

EXECUTIVE SUMMARY
Final Report: Montana Child and Family Services Review
May 2009

INTRODUCTION

This document presents the findings of the Child and Family Services Review (CFSR) for the State of Montana. The CFSR is the Federal Government's program for assessing the performance of State child welfare agencies with regard to achieving positive outcomes for children and families. It is authorized by the Social Security Amendments of 1994 requiring the U.S. Department of Health and Human Services (HHS) to promulgate regulations for reviews of State child and family services programs under titles IV-B and IV-E of the Social Security Act. The CFSR is implemented by the Children's Bureau (CB) of the Administration for Children and Families within HHS.

The Montana CFSR was conducted the week of August 11, 2008. The period under review for the onsite case reviews was from April 1, 2007, through August 15, 2008. The findings were derived from the following documents and data collection procedures:

- The Statewide Assessment, prepared by the Montana Child and Family Services Division of the Department of Public Health and Human Services
- The State Data Profile, prepared by CB, which provides State child welfare data for fiscal year (FY) 2005, FY 2006, and the CFSR 12-month target period ending March 31, 2007
- Reviews of 62 cases (40 foster care cases, and 22 in-home services cases¹) that were open child welfare cases at some time during the period under review—17 cases in Cascade County, 17 cases in Missoula County, and 28 cases in Yellowstone County
- Interviews or focus groups conducted at all three sites and at the State level with stakeholders including, but not limited to, children, parents, foster and adoptive parents, all levels of child welfare agency personnel, collaborating agency personnel, service providers, court personnel, child advocates, Tribal representatives, and attorneys

Background Information

The CFSR assesses State performance in regard to its conformity with seven child and family outcomes and seven systemic factors. For the outcome assessments, each outcome incorporates one or more of the 23 items included in the review, and each item is rated as a Strength or an Area Needing Improvement (ANI) based on the results of the case reviews. An item is given an overall rating of Strength if at least 90 percent of the applicable cases reviewed are rated as a Strength. Depending on item ratings, an outcome can be "substantially achieved," "partially achieved," or "not achieved." For a State to be in substantial conformity with a particular outcome, 95 percent of the cases reviewed must be rated as having substantially achieved the outcome. Two outcomes—Safety Outcome 1 and

¹ Originally there were 25 in-home cases. However, during the onsite CFSR, only 22 in-home services cases were found to meet the sampling criteria for inclusion in the CFSR.

Permanency Outcome 1—also are evaluated based on State performance with regard to six national data indicators. For a State to be in substantial conformity with these outcomes, both the national standards for each data indicator and the case review requirements must be met.

There are 22 items that are considered in assessing the State’s substantial conformity with the seven systemic factors. Each item reflects a key Federal program requirement relevant to the Child and Family Services Plan (CFSP) for that systemic factor. An item is rated as a Strength or an ANI based on whether State performance on the item meets the Federal program requirements. A determination of the rating is based on information provided in the Statewide Assessment and from interviews with stakeholders held during the onsite CFSR. Additional information may come from other Federal reports or assessments.

Overall performance on each systemic factor is based on the ratings for the individual items incorporated in the systemic factor. For any given systemic factor, a State is rated as being either “in substantial conformity” with that factor (i.e., a score of 3 or 4) or “not in substantial conformity” with that factor (a score of 1 or 2). Specific requirements for each rating are shown in the table below.

Rating the Systemic Factor			
Not in Substantial Conformity		In Substantial Conformity	
1	2	3	4
None of the CFSP or program requirements is in place.	Some or all of the CFSP or program requirements are in place, but more than one of the requirements fail to function as described in each requirement.	All of the CFSP or program requirements are in place, and no more than one of the requirements fails to function as described in each requirement.	All of the CFSP or program requirements are in place and functioning as described in each requirement.

A State that is not in substantial conformity with a particular outcome or systemic factor must develop and implement a Program Improvement Plan (PIP) to address the areas of concern associated with that outcome or systemic factor.

Because many changes were made in the CFSR process based on lessons learned during the first round and in response to feedback from the child welfare field, a State’s performance in the second round of the CFSR is not directly comparable to its performance in the first round. Key changes in the process that make comparing performance difficult across reviews are the following:

- An increase in the sample size from 50 to 65 cases
- Stratification of the sample to ensure a minimum number of cases in key program areas, resulting in variations in the number of cases relevant for specific outcomes and items
- Changes in criteria for specific items to increase consistency and to ensure an assessment of critical areas such as child welfare agency efforts to involve noncustodial parents

Key CFSR Findings Regarding Outcomes

The Montana CFSR identified several areas of strength with regard to the State's performance in achieving the outcomes assessed during the review. The State was in substantial conformity with Well-Being Outcome 2, which pertains to meeting the educational needs of children in foster care and children in the in-home services cases. In addition, Montana's performance was rated as a Strength for the following items:

- Item 5: Foster care reentry
- Item 11: Proximity of placement
- Item 12: Placement with siblings

In addition, Montana met the national standards for these data indicators and composites:

- Absence of maltreatment recurrence
- Absence of child abuse and/or neglect in foster care
- Permanency Composite 2: Timeliness of adoptions
- Permanency Composite 4: Placement stability

Although Montana did not achieve the 90 percent or higher required for a rating of Strength, the State performed at a fairly high level on the following items:

- Item 2: Repeat maltreatment
- Item 14: Preserving connections

Despite these areas of strength, the CFSR identified several key concerns with regard to the State's performance in achieving desired outcomes for children and families. The most critical concerns pertained to the following:

- Permanency Outcome 1 (Children have permanency and stability in their living situations) was rated as substantially achieved in only 32.5 percent of the 40 foster care cases reviewed.
- Well-Being Outcome 1 (Families have enhanced capacity to provide for children's needs) was rated as substantially achieved in only 48.4 percent of the 40 foster care cases reviewed.

