
38 and services which are designed to develop and demonstrate
39 strategies for the early identification, intervention, and assistance of
40 families and children at risk in order to prevent child abuse and
41 neglect.

42 The task force shall adopt such rules and regulations pursuant to
43 the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
44 seq.) to govern the awarding of grants pursuant to this subsection as
45 may be necessary to establish adequate reporting requirements on
46 the use of grant funds by recipient agencies and organizations and
47 to permit the task force to evaluate the programs and services for
48 which grants are awarded.

1 c. (1) The task force shall establish a Staffing and Oversight
2 Review Subcommittee to review the performance and staffing
3 levels of the Division of Child Protection and Permanency in order
4 to develop recommendations regarding the department's
5 performance, staffing levels, and the most effective methods of
6 recruiting, hiring, and retaining staff within the division. [In
7 addition,] The subcommittee shall also review, analyze, and make
8 recommendations regarding the department's performance in:

9 (a) maintaining a case management information and data
10 collection system that allows for the assessment, tracking, posting
11 or web-based publishing, and utilization of key data indicators with
12 consistent definitions and methodology, along with ensuring the
13 accuracy of published data;

14 (b) implementing and sustaining a case practice model
15 comprising a continuous set of activities that emphasizes quality
16 investigation and assessment, which model shall include:
17 performing safety and risk assessments; engaging with youth and
18 families; working with family teams; providing individualized
19 planning and relevant services; performing continuous review and
20 adaptation; and ensuring safe and sustained transition from the
21 department;

22 (c) guaranteeing that the operation of the department's State
23 Central Registry ensures that allegations of child abuse and neglect
24 are received by the department's field offices in a timely manner
25 and investigations are commenced within the required response
26 time identified by the State Central Registry;

27 (d) providing the most appropriate and least restrictive
28 placements when out-of-home placement is necessary, and in so
29 doing allowing: children to remain in their own communities, be
30 placed with or maintain contact with siblings and relatives, and
31 have their educational needs met; precluding children under age 13
32 from being placed in shelters; precluding children from being
33 placed in out-of-State behavioral health facilities without written
34 approval from the Assistant Commissioner for the Children's
35 System of Care; and maintaining an adequate number and array of
36 family-based placements to appropriately place children in family
37 settings;

38 (e) providing comprehensive, culturally responsive services to
39 address the identified needs of the children, youth, and families the
40 department serves, including but not limited to: services for youth
41 age 18 to 21; services for LGBTQI+ youth; mental health, and
42 domestic violence services for birth parents whose families are
43 involved with the child welfare system; preventive home visitation
44 programs; trauma-informed care; and an adequate Statewide
45 network of Family Success Centers;

46 (f) providing medical care to children and youth residing in
47 resource family care, including: appropriate medical assessment and
48 treatment, pre-placement, and entry medical assessments under

1 Early and Periodic Screening, Diagnosis, and Treatment (EPSDT);
2 guidelines, dental examinations; up-to-date immunizations; follow-
3 up care and treatment and mental health assessment and treatment,
4 where appropriate; behavioral health treatment provided in the least
5 restrictive setting for children and youth; and evaluating the
6 sufficiency of funding for these medical services;

7 (g) maintaining a comprehensive training program for child
8 welfare staff and supervisors, including specialized training for
9 investigators which training shall include pre-service training
10 covering the case practice model and permanency planning,
11 adoption training, and training on case management systems, and
12 mechanisms for staff completing training to demonstrate
13 competency on required areas of training;

14 (h) making flexible funds available for use by caseworkers in
15 crafting individualized service plans for children, youth, and
16 families to: meet the needs of children and families; facilitate
17 family preservation and reunification where appropriate; ensure that
18 families are able to provide appropriate care for children; and avoid
19 the disruption of otherwise stable and appropriate placements;

20 (i) adjusting support rates for resource family care, adoption
21 assistance, and independent living to ensure alignment with the
22 United States Department of Agriculture estimates for the cost of
23 raising a child or adolescent in the urban Northeast, the U.S.
24 Department Housing and Urban Development Fair Market Value
25 for average rent in New Jersey, the Internal Revenue Service
26 estimates for monthly food and household expenses, and other
27 appropriate State and national benchmarks identified by the
28 subcommittee;

29 (j) strengthening and sustaining appropriate permanency and
30 adoption practices for the children and youth the department serves,
31 recognizing that the department's permanency work begins at intake
32 and encompasses the elements of the case practice model; and

33 (k) generally beginning the process of preparing a child for
34 adoption and seeking and securing an adoptive placement as soon as
35 the child's permanency goal becomes adoption, but in no case later
36 than as required by federal law; conducting five-month and 10-
37 month placement reviews for children in custody; commencing the
38 adoption process as soon as a diligent search process has been
39 completed and has failed to identify the location of both parents or a
40 suitable family placement; and developing a child-specific
41 recruitment plan for all children with a permanency goal of
42 adoption needing the recruitment of an adoptive family, as well as
43 evaluating the sufficiency of funding for such processes.

44 (2) No later than the first day of the 12th month next following
45 the date of enactment of P.L. , c. (C.)(pending before the
46 legislature as this bill), and annually thereafter, the subcommittee
47 shall review the [division's] department's performance in the
48 [achievement of management and client outcomes] areas identified

1 in this paragraph (1) of subsection c. of this section, and shall issue
2 a [preliminary] report with its findings and recommendations [no
3 later than January 1, 2007, and subsequent reports annually
4 thereafter with the first full report due no later than July 1, 2007.
5 The subcommittee shall directly issue its reports] to the Governor
6 and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), to the
7 Legislature.

8 (3) The [Legislature shall annually appropriate to the]¹
9 Department of Children and Families ¹shall annually allocate to the
10 task force¹ sufficient funding [for the task force]¹ to permit the
11 subcommittee to hire independent contracted staff or obtain other
12 resources needed to carry out the responsibilities set forth in this
13 paragraph.

14 (4) (a) The task force shall appoint at least 15 members to the
15 subcommittee consisting of:

16 (i) the Assistant Commissioner of the Division of Child
17 Protection and Permanency and the Commissioner of Children and
18 Families, or their designees, who shall serve ex-officio; and

19 (ii) at least 13 public members, including: one representative of a
20 State-based child advocacy organization; one attorney regularly
21 engaged in the representation of parents in child protection matters;
22 at least one attorney regularly engaged in the representation of the
23 indigent; one attorney regularly engaged in the representation of
24 children in out of home placement; one county human services
25 director; one parent who has previously had involvement with the
26 Division of Child Protection and Permanency; one alumni of the
27 State's resource family care system; one resource family parent who
28 is currently licensed by the State; and one representative of a State-
29 based child abuse prevention focused organization.

30 (b) The members of the subcommittee shall serve for a term of
31 three years or until the appointment of a successor, with the
32 exception that the terms of the original membership of the
33 subcommittee shall be constituted as to provide that seven of the
34 public members shall serve for a term one year, four of the public
35 members shall serve for two years, and two of the public members
36 shall serve for a term three years.

37 (c) Members of the subcommittee shall be appointed and hold
38 their initial organizational meeting within 45 days after the effective
39 date of P.L. , c. (C.)(pending before the legislature as this bill).

40 (d) The subcommittee shall designate a chairperson and vice
41 chairperson from among its members, except that the
42 commissioner's designee and the assistant commissioner of the
43 Division of Child Protection and Permanency shall not serve as the
44 chairperson or vice chairperson of the subcommittee.

45 (e) The subcommittee shall be entitled to call to its assistance
46 and avail itself of the services of employees of the department and

1 seek the advice of experts as required and as may be available for
2 the purposes of conducting the reviews required by this subsection.

3 (5) The Commissioner of Children and Families shall ensure the
4 subcommittee is provided with information necessary for the
5 subcommittee to fulfill its obligations under this subsection,
6 including information obtained through the Division of Child
7 Protection and Permanency's continuous quality review process,¹
8 and the subcommittee shall be entitled to review such information
9 as part of the subcommittee's examination of the department's
10 performance and the development of recommendations.

11 (6) The task force may adopt rules and regulations pursuant to
12 the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1
13 et seq.) necessary to effectuate the purposes of this subsection.
14 (cf: P.L.2012, c.16, s.36)

15
16 2. (New section) a. The Commissioner of Children and Families
17 shall ensure that no child protection worker is concurrently
18 responsible for more than 15 cases at any time, unless the
19 commissioner determines that assignment of cases in excess of this
20 limit is temporarily necessary to ensure the life and safety of any
21 child under the care and supervision of the Department of Children
22 and Families.

23 b. If the average daily caseload of child protection workers
24 exceeds 15 cases per worker for two consecutive months, the
25 department shall be considered non-compliant with caseload
26 standards established pursuant to this section. In such
27 circumstances, the department shall:

28 (1) within 14 days of initial non-compliance under this
29 subsection, deliver to the Governor, the Staffing and Oversight
30 Review Subcommittee of the New Jersey Task Force on Child
31 Abuse and Neglect established pursuant to subsection c. of section 2
32 of P.L.1994, C.119 (C.9:6-8.75), and, pursuant to section 2 of
33 P.L.1991, c.164 (C.52:14-19.1), the Legislature, notice of the non-
34 compliance and a summary of emergent efforts being made to
35 rectify the non-compliance; and

36 (2) post, on a monthly basis, on the department's Internet
37 website, the average daily Statewide caseload of child protection
38 workers, until such time as the average daily caseload has been
39 maintained at 15 or fewer cases per worker for 30 days.