Within these outcomes, the following items were rated as Strengths in less than 50 percent of the applicable cases reviewed:

- Item 8: Reunification, guardianship, and placement with relatives
- Item 9: Adoption
- Item 18: Child/family involvement in case planning
- Item 20: Caseworker visits with parents

Another concern identified in the CFSR was that Montana did not meet the national standards for the following national data indicators pertaining to children's safety and permanency:

- Permanency Composite 1: Timeliness and permanency of reunification
- Permanency Composite 3: Permanency for children in foster care for extended time periods

Although there are no clear causal relationships to explain Montana's performance with regard to the outcomes and items noted above, the State's performance may be attributed in part to the following key challenges identified during the CFSR:

- Caseworkers are not consistently engaging parents, particularly fathers, in case planning, in visiting with their children, and in activities that are intended to strengthen the parent-child bond. In addition, caseworkers are not consistently assessing the needs of fathers, and when needs are assessed, service provision is inconsistent.
- Delays in achieving timely permanency may be due to a lack of integration of the case plan and case plan review process with the court's treatment plan and treatment plan review process. This lack of integration results in confusion regarding the steps necessary to achieve the permanency plan and a lack of concerted efforts to achieve timely permanency. The practice of handling permanency planning goals sequentially rather than concurrently may prolong permanency attainment as well.
- Permanency is delayed in some legal jurisdictions when the court approves repeated extensions to treatment plan timeframes in spite of agency and/or case review recommendations. Permanency also is delayed when defense attorneys advise their clients not to cooperate with treatment planning or when the attorneys seek frequent delays.
- Caseworkers are not consistently visiting parents, especially fathers, resulting in delays in achievement of permanency. In addition, caseworkers are not consistently visiting children to ensure their safety, permanency, and well-being and to promote achieving case goals.

Key CFSR Findings Regarding Systemic Factors

With regard to systemic factors, Montana is in substantial conformity with six of the seven systemic factors:

- Statewide Information System
- Quality Assurance (QA) System
- Staff and Provider Training
- Service Array and Resource Development
- Agency Responsiveness to the Community
- Foster and Adoptive Parent Licensing, Recruitment, and Retention

Montana is not in substantial conformity with the systemic factor of Case Review System.

Specific findings for the State's performance on the safety and permanency outcomes are presented in table 1 at the end of the Executive Summary. Findings regarding well-being outcomes are presented in table 2. Table 3 presents the State's performance with

regard to the seven systemic factors assessed through the CFSR. In the following sections, key findings are summarized for each outcome and systemic factor. Information also is provided about the State's performance on each outcome and systemic factor during the Federal FY 2002 CFSR.

I. KEY FINDINGS RELATED TO OUTCOMES

Safety Outcome 1: Children are, first and foremost, protected from abuse and neglect

Safety Outcome 1 incorporates two items. One pertains to the timeliness of initiating a response to a child maltreatment report (item 1), and the other relates to the recurrence of substantiated or indicated maltreatment (item 2). Safety Outcome 1 also incorporates two national data indicators for which national standards have been established. These data indicators measure the absence of maltreatment recurrence and the absence of maltreatment of children in foster care by foster parents or facility staff.

Montana is not in substantial conformity with Safety Outcome 1. The outcome was substantially achieved in 79.3 percent of the applicable cases, which is less than the 95 percent or higher required for a rating of substantial conformity. The outcome was substantially achieved in 88 percent of Cascade County cases, 60 percent of Missoula County cases, and 81 percent of Yellowstone County cases. Montana met the national standard for both of the two data indicators pertaining to Safety Outcome 1: Absence of maltreatment recurrence, and Absence of child abuse and/or neglect in foster care.

Montana was not in substantial conformity with this outcome in its 2002 CFSR and was required to address the outcome in its PIP. The following concerns were identified in the 2002 review:

- Montana did not meet the national standard for the measure of maltreatment recurrence.
- Item 1 (Timely initiation of investigations of child maltreatment) was rated an ANI.
- Item 2 (Repeat maltreatment) was rated an ANI.

To address the identified concerns, the State implemented the following strategies in its PIP:

- Conducted periodic reviews of cases to monitor timeliness and handling of repeat maltreatment referrals to ensure continued progress in safety issues

The State met its target goals for this outcome by the end of the PIP implementation period.

Safety Outcome 2: Children are safely maintained in their homes when possible and appropriate

Performance on Safety Outcome 2 is assessed through two items. One item (item 3) assesses State efforts to prevent children's removal from their homes by providing the family with services to ensure children's safety while they remain in their homes. The other item (item 4) assesses efforts to manage safety and reduce the risk of harm to children in their own homes and in their foster care placements.

Montana is not in substantial conformity with Safety Outcome 2. The outcome was substantially achieved in 71.0 percent of the applicable cases reviewed. This percentage is less than the 95 percent or higher required for substantial conformity. The outcome was substantially achieved in 82 percent of Cascade County cases, 47 percent of Missoula County cases, and 79 percent of Yellowstone County cases.

The key findings for this outcome in the 2008 CFSR were the following:

- Service provision was inconsistent, did not address the needs of all family members, and/or did not target the key safety concerns in the family.
- Ongoing safety and risk assessments were inconsistent, especially prior to reunification or during children's visitations with parents.

Montana was not in substantial conformity with this outcome in its 2002 CFSR and was required to address the outcome in its PIP. The following concerns were identified in the 2002 CFSR:

- The State was inconsistent in its efforts to ensure that risk of harm to children was effectively reduced.
- The State was inconsistent in monitoring risk during children's visitations with parents.

To address these concerns, the State implemented the following strategy:

- Designed and implemented a Safety Assessment Guide, which included several safety assessment tools, including the Investigative Safety Assessment and other tools to assess safety throughout the life of a case.

The State met its target goals for this outcome by the end of the PIP implementation period.

Permanency Outcome 1: Children have permanency and stability in their living situations

Six items are incorporated in the assessment of Permanency Outcome 1, although not all of them are relevant for all of the foster care cases reviewed. The items pertain to State efforts to prevent foster care reentry (item 5), ensure placement stability for children in foster care (item 6), and establish appropriate permanency goals for children in foster care in a timely manner (item 7). Depending on the child's permanency goal, the remaining items focus on an assessment of State efforts to achieve permanency goals (such as

reunification, guardianship, adoption, or permanent placement with relatives) in a timely manner (items 8 and 9) or to ensure that children who have a case goal of other planned permanent living arrangement (OPPLA) are in stable, long-term placements and are adequately prepared for eventual independent living (item 10).

Montana is not in substantial conformity with Permanency Outcome 1 in its 2008 CFSR. The outcome was substantially achieved in only 30.0 percent of the foster care cases. This percentage is less than the 95 percent required for substantial conformity. The outcome was substantially achieved in 50 percent of Cascade County cases, 30 percent of Missoula County cases, and 25 percent of Yellowstone County cases. Item 5 was rated as a Strength, while items 6, 7, 8, 9, and 10 were rated as ANIs. In addition to the case review findings, Montana met the national standards for the data composites pertaining to timeliness of adoptions (Permanency Composite 2) and placement stability (Permanency Composite 4) but did not meet the national standards for the data composites pertaining to timeliness and permanency of reunification (Permanency Composite 1) or permanency for children in foster care for extended time periods (Permanency Composite 3).

Key findings for this outcome in the 2008 CFSR were the following:

- The State was effective in preventing reentry into foster care for the cases reviewed.
- The State was not effective in ensuring placement stability.
- The State was not consistent with regard to establishing appropriate permanency goals in a timely manner.
- The State was not consistent in making concerted efforts to achieve reunification or permanent placement with relatives in a timely manner.
- The State was not consistent in meeting the Adoption and Safe Families Act (ASFA) requirements related to termination of parental rights (TPR).
- There were extensive delays in achieving adoptions in a timely manner.
- The State did not consistently address the goal of OPPLA in an appropriate way.

Montana was not in substantial conformity with this outcome in its 2002 CFSR and was required to address the outcome in its PIP. The following key concerns were identified in the 2002 review.

- There were concerns about the agency's ability to prevent the reentry of children into foster care.
- The agency was not consistent with regard to ensuring placement stability for children in foster care.
- The agency was not consistent with regard to making concerted efforts to achieve permanency for children in a timely manner, particularly adoptions.
- The agency was not consistent with regard to establishing appropriate permanency goals in a timely manner.

To address the identified concerns, the State implemented the following strategies in its PIP:

- The State corrected a data entry problem related to trial home visits and runaway situations that had misrepresented the data for foster care reentries.
- Montana implemented a programming change to the Child and Adult Protective System (CAPS) to monitor the number of foster care placements.
- The agency implemented the Safety Assessment at Reunification and the Safety Assessment at Case Closure to prevent foster care reentries.
- The State trained staff in developing crisis plans for resource families (e.g., foster families, pre-adoptive families, and relative caregivers) based on a child's known behaviors and stressors and the families' skills in dealing with them. This was designed to prevent placement disruptions.
- The State created a mechanism to evaluate permanency goals for appropriateness by requiring approval of the goal by the Foster Care Review Committee (FCRC).
- The State created a documentation protocol related to achieving adoptions in a timely manner, including documentation of compelling reasons not to file a TPR petition.

The State met its goals for this outcome by the end of its PIP implementation period.

Permanency Outcome 2: The continuity of family relationships and connections is preserved for children

Permanency Outcome 2 incorporates six items that assess State performance with regard to placing children in foster care in close proximity to their parents and close relatives (item 11); placing siblings together (item 12); ensuring frequent visitation between children and their parents and siblings in foster care (item 13); preserving connections of children in foster care with extended family, community, cultural heritage, religion, and schools (item 14); seeking relatives as potential placement resources (item 15); and promoting the relationship between children and their parents while the children are in foster care (item 16).

Montana is not in substantial conformity with Permanency Outcome 2. The outcome was substantially achieved in 77.5 percent of foster care cases. This percentage is less than the 95 percent required for substantial conformity. The outcome was substantially achieved in 100 percent of Cascade County cases, 80 percent of Missoula County cases, and 65 percent of Yellowstone County cases. Items 11 and 12 were rated as Strengths, while items 13, 14, 15, and 16 were rated as ANIs.

Key findings with regard to this outcome in the 2008 CFSR were the following:

- The State was effective in placing children in close proximity to their parents.
- The State was very effective in ensuring that siblings were placed together when appropriate.
- In several cases, the frequency and/or quality of visits between children and their fathers, mothers, or siblings were insufficient to meet the needs of the child.

- There was a lack of concerted effort in some cases to maintain the child’s connections with extended family, culture, religion, community, and school.
- There was inconsistency in practice with regard to agency efforts to locate and assess maternal and paternal relatives as potential placement resources for children in foster care.
- There was inconsistency in practice with regard to agency efforts to support or maintain the bond between children in foster care and their mothers and fathers.

Montana was not in substantial conformity with Permanency Outcome 2 during its 2002 CFSR and was required to address this outcome in its PIP. The following concerns were identified in the 2002 review:

- The State was not establishing regular visitations between parents and children.
- When siblings were separated, diligent efforts were not made to ensure their ongoing contact and visitation.
- The agency was not consistent in making diligent efforts to support or maintain the bond between children and their mothers and fathers through efforts other than arranging visitation.
- There were inconsistent efforts to search for relatives, particularly when initial relative placements disrupted.

To address identified concerns, the State implemented the following strategies in its PIP:

- Revised visitation policy and implemented a tool to document quantity and quality of visitation
- Modified intensive in-home contracts to require more caseworker visitation
- Awarded grant monies to providers to facilitate and supervise visitation between parents and children
- Implemented policy requiring that a Family Group Decision Making (FGDM) meeting is offered to all families whose children enter foster care as a means of identifying potential relative placements
- Implemented policy requiring a permanency meeting for every child in care more than 90 days and modified the documentation for the meeting to include diligent efforts to locate and assess relatives as potential placements
- Developed standard observation/evaluation criteria to address the evaluation of the relationships between parents and children

The State met its target goals for this outcome by the end of the PIP implementation period.

Well-Being Outcome 1: Families have enhanced capacity to provide for their children’s needs

Well-Being Outcome 1 incorporates four items. One item pertains to State efforts to ensure that the service needs of children, parents, and foster parents are assessed and that the necessary services are provided to meet identified needs (item 17). A second item examines State efforts to actively involve parents and children, when appropriate, in the case planning process (item 18). The two remaining items examine the frequency and quality of caseworker contacts with the children in their caseloads (item 19) and with the children’s parents (item 20).

Montana is not in substantial conformity with Well-Being Outcome 1. The outcome was substantially achieved in only 48.4 percent of cases. This percentage is less than the 95 percent required for substantial conformity. The outcome was substantially achieved in 59 percent of Cascade County cases, 29 percent of Missoula County cases, and 54 percent of Yellowstone County cases. The outcome also was substantially achieved in 63 percent of the foster care cases compared to 23 percent of the in-home services cases. All items assessed for this outcome were rated as ANIs.