40 c. As used in this section, "child protection worker" means an
41 employee of the Division of Child Protection and Permanency or
42 the Institutional Abuse Investigation Unit in the Department of
43 Children and Families, or any other agency or successor agency
44 conducting child abuse investigations pursuant to section 4 of
45 P.L.1971, c.437 (C.9:6-8.11) or providing child protective services
46 pursuant to P.L.1951, c.138 (C.30:4C-1 et seq.).

47
48 3. This act shall take effect immediately.

A3707 [1R]

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5

Makes various changes to New Jersey Task Force on Child Abuse and Neglect; establishes child protection worker caseload standards.

ASSEMBLY, No. 3707

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED MARCH 21, 2022

Sponsored by:

Assemblyman CRAIG J. COUGHLIN

District 19 (Middlesex)

Assemblywoman ANGELICA M. JIMENEZ

District 32 (Bergen and Hudson)

Co-Sponsored by:

Assemblyman Caputo

SYNOPSIS

Makes various changes to New Jersey Task Force on Child Abuse and Neglect; establishes child protection worker caseload standards.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/13/2022)

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2 supplementing Chapter 4C of Title 30.

3

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15 of any supervision or control by the department or by any officer or
16 employee thereof.

17 a. The purpose of the task force is to study and develop
18 recommendations regarding the most effective means of improving
19 the quality and scope of child protective and preventative services
20 provided or supported by State government, including a review of the
21 practices and policies utilized by the Division of Child Protection and
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25 investigations;

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28 child abuse;

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30 activities relating to, child abuse and neglect;

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32 and mechanisms to facilitate child abuse and neglect prevention
33 strategies in coordination with the Division of Family and
34 Community Partnerships;

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36 to prevent and treat child abuse and neglect; and

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38 local agencies responsible for providing services to victims of child
39 abuse and neglect and their families.

40 b. The task force shall receive, evaluate, and approve
41 applications of public and private agencies and organizations for
42 grants from moneys annually appropriated from the "Children's Trust
43 Fund" established pursuant to section 2 of P.L.1985, c.197 (C.54A:9-
44 25.4). Any portion of the moneys actually appropriated which are
45 remaining at the end of a fiscal year shall lapse to the "Children's
46 Trust Fund."

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

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10 (3) Make information about the problems of child abuse and
11 neglect available to the public and organizations and agencies which
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16 care, prenatal bonding, child development, basic child care, care of
17 children with special needs, coping with family stress, personal
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20 (b) community-based programs relating to crisis care, aid to
21 parents, child abuse counseling, peer support groups for abusive or
22 potentially abusive parents and their children, lay health visitors,
23 respite of crisis child care, and early identification of families where
24 the potential for child abuse and neglect exists.

25 The task force shall, in awarding grants, establish such priorities
26 respecting the programs or services to be funded and the amounts of
27 funding to be provided as it deems appropriate, except that the task
28 force shall place particular emphasis on community-based programs
29 and services which are designed to develop and demonstrate
30 strategies for the early identification, intervention, and assistance of
31 families and children at risk in order to prevent child abuse and
32 neglect.

33 The task force shall adopt such rules and regulations pursuant to
34 the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
35 seq.) to govern the awarding of grants pursuant to this subsection as
36 may be necessary to establish adequate reporting requirements on the
37 use of grant funds by recipient agencies and organizations and to
38 permit the task force to evaluate the programs and services for which
39 grants are awarded.

40 c. (1) The task force shall establish a Staffing and Oversight
41 Review Subcommittee to review the performance and staffing levels
42 of the Division of Child Protection and Permanency in order to
43 develop recommendations regarding the department's performance,
44 staffing levels, and the most effective methods of recruiting, hiring,
45 and retaining staff within the division. **【In addition,】** The
46 subcommittee shall also review, analyze, and make recommendations
47 regarding the department's performance in:

1 (a) maintaining a case management information and data
2 collection system that allows for the assessment, tracking, posting or
3 web-based publishing, and utilization of key data indicators with
4 consistent definitions and methodology, along with ensuring the
5 accuracy of published data;

6 (b) implementing and sustaining a case practice model comprising
7 a continuous set of activities that emphasizes quality investigation
8 and assessment, which model shall include: performing safety and
9 risk assessments; engaging with youth and families; working with
10 family teams; providing individualized planning and relevant
11 services; performing continuous review and adaptation; and ensuring
12 safe and sustained transition from the department;

13 (c) guaranteeing that the operation of the department's State
14 Central Registry ensures that allegations of child abuse and neglect
15 are received by the department's field offices in a timely manner and
16 investigations are commenced within the required response time
17 identified by the State Central Registry;

18 (d) providing the most appropriate and least restrictive placements
19 when out-of-home placement is necessary, and in so doing allowing:
20 children to remain in their own communities, be placed with or
21 maintain contact with siblings and relatives, and have their
22 educational needs met; precluding children under age 13 from being
23 placed in shelters; precluding children from being placed in out-of-
24 State behavioral health facilities without written approval from the
25 Assistant Commissioner for the Children's System of Care; and
26 maintaining an adequate number and array of family-based
27 placements to appropriately place children in family settings;

28 (e) providing comprehensive, culturally responsive services to
29 address the identified needs of the children, youth, and families the
30 department serves, including but not limited to: services for youth
31 age 18 to 21; services for LGBTQI+ youth; mental health, and
32 domestic violence services for birth parents whose families are
33 involved with the child welfare system; preventive home visitation
34 programs; trauma-informed care; and an adequate Statewide network
35 of Family Success Centers;

36 (f) providing medical care to children and youth residing in
37 resource family care, including: appropriate medical assessment and
38 treatment, pre-placement, and entry medical assessments under Early
39 and Periodic Screening, Diagnosis, and Treatment (EPSDT);
40 guidelines, dental examinations; up-to-date immunizations; follow-
41 up care and treatment and mental health assessment and treatment,
42 where appropriate; behavioral health treatment provided in the least
43 restrictive setting for children and youth; and evaluating the
44 sufficiency of funding for these medical services;

45 (g) maintaining a comprehensive training program for child
46 welfare staff and supervisors, including specialized training for
47 investigators which training shall include pre-service training
48 covering the case practice model and permanency planning, adoption

1 training, and training on case management systems, and mechanisms
2 for staff completing training to demonstrate competency on required
3 areas of training;

4 (h) making flexible funds available for use by caseworkers in
5 crafting individualized service plans for children, youth, and families
6 to: meet the needs of children and families; facilitate family
7 preservation and reunification where appropriate; ensure that
8 families are able to provide appropriate care for children; and avoid
9 the disruption of otherwise stable and appropriate placements;

10 (i) adjusting support rates for resource family care, adoption
11 assistance, and independent living to ensure alignment with the
12 United States Department of Agriculture estimates for the cost of
13 raising a child or adolescent in the urban Northeast, the U.S.
14 Department Housing and Urban Development Fair Market Value for
15 average rent in New Jersey, the Internal Revenue Service estimates
16 for monthly food and household expenses, and other appropriate
17 State and national benchmarks identified by the subcommittee;

18 (j) strengthening and sustaining appropriate permanency and
19 adoption practices for the children and youth the department serves,
20 recognizing that the department's permanency work begins at intake
21 and encompasses the elements of the case practice model; and

22 (k) generally beginning the process of preparing a child for
23 adoption and seeking and securing an adoptive placement as soon as
24 the child's permanency goal becomes adoption, but in no case later
25 than as required by federal law; conducting five-month and 10-month
26 placement reviews for children in custody; commencing the adoption
27 process as soon as a diligent search process has been completed and
28 has failed to identify the location of both parents or a suitable family
29 placement; and developing a child-specific recruitment plan for all
30 children with a permanency goal of adoption needing the recruitment
31 of an adoptive family, as well as evaluating the sufficiency of funding
32 for such processes.

33 (2) No later than the first day of the 12th month next following the
34 date of enactment of P.L. , c. (C.)(pending before the legislature
35 as this bill), and annually thereafter, the subcommittee shall review
36 the [division's] department's performance in the [achievement of
37 management and client outcomes] areas identified in this paragraph
38 (1) of subsection c. of this section, and shall issue a [preliminary]
39 report with its findings and recommendations [no later than January
40 1, 2007, and subsequent reports annually thereafter with the first full
41 report due no later than July 1, 2007. The subcommittee shall directly
42 issue its reports] to the Governor and, pursuant to section 2 of
43 P.L.1991, c.164 (C.52:14-19.1), to the Legislature.

44 (3) The Legislature shall annually appropriate to the Department
45 of Children and Families sufficient funding for the task force to
46 permit the subcommittee to hire independent contracted staff or

1 obtain other resources needed to carry out the responsibilities set
2 forth in this paragraph.