Key findings for this outcome in the 2008 CFSR were the following:

- There was inconsistent practice with regard to assessing and addressing the service needs of fathers, mothers, children, and foster parents.
- Children, mothers, and particularly fathers were not consistently involved in case planning.
- Caseworkers were not consistent with regard to visiting children with sufficient frequency and ensuring that the visits focused on issues pertinent to case planning, service delivery, and goal attainment.
- Caseworkers were not consistent with regard to visiting parents, particularly fathers, with sufficient frequency and ensuring that visits with parents focused on issues pertinent to case planning, service delivery, and goal attainment.

Montana was not in substantial conformity with Well-Being Outcome 1 during its 2002 CFSR and was required to address the outcome in its PIP. The following concerns were identified in the 2002 review:

- The State was not consistent in its efforts to identify and address families' services needs.
- The State was not consistent in involvement of family members in case planning.
- Caseworker visits with children and caseworker visits with parents were of insufficient frequency to meet the family's needs.

To address identified concerns, the State developed and implemented the following strategies in its PIP:

- A behavioral assessment procedure and documentation tool to improve identification of service needs
- A policy requiring that every family who has an open case is offered an opportunity to participate in case planning through FGDM; modified the case planning tool to improve documentation of family participation in case planning
- A policy requiring monthly face-to-face contacts with children
- A policy on caseworker visits with parents

The State met its target goals for this outcome by the end of the PIP implementation period.

Well-Being Outcome 2: Children receive appropriate services to meet their educational needs

Only one item is assessed under Well-Being Outcome 2. It pertains to State efforts to address and meet the educational needs of children in foster care and, when relevant, children in the in-home services cases (item 21).

Montana is in substantial conformity with Well-Being Outcome 2. The outcome was substantially achieved in 95.1 percent of the applicable cases. This percentage is greater than the 95 percent required for substantial conformity. The outcome was substantially achieved in 100 percent of Cascade County cases, 82 percent of Missoula County cases, and 100 percent of Yellowstone County cases. Also, the outcome was substantially achieved in 97 percent of the foster care cases and 86 percent of the in-home services cases.

Montana also was in substantial conformity with this outcome in its 2002 CFSR and was not required to address the outcome in its PIP.

Well-Being Outcome 3: Children receive adequate services to meet their physical and mental health needs

This outcome incorporates two items that assess State efforts to meet the physical health (item 22) and mental health (item 23) needs of children in foster care and children in the in-home services cases, if relevant.

Montana is not in substantial conformity with Well-Being Outcome 3. The outcome was substantially achieved in 67.9 percent of the 62 applicable cases. This percentage is less than the 95 percent required for substantial conformity. The outcome was substantially achieved in 62 percent of Cascade County cases, 69 percent of Missoula County cases, and 70 percent of Yellowstone County cases. Also, the outcome was substantially achieved in 74 percent of foster care cases and 53 percent of in-home services cases. Items 22 and 23 were rated as ANIs.

Montana was not in substantial conformity with Well-Being Outcome 3 during its 2002 CFSR and was required to address the outcome in its PIP. The key concern of the 2002 review related to inconsistencies in the State's efforts to meet the physical and mental health needs of children.

To address this concern, the State implemented the following strategies in its PIP:

- Participated with representatives of the Health Services Policy Division to strategize recruitment of dentists to the Medicaid plan
- Used the FCRC to monitor the physical and mental health of children by adding specific physical and mental health questions to the review format
- Updated legal petition templates to routinely include authorization for medical care including physical examinations
- Worked with dentists individually to accept foster children as Medicaid patients in one community in each region
- Participated in Montana Policy Academy to develop systems of care for children with mental health needs and their families
- Developed a behavioral assessment tool and policy to assist foster parents and social workers in assessing the mental health needs of children

The State met its target goals for this outcome by the end of the PIP implementation period.

II. KEY FINDINGS RELATED TO SYSTEMIC FACTORS

Statewide Information System

Substantial conformity with the systemic factor of Statewide Information System is determined by whether the State is operating an information system that can provide accurate and timely information pertaining to the status, demographic characteristics, location, and case goals for the placement of every child in foster care.

Montana is in substantial conformity with the systemic factor of Statewide Information System in its 2008 CFSR. The State is operating a statewide information system from which staff can readily identify a child's status, demographic characteristics, placement location, and case goals.

Montana was in substantial conformity with this factor in its 2002 CFSR and was not required to address the factor in its PIP.

Case Review System

Five items are included in the assessment of State performance for the systemic factor of Case Review System. The items examine development of case plans and parent involvement in that process (item 25), the consistency of 6-month case reviews (item 26) and 12-month permanency hearings (item 27), implementation of procedures to seek TPR in accordance with the timeframes established in ASFA (item 28), and notification of foster and pre-adoptive parents and relative caregivers about schedules for case reviews and hearings and about their rights to be heard in those proceedings (item 29).

Montana is not in substantial conformity with the systemic factor of Case Review System. Although the 2008 CFSR determined that the State has a functioning administrative review process for the periodic review of the status of each child at least every 6 months (item 26), the following concerns were identified:

- Parents, especially fathers, were not consistently involved in case planning.
- Court adherence to timely permanency hearings was inconsistent throughout the State due to overloaded court dockets and attorney requests for continuances. Other factors causing delays in permanency hearings were delayed permanency reports or a delay in appointment of a guardian *ad litem* (GAL).
- Although the State has a process in place for filing a TPR petition, the agency was not consistent with regard to filing for TPR in accordance with the provisions of ASFA.
- There was inconsistency with regard to notification to foster parents, pre-adoptive parents, and relative caregivers regarding hearings and reviews.

The State was not in substantial conformity with this factor in its 2002 CFSR and was required to address the factor in its PIP. The following concerns were identified in the 2002 CFSR:

- Parents and children were not actively involved in the development of case plans on a consistent basis.
- There was confusion between case plans and treatment plans, with staff viewing case plans as compliance documents, while treatment plans were viewed as the heart of the direction of services and outcomes for children and families.
- Periodic review of the status of each child at least every 6 months either by court or administrative review was described as perfunctory. In some parts of the State, periodic reviews were inconsistently held, especially for youth in long-term foster care.
- The periodic review was seen as a compliance detail that did not affect the case outcomes in terms of achieving permanency.
- Court adherence to timely permanency hearings was inconsistent throughout the State, due to continuances and delays caused by full court dockets. In addition, some courts were closing cases after TPR.