3 (4) (a) The task force shall appoint at least 15 members to the
4 subcommittee consisting of:

5 (i) the Assistant Commissioner of the Division of Child Protection
6 and Permanency and the Commissioner of Children and Families, or
7 their designees, who shall serve ex-officio; and

8 (ii) at least 13 public members, including: one representative of a
9 State-based child advocacy organization; one attorney regularly
10 engaged in the representation of parents in child protection matters;
11 at least one attorney regularly engaged in the representation of the
12 indigent; one attorney regularly engaged in the representation of
13 children in out of home placement; one county human services
14 director; one parent who has previously had involvement with the
15 Division of Child Protection and Permanency; one alumni of the
16 State's resource family care system; one resource family parent who
17 is currently licensed by the State; and one representative of a State-
18 based child abuse prevention focused organization.

19 (b) The members of the subcommittee shall serve for a term of
20 three years or until the appointment of a successor, with the exception
21 that the terms of the original membership of the subcommittee shall
22 be constituted as to provide that seven of the public members shall
23 serve for a term one year, four of the public members shall serve for
24 two years, and two of the public members shall serve for a term three
25 years.

26 (c) Members of the subcommittee shall be appointed and hold their
27 initial organizational meeting within 45 days after the effective date
28 of P.L. , c. (C.)(pending before the legislature as this bill).

29 (d) The subcommittee shall designate a chairperson and vice
30 chairperson from among its members, except that the commissioner's
31 designee and the assistant commissioner of the Division of Child
32 Protection and Permanency shall not serve as the chairperson or vice
33 chairperson of the subcommittee.

34 (e) The subcommittee shall be entitled to call to its assistance and
35 avail itself of the services of employees of the department and seek
36 the advice of experts as required and as may be available for the
37 purposes of conducting the reviews required by this subsection.

38 (5) The Commissioner of Children and Families shall ensure the
39 subcommittee is provided with information necessary for the
40 subcommittee to fulfill its obligations under this subsection, and the
41 subcommittee shall be entitled to review such information as part of
42 the subcommittee's examination of the department's performance
43 and the development of recommendations.

44 (6) The task force may adopt rules and regulations pursuant to the
45 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
46 seq.) necessary to effectuate the purposes of this subsection.

47 (cf: P.L.2012, c.16, s.36)

1 2. (New section) a. The Commissioner of Children and Families
2 shall ensure that no child protection worker is concurrently
3 responsible for more than 15 cases at any time, unless the
4 commissioner determines that assignment of cases in excess of this
5 limit is temporarily necessary to ensure the life and safety of any
6 child under the care and supervision of the Department of Children
7 and Families.

8 b. If the average daily caseload of child protection workers
9 exceeds 15 cases per worker for two consecutive months, the
10 department shall be considered non-compliant with caseload
11 standards established pursuant to this section. In such circumstances,
12 the department shall:

13 (1) within 14 days of initial non-compliance under this subsection,
14 deliver to the Governor, the Staffing and Oversight Review
15 Subcommittee of the New Jersey Task Force on Child Abuse and
16 Neglect established pursuant to subsection c. of section 2 of
17 P.L.1994, C.119 (C.9:6-8.75), and, pursuant to section 2 of P.L.1991,
18 c.164 (C.52:14-19.1), the Legislature, notice of the non-compliance
19 and a summary of emergent efforts being made to rectify the non-
20 compliance; and

21 (2) post, on a monthly basis, on the department's Internet website,
22 the average daily Statewide caseload of child protection workers,
23 until such time as the average daily caseload has been maintained at
24 15 or fewer cases per worker for 30 days.

25 c. As used in this section, "child protection worker" means an
26 employee of the Division of Child Protection and Permanency or the
27 Institutional Abuse Investigation Unit in the Department of Children
28 and Families, or any other agency or successor agency conducting
29 child abuse investigations pursuant to section 4 of P.L.1971, c.437
30 (C.9:6-8.11) or providing child protective services pursuant to
31 P.L.1951, c.138 (C.30:4C-1 et seq.).

32

33 3. This act shall take effect immediately.

34

35

36

STATEMENT

37

38 This bill makes various changes to the New Jersey Child Abuse
39 and Neglect Task Force.

40 Specifically, the bill amends section 2 of P.L.1994, C.119 (C.9:6-
41 8.75) to allocate the task force in, but not, of, the Department of
42 Children and Families (DCF). Notwithstanding its allocation in the
43 DCF, the task force will be independent of any supervision or control
44 by the DCF. Currently, the task force is not allocated to any
45 department and functions as a separate entity outside of the purview
46 of any department.

47 The bill also amends section 2 of P.L.1994, C.119 (C.9:6-8.75) to
48 expand the purview of the Staffing and Oversight Review

1 Subcommittee (subcommittee) to: (1) include the review and
2 development of recommendations regarding the performance of the
3 Division of Child Protection and Permanency (DCPP); and (2)
4 review, analyze, and make recommendations regarding the DCF's
5 performance in providing child welfare services to children and
6 families as outlined in the bill. No later than 12 months after the
7 bill's enactment and annually thereafter, the subcommittee will be
8 required to report its findings and recommendations to the Governor
9 and Legislature. Current law requires the subcommittee to only
10 review and develop recommendations regarding the staffing levels of
11 the division and does not specify the types of services provided by
12 the DCF or when the review is to be completed.

13 The bill further amends section 2 of P.L.1994, C.119 (C.9:6-8.75)
14 to require the: (1) Legislature to annually appropriate to the DCF
15 sufficient funding to permit the subcommittee to hire independent
16 contracted staff or obtain other resources needed to carry out the
17 responsibilities set forth in the bill; and (2) task force to appoint at
18 least 15 members to the subcommittee to review the department's
19 performance and develop recommendations. Currently, the task
20 force does not provide funding to the subcommittee to review,
21 analyze, and make recommendations regarding the DCF's
22 performance, nor does current law require that the task force appoint
23 members to the subcommittee to conduct the review and develop the
24 recommendations required pursuant to the provisions of the bill.

25 The bill also requires the Commissioner of Children and Families
26 to ensure that no child protection worker is concurrently responsible
27 for more than 15 cases at any time, unless the commissioner
28 determines that assignment of cases in excess of this limit is
29 temporarily necessary to ensure the life and safety of any child under
30 the care and supervision of the DCF.

31 If the average daily caseload of child protection workers exceeds
32 15 cases per worker for two consecutive months, the department is to
33 be considered non-compliant with caseload standards established
34 pursuant to bill and is to: (1) within 14 days of initial non-
35 compliance, deliver to the Governor, the Legislature, and the
36 subcommittee, notice of the non-compliance and a summary of
37 emergent efforts being made to rectify the non-compliance; and (2)
38 post, on a monthly basis, on the DCF's Internet website, the average
39 daily Statewide caseload of child protection workers until the average
40 daily caseload has been maintained at 15 or fewer cases per worker
41 for 30 days.

ASSEMBLY HUMAN SERVICES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3707

with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 17, 2022

The Assembly Human Services Committee reports favorably Assembly Bill No. 3707 with committee amendments.

As amended by the committee, this bill makes various changes to the New Jersey Child Abuse and Neglect Task Force.

Specifically, the bill amends section 2 of P.L.1994, C.119 (C.9:6-8.75) to allocate the task force in, but not, of, the Department of Children and Families (DCF). Notwithstanding its allocation in the DCF, the task force will be independent of any supervision or control by the DCF. Currently, the task force is not allocated to any department and functions as a separate entity outside of the purview of any department.

The bill also amends section 2 of P.L.1994, C.119 (C.9:6-8.75) to expand the purview of the Staffing and Oversight Review Subcommittee (subcommittee) to: (1) include the review and development of recommendations regarding the performance of the Division of Child Protection and Permanency (DCPP); and (2) review, analyze, and make recommendations regarding the DCF's performance in providing child welfare services to children and families as outlined in the bill. No later than 12 months after the bill's enactment and annually thereafter, the subcommittee will be required to report its findings and recommendations to the Governor and Legislature. Current law requires the subcommittee to only review and develop recommendations regarding the staffing levels of the division and does not specify the types of services provided by the DCF or when the review is to be completed.

The bill further amends section 2 of P.L.1994, C.119 (C.9:6-8.75) to require the: (1) Commissioner of DCF to annually allocate sufficient funding to permit the subcommittee to hire independent contracted staff or obtain other resources needed to carry out the responsibilities set forth in the bill; and (2) task force to appoint at least 15 members to the subcommittee to review the department's performance and develop recommendations. Currently, the task force does not provide funding to the subcommittee to review, analyze, and make recommendations regarding the DCF's performance, nor does current law require that the task force appoint members to the subcommittee to conduct the review and

develop the recommendations required pursuant to the provisions of the bill.

The bill also requires the Commissioner of Children and Families to ensure that no child protection worker is concurrently responsible for more than 15 cases at any time, unless the commissioner determines that the assignment of cases in excess of this limit is temporarily necessary to ensure the life and safety of any child under the care and supervision of the DCF.

If the average daily caseload of child protection workers exceeds 15 cases per worker for two consecutive months, the department is to be considered non-compliant with caseload standards established pursuant to bill and is to: (1) within 14 days of initial non-compliance, deliver to the Governor, the Legislature, and the subcommittee, notice of the non-compliance and a summary of emergent efforts being made to rectify the non-compliance; and (2) post, on a monthly basis, on the DCF's Internet website, the average daily Statewide caseload of child protection workers until the average daily caseload has been maintained at 15 or fewer cases per worker for 30 days.

COMMITTEE AMENDMENTS

The committee amended the bill to specify that public and private agencies awarded grants for the purposes of planning and establishing or improving programs and services for the prevention of child abuse and neglect are to continue to publish information about the problems of child abuse and neglect available to the public and organizations and agencies through a publicly accessible online portal.

The committee amendments require the Commissioner of DCF to annually allocate sufficient funding to permit the subcommittee to hire independent contracted staff or obtain other resources needed to carry out the responsibilities set forth in the bill, instead of the Legislature appropriating funds to the DCF for such purposes, as originally provided in the bill.

The committee amendments stipulate that the Staffing and Oversight Review Subcommittee is to be provided with information obtained through the DCF's continuous quality review process in order to fulfill its obligations under the bill's provisions.

The committee amended the bill to make a technical correction to address a grammatical error.

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

ASSEMBLY, No. 3707

STATE OF NEW JERSEY 220th LEGISLATURE

DATED: DECEMBER 15, 2022

SUMMARY

- Synopsis:** Makes various changes to New Jersey Task Force on Child Abuse and Neglect; establishes child protection worker caseload standards.
- Type of Impact:** Annual State expenditure increase.
- Agencies Affected:** Staffing and Oversight Review Subcommittee of the New Jersey Task Force on Child Abuse and Neglect; Department of Children and Families.

Office of Legislative Services Estimate

Fiscal Impact	<u>Annual</u>
State Cost Increase	Minimal, Indeterminate

- The Office of Legislative Services (OLS) assumes that this bill will result in a shift of State expenditures from costs currently incurred by the Department of Children and Families to fund the federal monitor, assigned pursuant to Charlie and Nadine H. v. Murphy, to costs incurred by the department to provide the Staffing and Oversight Review Subcommittee of the New Jersey Task Force on Child Abuse and Neglect with the funds required for the subcommittee to fulfill its expanded responsibilities established under the bill. To the extent that more funds are needed by the subcommittee to perform these functions, or that the subcommittee forms before the federal monitor's exit, State expenses will increase by an indeterminate amount.
- According to the Department of Children and Families, the department cost to fund the federal monitor's work in FY 2022, the last compete year in which the monitor will be funded, was \$279,378.
- The OLS assumes that the department will incur minimal, indeterminate administrative expenses in complying with the caseload requirements established under the bill as current caseload data reflects near or complete compliance with this provision, which provides that no child protection worker can be concurrently responsible for more than 15 cases at any time, except as allowed by the Commissioner of Children and Families under certain circumstances.

BILL DESCRIPTION

The bill expands the purview of the subcommittee within the New Jersey Task Force on Child Abuse and Neglect to: 1) review and develop recommendations regarding the performance of the Division of Child Protection and Permanency in the Department of Children and Families; and 2) review, analyze, and develop recommendations regarding the department's performance in providing child welfare services to children and families as outlined in the bill. The bill also replaces an annual reporting requirement imposed upon the committee regarding the division's performance in achievement or management and client outcomes with a reporting requirement regarding the department's performance. The bill requires the department to annually allocate sufficient funding to permit the subcommittee to hire independent contracted staff or obtain other resources needed to carry out the responsibilities set forth in the bill.

The bill also requires the Commissioner of Children and Families to ensure that no child protection worker is concurrently responsible for more than 15 cases at any time, unless the commissioner determines that assignment of cases in excess of this limit is temporarily necessary to ensure the life and safety of any child under the care and supervision of the department.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS assumes that this bill will result in a shift of State expenditures from costs currently incurred by the Department of Children and Families to fund the federal monitor, assigned pursuant to Charlie and Nadine H. v. Murphy, to costs incurred by the department to provide the subcommittee with the funds required to fulfill its expanded responsibilities established under the bill. To the extent that more funds are needed by the subcommittee to perform these functions, or that the subcommittee forms before the federal monitor's exit, department expenses will increase by an indeterminate amount.

Generally, this bill transfers many of the oversight functions of the department's federal monitor to the subcommittee. The federal monitor, the Center for the Study of Social Policy, was appointed in 2006 and, in March of 2022, the court announced that the federal oversight of the department will end no later than June 2023. Under the Modified Settlement Agreement, the State is responsible for providing the federal monitor with a sufficient, reasonable budget necessary to fulfill the monitor's duties. This estimate assumes that the State will shift expenditures provided to the federal monitor to the subcommittee, upon the termination of the monitor's oversight duties. According to the Department of Children and Families, the department cost to fund the federal monitor's work in FY 2022, the last compete year in which the monitor will be funded, was \$279,378.

Moreover, the OLS assumes that the Department of Children and Families will incur minimal, indeterminate administrative expenses in complying with the caseload requirements of the bill due to current caseload data reflecting near or complete compliance with the caseload standard established under the bill: no child protection worker can be concurrently responsible for more than 15 cases at any time, except as allowed by the commissioner under certain circumstances.

Any expenditures under this provision will be due to costs associated with increasing staffing levels.

Current caseloads are assessed under the federal monitor's reports, which include measurements of the following child protection worker caseloads: intake worker, adoption worker; permanency worker; and Institutional Abuse Investigations Unit investigator. According to the federal monitor's Period 26 Report covering the period from January 1 through June 30 of 2020, the most recent report available, the Division of Child Protection and Permanency is meeting the caseload standard established under the bill for permanency workers and Institutional Abuse Investigations Unit investigators.

While the Division of Child Protection and Permanency does not meet the monitor's caseload standards for intake and adoption workers, data indicates near compliance. Under the federal monitor, individual intake workers are to have no more than 12 open cases. Moreover, no intake worker with 12 or more open cases can be given more than two secondary assignments per month. Secondary assignments refer to shared cases between intake workers for families who have an open case, and have subsequent allegations of abuse or neglect that require additional investigation. The OLS notes that the monitor's caseload standard is slightly more rigorous than the standard under the bill. According to the Period 26 Report, 97 percent of intake workers met the monitor's caseload standard. Moreover, the report indicates that 99 percent of adoption workers meet the federal monitor's caseload standard for that type worker, which is identical to the standard set under the bill.

Section: Human Services

*Analyst: Sarah Schmidt
Lead Research Analyst*

*Approved: Thomas Koenig
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

SENATE, No. 2395

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED MARCH 21, 2022

Sponsored by:

Senator NICHOLAS P. SCUTARI

District 22 (Middlesex, Somerset and Union)

Senator M. TERESA RUIZ

District 29 (Essex)

SYNOPSIS

Makes various changes to New Jersey Task Force on Child Abuse and Neglect; establishes child protection worker caseload standards.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 10/6/2022)

1 AN ACT concerning child welfare, amending P.L.1994, c.119, and
2 supplementing Chapter 4C of Title 30 of the Revised Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 2 of P.L.1994, C.119 (C.9:6-8.75) is amended to read
8 as follows:

9 2. There is established the "New Jersey Task Force on Child
10 Abuse and Neglect." For the purpose of complying with the
11 provisions of Article V, Section IV, paragraph 1 of the New Jersey
12 Constitution, the New Jersey Task Force on Child Abuse and
13 Neglect is allocated within the Department of Children and
14 Families, but, notwithstanding this allocation, the task force shall be
15 independent of any supervision or control by the department or by
16 any officer or employee thereof.

17 a. The purpose of the task force is to study and develop
18 recommendations regarding the most effective means of improving
19 the quality and scope of child protective and preventative services
20 provided or supported by State government, including a review of
21 the practices and policies utilized by the Division of Child
22 Protection and Permanency and the Division of Family and
23 Community Partnerships in the Department of Children and
24 Families in order to:

25 (1) optimize coordination of child abuse-related services and
26 investigations;

27 (2) promote the safety of children at risk of abuse or neglect;

28 (3) ensure a timely determination with regard to reports of
29 alleged child abuse;

30 (4) educate the public about the problems of, and coordinate
31 activities relating to, child abuse and neglect;

32 (5) develop a Statewide plan to prevent child abuse and neglect
33 and mechanisms to facilitate child abuse and neglect prevention
34 strategies in coordination with the Division of Family and
35 Community Partnerships;

36 (6) mobilize citizens and community agencies in a proactive
37 effort to prevent and treat child abuse and neglect; and

38 (7) foster cooperative working relationships between State and
39 local agencies responsible for providing services to victims of child
40 abuse and neglect and their families.

41 b. The task force shall receive, evaluate, and approve
42 applications of public and private agencies and organizations for
43 grants from moneys annually appropriated from the "Children's
44 Trust Fund" established pursuant to section 2 of P.L.1985, c.197
45 (C.54A:9-25.4). Any portion of the moneys actually appropriated
46 which are remaining at the end of a fiscal year shall lapse to the
47 "Children's Trust Fund."