To address these concerns, the State implemented the following strategies in its PIP:

- Created a new case plan format and documentation standards that required documentation of involvement of children and parents and trained staff on the new standards
- Modified the periodic review process by obtaining input to determine its strengths and weaknesses; collaborated with courts, GALs, Tribal authorities, and others to develop training on periodic reviews; and trained staff and FCRC members on revised requirements of the periodic review process
- Provided training on permanency hearing requirements to county attorneys and judges
- Worked collaboratively with the Court Assessment Project to improve timeliness of permanency hearings
- Introduced legislation to allow the FCRC, instead of a judge, to conduct the permanency hearing

The State met its target goals with regard to this systemic factor by the end of the PIP implementation period.

Quality Assurance System

Performance with regard to the systemic factor of QA System is based on whether the State has developed standards that ensure the safety and health of children in foster care (item 30), and whether the State is operating a statewide QA System that evaluates the quality and effectiveness of services and measures program strengths and areas in need of improvement (item 31).

Montana was in substantial conformity with the systemic factor of QA System. The key findings of the 2008 CFSR were the following:

- The State has in place effective licensing standards and policies to ensure that children in foster care are provided quality services.
- The State has a clearly identifiable and functioning QA system that addresses practice areas and provides feedback on key findings.

The State was not in substantial conformity with this factor in its 2002 CFSR and was required to address it in its PIP.

The following concerns were identified in the 2002 CFSR:

- The State's policy requiring caseworkers to make face-to-face contact with children in foster care once per quarter posed a safety issue for children.
- Due to a lack of foster homes in some parts of the State, foster home capacity was exceeded when additional children were placed in foster homes. This practice presented risks to the safety of some children in foster care.
- The State was not operating an identifiable QA system in the jurisdictions where the services included in the CFSP were provided.

To address these concerns, Montana implemented the following strategies in its PIP:

- The State created, implemented, and trained staff on a policy requiring monthly face-to-face caseworker contacts with children in foster care.
- The State created, implemented, and trained staff on licensing standards for increasing the number of children for whom a home is licensed that ensures the safety of the children in the home.
- The State developed guidelines for documenting case activities in the CAPS application.
- The State implemented a QA system to evaluate the quality of services, identify strengths and needs of the service delivery system, and provide relevant reports including evaluation of program improvement measures implemented. The QA system consists of peer case reviews using a case reading instrument that is consistent with the CFSR onsite case review tool.

The State met its target goals with regard to this systemic factor by the end of the PIP implementation period.

Staff and Provider Training

The systemic factor of Staff and Provider Training incorporates an assessment of the State's training provided to new caseworkers (item 32), the ongoing training provided to agency staff (item 33), and both initial and ongoing training provided to foster and adoptive parents (item 34).

Montana is in substantial conformity with the systemic factor of Staff and Provider Training. The CFSR determined that the State provides initial and ongoing training for staff that was sufficient to prepare them for the duties required by their jobs. The CFSR also determined that the State's training program for foster and adoptive caregivers is generally effective in addressing the skills and knowledge necessary for them to parent the children in their care.

The State was in substantial conformity with this systemic factor in its 2002 CFSR and was not required to address it in the PIP.

Service Array and Resource Development

The assessment of the systemic factor of Service Array and Resource Development addresses three areas: The State has in place an array of services that meets the needs of children and families served by the child welfare agency (item 35), services are accessible to families and children throughout the State (item 36), and services can be individualized to meet the unique needs of the children and family served by the child welfare agency (item 37).

Montana was in substantial conformity with the systemic factor of Service Array and Resource Development.

Key findings of the 2008 CFSR were the following:

- The State has an array of services to assess and address the needs of children and families.
- The availability of flexible funds and wraparound services enables the agency to individualize services to meet the unique needs of children and families.
- Although improvements in service access have been made since the 2002 CFSR, the accessibility of key services, such as substance abuse services, mental health services, and foster homes (especially for Native American children), are not accessible in all parts of the State.

The State was in substantial conformity with this factor in its 2002 CFSR and was not required to address this factor in its PIP.

Agency Responsiveness to the Community

Performance with regard to the systemic factor of Agency Responsiveness to the Community incorporates an assessment of the State's consultation with external stakeholders in developing the CFSP and producing annual reports (items 38 and 39) and the extent to which the State coordinates child welfare services with services or benefits of other Federal or Federally-assisted programs serving the same population (item 40).

Montana is in substantial conformity with the systemic factor of Agency Responsiveness to the Community.

Key findings for this factor in the 2008 CFSR were the following:

- There are processes in place for ongoing consultation including the Child and Family Services Advisory Council structure, which solicits input from representatives of providers, Tribes, courts, and caseworkers in developing the CFSP.
- The State provides complete and comprehensive annual reports for IV-B funding, and the reports include consultations with and input from community stakeholders.
- There was considerable coordination of services among various child welfare funding streams and with other Federal programs. The use of title IV-E funding for child welfare clients under the jurisdiction of Tribal courts also was a coordinated effort.

Montana was in substantial conformity with this factor in its 2002 CFSR and was not required to address the factor in its PIP.

Foster and Adoptive Parent Licensing, Recruitment, and Retention

The assessment of this systemic factor focuses on the State's standards for foster homes and child care institutions (items 41 and 42), the State's compliance with Federal requirements for criminal background checks for foster and adoptive parents (item 43), the State's efforts to recruit foster and adoptive parents who reflect the ethnic and racial diversity of foster children (item 44), and the State's activities with regard to using cross-jurisdictional resources to facilitate permanent placements for waiting children (item 45).

Montana is in substantial conformity with the systemic factor of Foster and Adoptive Parent Licensing, Recruitment, and Retention in its 2008 CFSR.

Key findings of the 2008 CFSR were the following:

- The State has established and implemented clear standards for approving foster family homes and licensing child care institutions.
- The State applies consistent standards for all licensed child-placing agencies, child care institutions, and foster family homes.
- The State is in compliance with the Federal requirements for criminal background clearances and safety requirements for prospective foster and adoptive parents.
- The State has in place a process for the use of cross-jurisdictional resources.
- Although the State has a plan in place for recruiting families to meet the specific needs of children, the plan has not been implemented effectively and has not addressed the identified need for more foster homes, particularly for older youth, Native American children, large sibling groups, and behaviorally challenging children.