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 Grants shall be awarded to public and private agencies for the
2 purposes of planning and establishing or improving programs and
3 services for the prevention of child abuse and neglect, including
4 activities which:

5 (1) Provide Statewide educational and public informational
6 seminars for the purpose of developing appropriate public
7 awareness regarding the problems of child abuse and neglect;

8 (2) Encourage professional persons and groups to recognize and
9 deal with problems of child abuse and neglect;

10 (3) Make information about the problems of child abuse and
11 neglect available to the public and organizations and agencies
12 which deal with problems of child abuse and neglect; and

13 (4) Encourage the development of community prevention
14 programs, including:

15 (a) community-based educational programs on parenting,
16 prenatal care, prenatal bonding, child development, basic child care,
17 care of children with special needs, coping with family stress,
18 personal safety and sexual abuse prevention training for children,
19 and self-care training for latchkey children; and

20 (b) community-based programs relating to crisis care, aid to
21 parents, child abuse counseling, peer support groups for abusive or
22 potentially abusive parents and their children, lay health visitors,
23 respite of crisis child care, and early identification of families where
24 the potential for child abuse and neglect exists.

25 The task force shall, in awarding grants, establish such priorities
26 respecting the programs or services to be funded and the amounts of
27 funding to be provided as it deems appropriate, except that the task
28 force shall place particular emphasis on community-based programs
29 and services which are designed to develop and demonstrate
30 strategies for the early identification, intervention, and assistance of
31 families and children at risk in order to prevent child abuse and
32 neglect.

33 The task force shall adopt such rules and regulations pursuant to
34 the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
35 seq.) to govern the awarding of grants pursuant to this subsection as
36 may be necessary to establish adequate reporting requirements on
37 the use of grant funds by recipient agencies and organizations and
38 to permit the task force to evaluate the programs and services for
39 which grants are awarded.

40 c. (1) The task force shall establish a Staffing and Oversight
41 Review Subcommittee to review the performance and staffing
42 levels of the Division of Child Protection and Permanency in order
43 to develop recommendations regarding the department's
44 performance, staffing levels, and the most effective methods of
45 recruiting, hiring, and retaining staff within the division. **[In**
46 **addition,]** The subcommittee shall also review, analyze, and make
47 recommendations regarding the department's performance in:

- 1 (a) maintaining a case management information and data
2 collection system that allows for the assessment, tracking, posting
3 or web-based publishing, and utilization of key data indicators with
4 consistent definitions and methodology, along with ensuring the
5 accuracy of published data;
- 6 (b) implementing and sustaining a case practice model
7 comprising a continuous set of activities that emphasizes quality
8 investigation and assessment, which model shall include:
9 performing safety and risk assessments; engaging with youth and
10 families; working with family teams; providing individualized
11 planning and relevant services; performing continuous review and
12 adaptation; and ensuring safe and sustained transition from the
13 department;
- 14 (c) guaranteeing that the operation of the department's State
15 Central Registry ensures that allegations of child abuse and neglect
16 are received by the department's field offices in a timely manner
17 and investigations are commenced within the required response
18 time identified by the State Central Registry;
- 19 (d) providing the most appropriate and least restrictive
20 placements when out-of-home placement is necessary, and in so
21 doing allowing: children to remain in their own communities, be
22 placed with or maintain contact with siblings and relatives, and
23 have their educational needs met; precluding children under age 13
24 from being placed in shelters; precluding children from being
25 placed in out-of-State behavioral health facilities without written
26 approval from the Assistant Commissioner for the Children's
27 System of Care; and maintaining an adequate number and array of
28 family-based placements to appropriately place children in family
29 settings;
- 30 (e) providing comprehensive, culturally responsive services to
31 address the identified needs of the children, youth, and families the
32 department serves, including but not limited to: services for youth
33 age 18 to 21; services for LGBTQI+ youth; mental health, and
34 domestic violence services for birth parents whose families are
35 involved with the child welfare system; preventive home visitation
36 programs; and an adequate Statewide network of Family Success
37 Centers;
- 38 (f) providing medical care to children and youth residing in
39 resource family care, including: appropriate medical assessment and
40 treatment, pre-placement, and entry medical assessments under
41 Early and Periodic Screening, Diagnosis, and Treatment (EPSDT);
42 guidelines, dental examinations; up-to-date immunizations; follow-
43 up care and treatment and mental health assessment and treatment,
44 where appropriate; behavioral health treatment provided in the least
45 restrictive setting for children and youth; and evaluating the
46 sufficiency of funding for these medical services;
- 47 (g) maintaining a comprehensive training program for child
48 welfare staff and supervisors, including specialized training for

1 investigators which training shall include pre-service training
2 covering the case practice model and permanency planning,
3 adoption training, and training on case management systems, and
4 mechanisms for staff completing training to demonstrate
5 competency on required areas of training;

6 (h) making flexible funds available for use by caseworkers in
7 crafting individualized service plans for children, youth, and
8 families to: meet the needs of children and families; facilitate
9 family preservation and reunification where appropriate; ensure that
10 families are able to provide appropriate care for children; and avoid
11 the disruption of otherwise stable and appropriate placements;

12 (i) adjusting support rates for resource family care, adoption
13 assistance, and independent living to ensure alignment with the
14 United States Department of Agriculture estimates for the cost of
15 raising a child or adolescent in the urban Northeast, the U.S.
16 Department Housing and Urban Development Fair Market Value
17 for average rent in New Jersey, the Internal Revenue Service
18 estimates for monthly food and household expenses, and other
19 appropriate State and national benchmarks identified by the
20 subcommittee;

21 (j) strengthening and sustaining appropriate permanency and
22 adoption practices for the children and youth the department serves,
23 recognizing that the department's permanency work begins at intake
24 and encompasses the elements of the case practice model; and

25 (k) generally beginning the process of preparing a child for
26 adoption and seeking and securing an adoptive placement as soon as
27 the child's permanency goal becomes adoption, but in no case later
28 than as required by federal law; conducting five-month and 10-
29 month placement reviews for children in custody; commencing the
30 adoption process as soon as a diligent search process has been
31 completed and has failed to identify the location of both parents or a
32 suitable family placement; and developing a child-specific
33 recruitment plan for all children with a permanency goal of
34 adoption needing the recruitment of an adoptive family, as well as
35 evaluating the sufficiency of funding for such processes.

36 (2) No later than the first day of the 12th month next following
37 the date of enactment of P.L. , c. (C.)(pending before the
38 legislature as this bill), and annually thereafter, the subcommittee
39 shall review the [division's] department's performance in the
40 [achievement of management and client outcomes] areas identified
41 in paragraph (1) of subsection c. of this section, and shall issue a
42 [preliminary] report with its findings and recommendations [no
43 later than January 1, 2007, and subsequent reports annually
44 thereafter with the first full report due no later than July 1, 2007.
45 The subcommittee shall directly issue its reports] to the Governor
46 and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), to the
47 Legislature.

1 (3) The Legislature shall annually appropriate to the Department
2 of Children and Families sufficient funding for the task force to
3 permit the subcommittee to hire independent contracted staff or
4 obtain other resources needed to carry out the responsibilities set
5 forth in this paragraph.

6 (4) (a) The task force shall appoint at least 15 members to the
7 subcommittee consisting of:

8 (i) the Assistant Commissioner of the Division of Child
9 Protection and Permanency and the Commissioner of Children and
10 Families, or their designees, who shall serve ex-officio; and

11 (ii) at least 13 public members, including: one representative of a
12 State-based child advocacy organization; one attorney regularly
13 engaged in the representation of parents in child protection matters;
14 at least one attorney regularly engaged in the representation of the
15 indigent; one attorney regularly engaged in the representation of
16 children in out of home placement; one county human services
17 director; one parent who has previously had involvement with the
18 Division of Child Protection and Permanency; one alumni of the
19 State's resource family care system; one resource family parent who
20 is currently licensed by the State; and one representative of a State-
21 based child abuse prevention focused organization.

22 (b) The members of the subcommittee shall serve for a term of
23 three years or until the appointment of a successor, with the
24 exception that the terms of the original membership of the
25 subcommittee shall be constituted as to provide that seven of the
26 public members shall serve for a term one year, four of the public
27 members shall serve for two years, and two of the public members
28 shall serve for a term three years.

29 (c) Members of the subcommittee shall be appointed and hold
30 their initial organizational meeting within 45 days after the effective
31 date of P.L. , c. (C.)(pending before the legislature as this bill).

32 (d) The subcommittee shall designate a chairperson and vice
33 chairperson from among its members, except that the
34 commissioner's designee and the assistant commissioner of the
35 Division of Child Protection and Permanency shall not serve as the
36 chairperson or vice chairperson of the subcommittee.

37 (e) The subcommittee shall be entitled to call to its assistance
38 and avail itself of the services of employees of the department and
39 seek the advice of experts as required and as may be available for
40 the purposes of conducting the reviews required by this subsection.

41 (5) The Commissioner of Children and Families shall ensure the
42 subcommittee is provided with information necessary for the
43 subcommittee to fulfill its obligations under this subsection, and the
44 subcommittee shall be entitled to review such information as part of
45 the subcommittee's examination of the department's performance
46 and the development of recommendations.

1 supervision or control by the DCF. Currently, the task force is not
2 allocated to any department and functions as a separate entity
3 outside of the purview of any department.

4 The bill also amends section 2 of P.L.1994, C.119 (C.9:6-8.75)
5 to expand the purview of the Staffing and Oversight Review
6 Subcommittee (subcommittee) to: (1) include the review and
7 development of recommendations regarding the performance of the
8 Division of Child Protection and Permanency (DCPP); and (2)
9 review, analyze, and make recommendations regarding the DCF's
10 performance in providing child welfare services to children and
11 families as outlined in the bill. No later than 12 months after the
12 bill's enactment and annually thereafter, the subcommittee will be
13 required to report its findings and recommendations to the Governor
14 and Legislature. Current law requires the subcommittee to only
15 review and develop recommendations regarding the staffing levels
16 of the division and does not specify the types of services provided
17 by the DCF or when the review is to be completed.

18 The bill further amends section 2 of P.L.1994, C.119 (C.9:6-
19 8.75) to require the: (1) Legislature to annually appropriate to the
20 DCF sufficient funding to permit the subcommittee to hire
21 independent contracted staff or obtain other resources needed to
22 carry out the responsibilities set forth in the bill; and (2) task force
23 to appoint at least 15 members to the subcommittee to review the
24 department's performance and develop recommendations.
25 Currently, the task force does not provide funding to the
26 subcommittee to review, analyze, and make recommendations
27 regarding the DCF's performance, nor does current law require that
28 the task force appoint members to the subcommittee to conduct the
29 review and develop the recommendations required pursuant to the
30 provisions of the bill. The bill also requires the Commissioner of
31 Children and Families to ensure that no child protection worker is
32 concurrently responsible for more than 15 cases at any time, unless
33 the commissioner determines that assignment of cases in excess of
34 this limit is temporarily necessary to ensure the life and safety of
35 any child under the care and supervision of the DCF.

36 If the average daily caseload of child protection workers exceeds
37 15 cases per worker for two consecutive months, the department is
38 to be considered non-compliant with caseload standards established
39 pursuant to bill and is to: (1) within 14 days of initial non-
40 compliance, deliver to the Governor, the Legislature, and the
41 subcommittee, notice of the non-compliance and a summary of
42 emergent efforts being made to rectify the non-compliance; and (2)
43 post, on a monthly basis, on the DCF's Internet website, the average
44 daily Statewide caseload of child protection workers until the
45 average daily caseload has been maintained at 15 or fewer cases per
46 worker for 30 days.

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

SENATE, No. 2395

STATE OF NEW JERSEY

DATED: OCTOBER 31, 2022

The Senate Health, Human Services and Senior Citizens Committee reports favorably Senate Bill No. 2395.

This bill makes various changes to the New Jersey Child Abuse and Neglect Task Force.

Specifically, the bill amends section 2 of P.L.1994, C.119 (C.9:6-8.75) to allocate the task force in, but not, of, the Department of Children and Families (DCF). Notwithstanding its allocation in the DCF, the task force will be independent of any supervision or control by the DCF. Currently, the task force is not allocated to any department and functions as a separate entity outside of the purview of any department.

The bill also amends section 2 of P.L.1994, C.119 (C.9:6-8.75) to expand the purview of the Staffing and Oversight Review Subcommittee (subcommittee) to: 1) include the review and development of recommendations regarding the performance of the Division of Child Protection and Permanency (DCPP) in the DCF; and 2) review, analyze, and make recommendations regarding the DCF's performance in providing child welfare services to children and families as outlined in the bill. No later than 12 months after the bill is enacted, and annually thereafter, the subcommittee will be required to report its findings and recommendations to the Governor and Legislature. Current law requires the subcommittee to only review and develop recommendations regarding the staffing levels of the DCPP, and does not specify the types of services provided by the DCF or when the review is to be completed.

The bill further amends section 2 of P.L.1994, C.119 (C.9:6-8.75) to: 1) require the Legislature to annually appropriate to the DCF sufficient funding to permit the subcommittee to hire independent contracted staff or obtain other resources needed to carry out its responsibilities under the bill; and 2) require the task force to appoint at least 15 members to the subcommittee to review the DCF's performance and develop recommendations. Currently, the task force does not provide funding to the subcommittee to review, analyze, and make recommendations regarding the DCF's performance, nor does current law require that the task force appoint members to the subcommittee. The bill also requires the Commissioner of Children

and Families to ensure that no child protection worker is concurrently responsible for more than 15 cases at any time, unless the commissioner determines that assignment of cases in excess of this limit is temporarily necessary to ensure the life and safety of any child under the care and supervision of the DCF.

The bill provides that, if the average daily caseload of child protection workers exceeds 15 cases per worker for two consecutive months, the DCF is to be considered non-compliant with caseload standards established pursuant to bill and is to: 1) within 14 days of initial non-compliance, deliver to the Governor, the Legislature, and the subcommittee, notice of the non-compliance and a summary of emergent efforts being made to rectify the non-compliance; and 2) post, on a monthly basis, on its Internet website, the average daily Statewide caseload of child protection workers until the average daily caseload has been maintained at 15 or fewer cases per worker for 30 days.

LEGISLATIVE FISCAL ESTIMATE
SENATE, No. 2395
STATE OF NEW JERSEY
220th LEGISLATURE

DATED: NOVEMBER 30, 2022

SUMMARY

- Synopsis:** Makes various changes to New Jersey Task Force on Child Abuse and Neglect; establishes child protection worker caseload standards.
- Type of Impact:** Annual State expenditure increase.
- Agencies Affected:** Staffing and Oversight Review Subcommittee of the New Jersey Task Force on Child Abuse and Neglect; Department of Children and Families.

Office of Legislative Services Estimate

Fiscal Impact	<u>Annual</u>
State Cost Increase	Minimal, Indeterminate

- The Office of Legislative Services (OLS) assumes that this bill will result in a shift of State expenditures from costs currently incurred by the State to fund the Department of Children and Families' (DCF's) federal monitor, assigned pursuant to Charlie and Nadine H. v. Murphy, to costs incurred by the State to provide the Staffing and Oversight Review Subcommittee of the New Jersey Task Force on Child Abuse and Neglect with the funds required for the subcommittee to fulfill its expanded responsibilities established under the bill. To the extent that more funds are needed by the subcommittee to perform these functions, or that the subcommittee forms before the federal monitor's exit, State expenses will increase by an indeterminate amount.
- According to the DCF, the department cost to fund the federal monitor's work in FY 2022, the last compete year in which the monitor will be funded, was \$279,378.
- The OLS assumes that the DCF will incur minimal, indeterminate administrative expenses in complying with the caseload requirements established under the bill as current caseload data reflects near or complete compliance with this provision, which provides that no child protection worker can be concurrently responsible for more than 15 cases at any time, except as allowed by the Commissioner of Children and Families under certain circumstances.

BILL DESCRIPTION

The bill expands the purview of the subcommittee within the New Jersey Task Force on Child Abuse and Neglect to: 1) review and develop recommendations regarding the performance of the Division of Child Protection and Permanency (DCPP) in the DCF; and 2) review, analyze, and develop recommendations regarding the DCF's performance in providing child welfare services to children and families as outlined in the bill. The bill also replaces an annual reporting requirement imposed upon the committee regarding the division's performance in achievement or management and client outcomes with a reporting requirement regarding the department's performance. The bill requires the Legislature to annually appropriate to the DCF sufficient funding to permit the subcommittee to hire independent contracted staff or obtain other resources needed to carry out its responsibilities under the bill.

The bill also requires the Commissioner of Children and Families to ensure that no child protection worker is concurrently responsible for more than 15 cases at any time, unless the commissioner determines that assignment of cases in excess of this limit is temporarily necessary to ensure the life and safety of any child under the care and supervision of the DCF.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS assumes that this bill will result in a shift of State expenditures from costs currently incurred by the State to fund the DCF's federal monitor, assigned pursuant to Charlie and Nadine H. v. Murphy, to costs incurred by the State to provide the subcommittee with the funds required to fulfill its expanded responsibilities established under the bill. To the extent that more funds are needed by the subcommittee to perform these functions, or that the subcommittee forms before the federal monitor's exit, State expenses will increase by an indeterminate amount.

Generally, this bill transfers many of the oversight functions of the department's federal monitor to the subcommittee. The federal monitor, the Center for the Study of Social Policy, was appointed in 2006 and, in March of 2022, the court announced that the federal oversight of the department will end no later than June 2023. Under the Modified Settlement Agreement, the State is responsible for providing the federal monitor with a sufficient, reasonable budget necessary to fulfill the monitor's duties. This estimate assumes that the State will shift expenditures provided to the federal monitor to the subcommittee, upon the termination of the monitor's oversight duties. According to the DCF, the department cost to fund the federal monitor's work in FY 2022, the last complete year in which the monitor will be funded, was \$279,378.