The State was in substantial conformity with this factor in its 2002 CFSR and was not required to address it in its PIP.

Table 1. Montana CFSR Ratings for Safety and Permanency Outcomes and Items

Outcomes and Indicators	Outcome Ratings			Item Ratings	
	In Substantial Conformity?	Percent Substantially Achieved*	Met National Standards?	Rating**	Percent Strength
Safety Outcome 1: Children are, first and foremost, protected from abuse and neglect	No	79.3	Met 2 of 2		
Item 1: Timeliness of investigations				ANI	83
Item 2: Repeat maltreatment				ANI	85
Safety Outcome 2: Children are safely maintained in their homes when possible and appropriate	No	71.0			
Item 3: Services to prevent removal				ANI	78
Item 4: Risk of harm				ANI	73
Permanency Outcome 1: Children have permanency and stability in their living situations	No	32.5	Met 2 of 4		
Item 5: Foster care reentry				Strength	92
Item 6: Stability of foster care placements				ANI	72.5
Item 7: Permanency goal for child				ANI	52.5
Item 8: Reunification, guardianship, and placement with relatives				ANI	48
Item 9: Adoption				ANI	21
Item 10: Other planned permanent living arrangement				ANI	57
Permanency Outcome 2: The continuity of family relationships and connections is preserved	No	77.5			
Item 11: Proximity of placement				Strength	96
Item 12: Placement with siblings				Strength	100
Item 13: Visiting with parents and siblings in foster care				ANI	70
Item 14: Preserving connections				ANI	87
Item 15: Relative placement				ANI	83
Item 16: Relationship of child in care with parents				ANI	67

*95 percent of the applicable cases reviewed must be rated as having substantially achieved the outcome for Montana to be in substantial conformity with the outcome.

**Items may be rated as a Strength or an ANI. For an overall rating of Strength, 90 percent of the cases must be rated as a Strength.

Table 2. Montana CFSR Ratings for Child and Family Well-Being Outcomes and Items

Outcomes and Indicators	Outcome Ratings		Item Ratings	
	In Substantial Conformity?	Percent Substantially Achieved*	Rating**	Percent Strength
Well-Being Outcome 1: Families have enhanced capacity to provide for children’s needs	No	48.4		
Item 17: Needs/services of child, parents, and foster parents			ANI	55
Item 18: Child/family involvement in case planning			ANI	49
Item 19: Caseworker visits with child			ANI	73
Item 20: Caseworker visits with parents			ANI	45
Well-Being Outcome 2: Children receive services to meet their educational needs	Yes	95.1		
Item 21: Educational needs of child			Strength	95
Well-Being Outcome 3: Children receive services to meet their physical and mental health needs	No	67.9		
Item 22: Physical health of child			ANI	76
Item 23: Mental health of child			ANI	79

*95 percent of the applicable cases reviewed must be rated as having substantially achieved the outcome for the State to be in substantial conformity with the outcome.

**Items may be rated as a Strength or an ANI. For an overall rating of strength, 90 percent of the cases reviewed for the item (with the exception of item 21) must be rated as a Strength. Because item 21 is the only item for Well-Being Outcome 2, the requirement of a 95-percent Strength rating applies.

Table 3. Montana CFSR Ratings for Systemic Factors and Items

Systemic Factors and Items	In Substantial Conformity?	Score*	Item Rating**
Statewide Information System	Yes	4	
Item 24: The State is operating a statewide information system that, at a minimum, can readily identify the status, demographic characteristics, location, and goals for the placement of every child who is (or within the immediately preceding 12 months, has been) in foster care			Strength
Case Review System	No	2	
Item 25: The State provides a process that ensures that each child has a written case plan to be developed jointly with the child’s parents that includes the required provisions			ANI
Item 26: The State provides a process for the periodic review of the status of each child, no less frequently than once every 6 months, either by a court or by administrative review			Strength
Item 27: The State provides a process that ensures that each child in foster care under the supervision of the State has a permanency hearing in a qualified court or administrative body no later than 12 months from the date the child entered foster care and no less frequently than every 12 months thereafter			ANI
Item 28: The State provides a process for TPR proceedings in accordance with the provisions of ASFA			ANI
Item 29: The State provides a process for foster parents, pre-adoptive parents, and relative caregivers of children in foster care to be notified of, and have an opportunity to be heard in, any review or hearing held with respect to the child			ANI
Quality Assurance System	Yes	4	
Item 30: The State has developed and implemented standards to ensure that children in foster care are provided quality services that protect the safety and health of children			Strength
Item 31: The State is operating an identifiable quality assurance system that is in place in the jurisdictions where the services included in the Child and Family Services Plan (CFSP) are provided, evaluates the quality of services, identifies strengths and needs of the service delivery system, provides relevant reports, and evaluates program improvement measures implemented			Strength
Staff and Provider Training	Yes	4	
Item 32: The State is operating a staff development and training program that supports the goals and objectives in the CFSP, addresses services provided under titles IV-B and IV-E, and provides initial training for all staff who deliver these services			Strength

Systemic Factors and Items	In Substantial Conformity?	Score*	Item Rating**
Item 33: The State provides for ongoing training for staff that addresses the skills and knowledge base needed to carry out their duties with regard to the services included in the CFSP			Strength
Item 34: The State provides training for current or prospective foster parents, adoptive parents, and staff of State licensed or approved facilities that care for children receiving foster care or adoption assistance under title IV-E that addresses the skills and knowledge base needed to carry out their duties with regard to foster and adopted children			Strength
Service Array and Resource Development	Yes	3	
Item 35: The State has in place an array of services that assess the strengths and needs of children and families and determine other service needs, address the needs of families in addition to individual children in order to create a safe home environment, enable children to remain safely with their parents when reasonable, and help children in foster and adoptive placements achieve permanency			Strength
Item 36: The services in item 35 are accessible to families and children in all political jurisdictions covered in the State's CFSP			ANI
Item 37: The services in item 35 can be individualized to meet the unique needs of children and families served by the agency			Strength
Agency Responsiveness to the Community	Yes	4	
Item 38: In implementing the provisions of the CFSP, the State engages in ongoing consultation with Tribal representatives, consumers, service providers, foster care providers, the juvenile court, and other public and private child- and family-serving agencies and includes the major concerns of these representatives in the goals and objectives of the CFSP			Strength
Item 39: The agency develops, in consultation with these representatives, annual reports of progress and services delivered pursuant to the CFSP			Strength
Item 40: The State's services under the CFSP are coordinated with services or benefits of other Federal or Federally-assisted programs serving the same population			Strength
Foster and Adoptive Parent Licensing, Recruitment, and Retention	Yes	3	
Item 41: The State has implemented standards for foster family homes and child care institutions that are reasonably in accord with recommended national standards			Strength
Item 42: The standards are applied to all licensed or approved foster family homes or child care institutions receiving title IV-E or IV-B funds			Strength

Systemic Factors and Items	In Substantial Conformity?	Score*	Item Rating**
Item 43: The State complies with Federal requirements for criminal background clearances as related to licensing or approving foster care and adoptive placements and has in place a case-planning process that includes provisions for addressing the safety of foster care and adoptive placements for children			Strength
Item 44: The State has in place a process for ensuring the diligent recruitment of potential foster and adoptive families that reflect the ethnic and racial diversity of children in the State for whom adoptive homes are needed			ANI
Item 45: The State has in place a process for the effective use of cross-jurisdictional resources to facilitate timely adoptive or permanent placements for waiting children			Strength

*Scores range from 1 to 4. A score of 1 or 2 means that the factor is not in substantial conformity. A score of 3 or 4 means that the factor is in substantial conformity.

**Items may be rated as a Strength or as an ANI.

Final Report
Montana Child and Family Services Review
May 2009

U.S. Department of Health and Human Services
Administration for Children and Families
Administration on Children, Youth and Families
Children's Bureau

INTRODUCTION

This document presents the findings of the Child and Family Services Review (CFSR) for the State of Montana. The CFSR is the Federal Government's program for assessing the performance of State child welfare agencies with regard to achieving positive outcomes for children and families. It is authorized by the Social Security Amendments of 1994 requiring that the Department of Health and Human Services (HHS) promulgate regulations for reviews of State child and family services programs under titles IV-B and IV-E of the Social Security Act. The CFSR is implemented by the Children's Bureau (CB) of the Administration for Children and Families within HHS.

The Montana CFSR was conducted the week of August 11, 2008. The period under review for the case reviews was from April 1, 2007, through August 15, 2008. The findings were derived from the following documents and data collection procedures:

- The Statewide Assessment, prepared by the Montana Child and Family Services Division (CFSD) of the Department of Public Health and Human Services (DPHHS)
- The State Data Profile prepared by CB, which provides State child welfare data for fiscal year (FY) 2006, FY 2007, and the CFSR 12-month target period ending March 31, 2007
- Reviews of 62 cases (40 foster care cases and 22¹ in-home services cases) at three sites throughout the State: 17 cases in Cascade County, 17 cases in Missoula County, and 28 cases in Yellowstone County
- Interviews or focus groups (conducted at all three sites and at the State level) with stakeholders including, but not limited to, children, youth, parents, foster and adoptive parents, all levels of child welfare agency personnel, collaborating agency personnel, service providers, court personnel, Tribal representatives, child advocates, and attorneys

All 62 cases were open child welfare agency cases at some time during the period under review. The key characteristics of the 62 cases reviewed are presented in the Table of Case Characteristics at the end of this section.

The first section of the report (Section A: Outcomes) presents the CFSR findings relevant to the State's performance in achieving specified outcomes for children in the areas of safety, permanency, and well-being. The second section of the report (Section B: Systemic Factors) provides an assessment and discussion of the systemic factors relevant to the child welfare agency's ability to achieve positive outcomes for children.

¹ Originally there were 25 in-home cases. However, during the onsite CFSR, only 22 in-home services cases were found to meet the sampling criteria for inclusion in the CFSR review.

Table of Case Characteristics

Case Characteristics	Foster Care Cases	In-Home Cases
Total Cases	40	22
When case was opened/child entered foster care		
Case was opened prior to the period under review	28 (70%)	10 (45%)
Case was opened during the period under review	12 (30%)	12 (55%)
Child entered foster care during the period under review	13 (33%)	
Child's age at start of period under review		
Younger than age 10	21 (52.5%)	*
At least 10 but younger than 13	4 (10%)	*
At least 13 but younger than 16	9 (22.5%)	*
16 and older	6 (15%)	*
Race/Ethnicity		
American Indian/Alaskan Native (Non-Hispanic)	5 (12.5%)	*
Asian (Non-Hispanic)	0 (0%)	*
Black (Non-Hispanic)	3 (7.5%)	*
Hawaiian/Pacific Islander (Non-Hispanic)	0 (0%)	*
Hispanic (of all races)	1 (2.5%)	*
White (Non-Hispanic)	29 (72.5%)	*
Unknown/unable to determine	0 (0%)	*
Two or more (Non-Hispanic)	2 (5%)	*
Primary reason for opening case		
Physical abuse	3 (7.5%)	5 (23%)
Sexual abuse	1 (2.5%)	0 (0%)
Emotional maltreatment	1 (2.5%)	1 (5%)
Neglect (not including medical neglect)	20 (50.0%)	12 (55%)
Medical neglect	1 (2.5%)	0 (0%)
Abandonment	2 (5.0%)	0 (0%)
Mental/physical health of parent	0 (0%)	2 (9%)
Substance abuse by parent	9 (22.5%)	2 (9%)
Domestic violence in child's home	1 (2.5%)	0 (0%)
Child in juvenile justice system	1 (2.5%)	0 (0%)
Other (mother incarcerated)	1 (2.5%)	0 (0%)

* Information on in-home services cases is not available for these characteristics.

SECTION A: OUTCOMES

In the Outcomes Section of the CSFR Final Report, an overall rating of Strength or Area Needing Improvement (ANI) is assigned to each of the 23 items reviewed. An item is assigned an overall rating of Strength if 90 percent or more of the applicable cases reviewed were rated as a Strength. The item ratings are used to determine the performance of a State on the seven outcomes, each of which incorporates one or more of the individual items. The evaluation options for these outcomes are Substantially Achieved, Partially Achieved, and Not Achieved. For a State to be in substantial conformity with a particular outcome, 95 percent or more of the applicable cases reviewed must be rated as having substantially achieved the outcome. Two outcomes—Safety Outcome 1 and Permanency Outcome 1—also are evaluated based on State performance with regard to six national data indicators. For a State to be in substantial conformity with these outcomes, both the national standards for each data indicator and the case review requirements must be met. A State that is not in substantial conformity with a particular outcome must develop and implement a Program Improvement Plan (PIP) to address the areas of concern identified for that outcome.