Moreover, the OLS assumes that the DCF will incur minimal, indeterminate administrative expenses in complying with the caseload requirements of the bill due to current caseload data reflecting near or complete compliance with the caseload standard established under the bill: no child protection worker can be concurrently responsible for more than 15 cases at any time, except as allowed by the commissioner under certain circumstances. Any expenditures under this provision will be due to costs associated with increasing staffing levels.

Current caseloads are assessed under the federal monitor's reports, which include measurements of the following child protection worker caseloads: intake worker, adoption worker;

permanency worker; and Institutional Abuse Investigations Unit investigator. According to the federal monitor's Period 26 Report covering the period from January 1 through June 30 of 2020, the most recent report available, the DCPD is meeting the caseload standard established under the bill for permanency workers and Institutional Abuse Investigations Unit investigators.

While the DCPD does not meet the monitor's caseload standards for intake and adoption workers, data indicates near compliance. Under the federal monitor, individual intake workers are to have no more than 12 open cases. Moreover, no intake worker with 12 or more open cases can be given more than two secondary assignments per month. Secondary assignments refer to shared cases between intake workers for families who have an open case, and have subsequent allegations of abuse or neglect that require additional investigation. The OLS notes that the monitor's caseload standard is slightly more rigorous than the standard under the bill. According to the Period 26 Report, 97 percent of intake workers met the monitor's caseload standard. Moreover, the report indicates that 99 percent of adoption workers meet the federal monitor's caseload standard for that type worker, which is identical to the standard set under the bill.

Section: Human Services

*Analyst: Sarah Schmidt
Lead Research Analyst*

*Approved: Thomas Koenig
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 2395

STATE OF NEW JERSEY

DATED: DECEMBER 5, 2022

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 2395, with committee amendments.

As amended by the committee, this bill makes various changes to the New Jersey Child Abuse and Neglect Task Force.

Specifically, the bill amends section 2 of P.L.1994, C.119 (C.9:6-8.75) to allocate the task force in, but not, of, the Department of Children and Families (DCF). Notwithstanding its allocation in the DCF, the task force will be independent of any supervision or control by the DCF. Currently, the task force is not allocated to any department and functions as a separate entity outside of the purview of any department.

The bill also amends section 2 of P.L.1994, C.119 (C.9:6-8.75) to expand the purview of the Staffing and Oversight Review Subcommittee (subcommittee) to: (1) include the review and development of recommendations regarding the performance of the Division of Child Protection and Permanency (DCPP); (2) review, analyze, and make recommendations regarding the DCF's performance in providing child welfare services to children and families as outlined in the bill; and (3) participate in the DCPP's continuous quality review processes. No later than 12 months after the bill's enactment and annually thereafter, the subcommittee will be required to report its findings and recommendations to the Governor and Legislature. Current law requires the subcommittee to only review and develop recommendations regarding the staffing levels of the division and does not specify the types of services provided by the DCF or when the review is to be completed or allow the subcommittee to participate in the DCPP's continuous quality review processes.

The bill further amends section 2 of P.L.1994, C.119 (C.9:6-8.75) to require the: (1) Commissioner of DCF to annually allocate sufficient funding to permit the subcommittee to hire independent contracted staff or obtain other resources needed to carry out the responsibilities set forth in the bill; and (2) task force to appoint at least 16 members to the subcommittee to review the department's performance and develop recommendations. Currently, the task force does not provide funding to the subcommittee to review, analyze, and make recommendations regarding the DCF's performance, nor does current law require that the task force appoint members to the subcommittee to conduct the

review and develop the recommendations required pursuant to the provisions of the bill.

The bill also requires the Commissioner of Children and Families to ensure that no child protection worker is concurrently responsible for more than 15 cases at any time, unless the commissioner determines that the assignment of cases in excess of this limit is temporarily necessary to ensure the life and safety of any child under the care and supervision of the DCF.

If the average daily caseload of child protection workers exceeds 15 cases per worker for two consecutive months, the department is to be considered non-compliant with caseload standards established pursuant to bill and is to: (1) within 14 days of initial non-compliance, deliver to the Governor, the Legislature, and the subcommittee, notice of the non-compliance and a summary of emergent efforts being made to rectify the non-compliance; and (2) post, on a monthly basis, on the DCF's Internet website, the average daily Statewide caseload of child protection workers until the average daily caseload has been maintained at 15 or fewer cases per worker for 30 days.

COMMITTEE AMENDMENTS:

The committee amended the bill to specify that public and private agencies may be awarded grants from the "Children's Trust Fund" for continuing to publish information, available to the agencies, about the problems of child abuse and neglect through a publicly accessible online portal, thereby making the data available to the public and to organizations and agencies which deal with the problems of child abuse and neglect.

The committee amendments expand the responsibilities of the Staffing and Oversight Review Subcommittee to include participation in the DCP's continuous quality review processes.

The committee amendments require the Commissioner of DCF to annually allocate sufficient funding to permit the subcommittee to hire independent contracted staff or obtain other resources needed to carry out the responsibilities set forth in the bill, instead of the Legislature appropriating funds to the DCF for such purposes, as originally provided in the bill.

The committee amendments expand the membership of the subcommittee from 15 to 16 to include one representative of a Statewide organization focused on advocacy for children involved in both the judicial and child welfare systems.

The committee amendments stipulate that the Staffing and Oversight Review Subcommittee is to be provided with information obtained through the DCP's continuous quality review process in order to fulfill its obligations under the bill's provisions.

The committee amended the bill to make a technical correction to address a grammatical error.

FISCAL IMPACT:

The Office of Legislative Services (OLS) notes that, generally, this bill transfers many of the oversight functions of the Department of Children and Families' (DCF) federal monitor, assigned pursuant to Charlie and Nadine H. v. Murphy, to the Staffing and Oversight Review Subcommittee of the New Jersey Task Force on Child Abuse and Neglect. As such, the OLS assumes that this bill will result in a shift of State expenditures from costs currently incurred by the DCF to fund the department's federal monitor to costs incurred by the department to provide the subcommittee with the funds required to fulfill its expanded responsibilities established under the bill. For reference, according to the DCF, the department cost to fund the federal monitor's work in FY 2022, the last compete year in which the monitor will be funded, was \$279,378.

Moreover, the OLS assumes that the DCF will incur minimal, indeterminate administrative expenses in complying with the caseload requirements established under the bill as current caseload data reflects near or complete compliance with this provision, which provides that no child protection worker can be concurrently responsible for more than 15 cases at any time, except as allowed by the Commissioner of Children and Families under certain circumstances.

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

SENATE, No. 2395

STATE OF NEW JERSEY 220th LEGISLATURE

DATED: DECEMBER 12, 2022

SUMMARY

- Synopsis:** Makes various changes to New Jersey Task Force on Child Abuse and Neglect; establishes child protection worker caseload standards.
- Type of Impact:** Annual State expenditure increase.
- Agencies Affected:** Staffing and Oversight Review Subcommittee of the New Jersey Task Force on Child Abuse and Neglect; Department of Children and Families.

Office of Legislative Services Estimate

Fiscal Impact	<u>Annual</u>
State Cost Increase	Minimal, Indeterminate

- The Office of Legislative Services (OLS) assumes that this bill will result in a shift of State expenditures from costs currently incurred by the Department of Children and Families to fund the federal monitor, assigned pursuant to Charlie and Nadine H. v. Murphy, to costs incurred by the department to provide the Staffing and Oversight Review Subcommittee of the New Jersey Task Force on Child Abuse and Neglect with the funds required for the subcommittee to fulfill its expanded responsibilities established under the bill. To the extent that more funds are needed by the subcommittee to perform these functions, or that the subcommittee forms before the federal monitor's exit, State expenses will increase by an indeterminate amount.
- According to the Department of Children and Families, the department cost to fund the federal monitor's work in FY 2022, the last compete year in which the monitor will be funded, was \$279,378.
- The OLS assumes that the department will incur minimal, indeterminate administrative expenses in complying with the caseload requirements established under the bill as current caseload data reflects near or complete compliance with this provision, which provides that no child protection worker can be concurrently responsible for more than 15 cases at any time, except as allowed by the Commissioner of Children and Families under certain circumstances.

BILL DESCRIPTION

The bill expands the purview of the subcommittee within the New Jersey Task Force on Child Abuse and Neglect to: 1) review and develop recommendations regarding the performance of the Division of Child Protection and Permanency in the Department of Children and Families; 2) participate in the division's continuous quality review processes; and 3) review, analyze, and develop recommendations regarding the department's performance in providing child welfare services to children and families as outlined in the bill. The bill also replaces an annual reporting requirement imposed upon the committee regarding the division's performance in achievement or management and client outcomes with a reporting requirement regarding the department's performance. The bill requires the department to annually allocate sufficient funding to permit the subcommittee to hire independent contracted staff or obtain other resources needed to carry out the responsibilities set forth in the bill.

The bill also requires the Commissioner of Children and Families to ensure that no child protection worker is concurrently responsible for more than 15 cases at any time, unless the commissioner determines that assignment of cases in excess of this limit is temporarily necessary to ensure the life and safety of any child under the care and supervision of the department.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS assumes that this bill will result in a shift of State expenditures from costs currently incurred by the Department of Children and Families to fund the federal monitor, assigned pursuant to Charlie and Nadine H. v. Murphy, to costs incurred by the department to provide the subcommittee with the funds required to fulfill its expanded responsibilities established under the bill. To the extent that more funds are needed by the subcommittee to perform these functions, or that the subcommittee forms before the federal monitor's exit, department expenses will increase by an indeterminate amount.

Generally, this bill transfers many of the oversight functions of the department's federal monitor to the subcommittee. The federal monitor, the Center for the Study of Social Policy, was appointed in 2006 and, in March of 2022, the court announced that the federal oversight of the department will end no later than June 2023. Under the Modified Settlement Agreement, the State is responsible for providing the federal monitor with a sufficient, reasonable budget necessary to fulfill the monitor's duties. This estimate assumes that the State will shift expenditures provided to the federal monitor to the subcommittee, upon the termination of the monitor's oversight duties. According to the Department of Children and Families, the department cost to fund the federal monitor's work in FY 2022, the last compete year in which the monitor will be funded, was \$279,378.

Moreover, the OLS assumes that the Department of Children and Families will incur minimal, indeterminate administrative expenses in complying with the caseload requirements of the bill due to current caseload data reflecting near or complete compliance with the caseload standard established under the bill: no child protection worker can be concurrently responsible for more than 15 cases at any time, except as allowed by the commissioner under certain circumstances.

Any expenditures under this provision will be due to costs associated with increasing staffing levels.

Current caseloads are assessed under the federal monitor's reports, which include measurements of the following child protection worker caseloads: intake worker, adoption worker; permanency worker; and Institutional Abuse Investigations Unit investigator. According to the federal monitor's Period 26 Report covering the period from January 1 through June 30 of 2020, the most recent report available, the Division of Child Protection and Permanency is meeting the caseload standard established under the bill for permanency workers and Institutional Abuse Investigations Unit investigators.

While the Division of Child Protection and Permanency does not meet the monitor's caseload standards for intake and adoption workers, data indicates near compliance. Under the federal monitor, individual intake workers are to have no more than 12 open cases. Moreover, no intake worker with 12 or more open cases can be given more than two secondary assignments per month. Secondary assignments refer to shared cases between intake workers for families who have an open case, and have subsequent allegations of abuse or neglect that require additional investigation. The OLS notes that the monitor's caseload standard is slightly more rigorous than the standard under the bill. According to the Period 26 Report, 97 percent of intake workers met the monitor's caseload standard. Moreover, the report indicates that 99 percent of adoption workers meet the federal monitor's caseload standard for that type worker, which is identical to the standard set under the bill.

Section: Human Services

*Analyst: Sarah Schmidt
Lead Research Analyst*

*Approved: Thomas Koenig
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

STATEMENT TO
[First Reprint]
SENATE, No. 2395

with Senate Floor Amendments
(Proposed by Senator SCUTARI)

ADOPTED: DECEMBER 19, 2022

The Senate amendments provide that the comprehensive services to be provided under the bill are to include trauma-informed care.

The Senate amendments revise the membership of the task force to remove a public member representing a Statewide organization focused on advocacy for children involved in the judicial and child welfare systems.

The Senate amendments revise the bill to make various technical changes involving internal cross-references and grammar.

Governor Murphy Signs Legislation Setting the Stage for NJ's Child Welfare System to Make Long-Awaited Exit from Federal Oversight

12/20/2022

Reforms Made Over Past 20 Years Have Made NJ a National Model for Child Welfare

TRENTON – Governor Phil Murphy today signed A-3707/S-2395 as a key part of the effort to fulfill New Jersey's commitment to implement the necessary accountability measures to exit from federal oversight of child protective services administered under the New Jersey Department of Children and Families (NJ DCF). This legislation represents an important step in the State's ongoing process of exiting from this arrangement following the progress New Jersey has made in reforming its child welfare system over the past 20 years.

The legislation signed today ensures independent review of the Department's child protection work will continue once federal oversight ends, while also codifying child protection caseload load limits for child protection caseworkers to ensure that each child's case receives the necessary amount of attention and care.

"My administration remains committed to advancing and expanding upon the efforts of our predecessors to make New Jersey's child welfare system one that can serve as a national model for the protection of every child in our care," **said Governor Murphy**. "Today's legislation recognizes the significant progress our state has made in reforming our child welfare system to ensure no child falls through the cracks and every case is treated with the time and attention it needs."

"With today's signing – and final legislative approval yesterday – we're delivering on a key element of our negotiated exit agreement with the federal court, the monitor, and the Plaintiff's attorney to establish New Jersey as a data driven, self-monitoring leader in child welfare," **said NJ DCF Commissioner Christine Norbut Beyer**. "This is a watershed moment for New Jersey, made possible through Governor Murphy's and legislative leaders' commitment to a dynamic, well-resourced child welfare system, the cumulative work of past and current leaders, and the hard work and dedication of DCF's 6,600-member workforce. Our pending exit from federal oversight recognizes that we have all worked together, in big ways and small, to transform our system for the better, and that we stand today as a national leader in child welfare practice and outcomes."

"One of government's most important responsibilities is to protect the health and safety of children," **said Senate President Nicholas Scutari**. "This law will help prevent abuse and neglect, and facilitate the intervention of protective services when it is needed to safeguard children."

"Children deserve every opportunity to thrive and succeed in life," **said Assembly Speaker Craig J. Coughlin**. "By implementing this thoughtful framework that finds its foundation in keeping children safe and families together, we create a system that's responsive to child well-being and capable of serving New Jersey families of all shapes and sizes well into the future."

After nearly twenty years of court-appointed federal oversight of New Jersey's child welfare system, established under a consent decree via the 1999 *Charlie and Nadine H. v. Whitman* class action lawsuit, New Jersey negotiated a plan of action in March 2022 to exit from this federal oversight. Under the terms of the exit agreement – as approved by a federal judge and agreed to by the court-appointed monitor and the plaintiffs' attorney – New Jersey was required to implement a statutory mechanism for the child welfare system to ensure continued transparency and accountability in regard to key performance metrics.

Today's legislation empowers and expands the role of the existing Staffing and Oversight Review Subcommittee (SORS) of the [New Jersey Task Force on Child Abuse and Neglect](#) to serve in this review capacity. SORS will have access to NJ DCF data regarding staffing and case outcomes in order to review critical benchmarks for the success of the child welfare system and report this information annually to both the Legislature and the general public.

Additionally, the legislation establishes a statutory cap of no more than 15 cases per NJ DCF caseworker to ensure employees have the capacity they need to fulfill the critical responsibilities of their role. It was not uncommon for one employee to have nearly triple that number of cases back when the *Charlie and Nadine H. v. Whitman* lawsuit was initiated, which charged the State with improperly caring for the children involved in New Jersey's child welfare system. Under this new law, a corrective plan of action will be activated if any SORS review ever finds that NJ DCF has exceeded the average daily limit of 15 cases per worker for two consecutive months.

NJ DCF has already worked to significantly reduce the number of cases each worker is assigned under metrics established through federal oversight, which has decreased staff turnover and helped the State retain caseworkers even during the pandemic.

"New Jersey has made a lot of progress in improving protective services for children who have suffered abuse or neglect," **said Senate Majority Leader M. Teresa Ruiz**. "But, continued oversight and accountability are essential. We need to ensure that families are given the help and support they need to provide safe and healthy conditions for young people."

"Nothing is more important than the safety and well-being of our children," **said Assemblywoman Angelica Jimenez**. "With this new law, we will empower the New Jersey Child Abuse and Neglect Task Force to better protect children across the State."

"The New Jersey Child Abuse and Neglect Task Force does important work safeguarding children in New Jersey from harm," **said Assemblyman Reginald Atkins**. "Key changes made by this law will ensure the Task Force is able to continue improving protective services in order to meet the State's child protection responsibilities."

Since federal oversight was established in 2003, New Jersey has worked to make critical improvements to its child welfare system and has established itself as a national model for achieving positive outcomes on behalf of the children in its care.

In a recent [report to Congress](#) by the federal Department of Health and Human Services, highlighted the progress New Jersey has made, noting the state now has the lowest out-of-home placement rate in the country (1.4 per 1,000, compared to 3.4 per 1,000 nationally) and the fourth lowest maltreatment rate in the country (2.6 per 1,000, compared to 8.9 per 1,000 nationally). New Jersey also ranked seventh among states for the lowest number of moves children experience while in foster care.

With today's bill signing, New Jersey can now take the next step in the exit process by scheduling a "fairness hearing," with the federal court, with the State's final exit estimated to occur in late spring or early summer of 2023. The final exit date will be scheduled during New Jersey's fairness hearing.

Child Welfare Outcomes 2019: Report to Congress

Listen

Publication Date: September 13, 2022



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File Size: 6,084.97 KB

Pages: 118

Published: 2022

Introduction

This Report to Congress provides information on the performance of states on seven national outcome categories and also includes data on contextual factors and findings of analyses conducted across states.

Note: The PDF is best viewed in Chrome or Firefox. If using Internet Explorer (IE), please right click the link, save the file, and view it locally.

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Executive Summary



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