CB has established very high standards of performance for the CFSR. The standards are based on the belief that because child welfare agencies work with our nation's most vulnerable children and families, only the highest standards of performance should be considered acceptable. The standards are set high to ensure ongoing attention to achieving positive outcomes for children and families with regard to safety, permanency, and well-being. This is consistent with the goal of the CFSR to promote continuous improvement in performance on these outcomes.

It should be noted, however, that States are not required to attain the 95-percent standard established for the CFSR Onsite Review or the national standards for the six data indicators by the end of their PIP implementations. CB recognizes that the kinds of systemic and practice changes necessary to bring about improvement in particular outcome areas often take time to implement. Also, improvements are likely to be incremental rather than dramatic. Instead, States work with CB to establish a specified amount of improvement or to determine specified activities for their PIPs. That is, for each outcome that is not in substantial conformity or item that is rated as an ANI, each State (working in conjunction with CB) specifies the following: how much improvement the State will demonstrate and/or the activities that it will implement to address the ANIs and the procedures for demonstrating the achievement of these goals. Both the improvements specified and the procedures for demonstrating improvement vary across States. Therefore, a State can meet the requirements of its PIP and still not perform at the 95-percent (for outcomes) or the 90-percent (for items) levels established for the CFSR.

The second round of the CFSR assesses a State's current level of performance by once more applying the high standards and a consistent, comprehensive, case review methodology. The results of this effort are intended to serve as the basis for continued PIPs addressing areas in which a State still needs to improve, even though prior PIP goals may have been achieved. The purpose is to ensure that program improvement is an ongoing process and does not end with the completion of a PIP.

The following sections provide information on how Montana performed on each outcome in the first round of the CFSR as well as the current CFSR. If the outcome was not substantially achieved during the first round, the key concerns observed at that time and the strategies implemented in the PIP to address those concerns are discussed.

Because many changes were made in the CFSR process based on lessons learned during the first round and in response to feedback from the child welfare field, a State's performance in the second round of the CFSR is not directly comparable to its performance in the first round, particularly with regard to comparisons of data indicators or percentages regarding Strength and ANI ratings. Key changes in the CFSR case review process that make it difficult to compare performance across reviews include, but are not limited to, the following:

- An increase in the sample size from 50 to 65 cases
- Stratification of the sample to ensure a minimum number of cases in key program areas, resulting in variations in the number of cases relevant for specific outcomes and items
- Changes in criteria for specific items to enhance consistency and ensure an assessment of critical areas such as child welfare agency efforts to involve noncustodial parents in planning for their children

For each outcome, there is a table presenting the data for the case review findings and national indicators (when relevant). The table is followed by a discussion of Montana's status with regard to substantial conformity with the outcome at the time of the State's first CFSR review, which was held in FY 2002, the State's status relevant to the current review, and a presentation and discussion of each item (indicator) assessed under the outcome. Differences in findings across the sites included in the Onsite Review are described when noteworthy. Variations in outcome and item ratings as a function of type of case (i.e., foster care or in-home services) also are identified when appropriate.

In the tables, figures displayed may not total 100 percent due to rounding.

I. SAFETY

Safety Outcome 1

Outcome S1: Children are, first and foremost, protected from abuse and neglect					
Number of cases reviewed by the team according to degree of outcome achievement					
	Cascade County	Missoula County	Yellowstone County	Total	Percent
Substantially Achieved	7	3	13	23	79.3
Partially Achieved	0	0	1	1	3.5
Not Achieved or Addressed	1	2	2	5	17.2
Total Applicable Cases	8	5	16	29	
Not Applicable Cases	9	12	12	33	
Total Cases	17	17	28	62	

Conformity of statewide data indicators with national standards	National Standard (%)	State's Percentage	Meets Standards?
Absence of maltreatment recurrence	94.6 +	95.7	Yes
Absence of maltreatment of children in foster care by foster parents or facility staff	99.68 +	99.81	Yes

Status of Safety Outcome 1

Montana is not in substantial conformity with Safety Outcome 1. The outcome was substantially achieved in 79.3 percent of the applicable cases, which is less than the 95 percent or higher required for a rating of substantial conformity. The outcome was substantially achieved in 87.5 percent of applicable Cascade County cases, 60 percent of applicable Missoula County cases, and 81 percent of applicable Yellowstone County cases. In addition to case review findings, the State met the national standards for the two data indicators pertaining to the absence of maltreatment recurrence and the absence of maltreatment in foster care by foster parents or facility staff. Montana did not achieve substantial conformity with Safety Outcome 1 during its first CFSR conducted in FY 2002 and was required to address this outcome in its PIP.

Key Concerns From the 2002 CFSR

The following key concerns were identified in the 2002 CFSR:

- Montana did not meet the national standard for the indicator pertaining to maltreatment recurrence.

- The agency was not initiating investigations in a timely manner.
- The incidence of maltreatment recurrence was a concern.

To address the identified concerns, the State implemented the following strategies in its PIP:

- Modified policy to require that Priority 1 investigations are initiated within 24 hours and all other investigations are initiated within 14 days of receiving the report
- Required that the initiation of an investigation must include face-to-face contact with all alleged victims
- Corrected a data problem adversely impacting repeat maltreatment data by implementing a new protocol for adding information from a new abuse/neglect report to an existing open investigation and trained staff on the new protocol

The State met its target goals for this outcome by the end of the PIP implementation period.

Key Findings of the 2008 CFSR

Although the findings of the 2008 CFSR indicate that Montana is not in substantial conformity with Safety Outcome 1, the State exceeds the national standards pertaining to the absence of maltreatment recurrence and the absence of maltreatment of children in foster care by foster parents or facility staff. Both item 1 (timeliness of initiating investigations) and item 2 (repeat maltreatment) were rated as ANIs.

The findings pertaining to the specific items assessed under Safety Outcome 1 are presented below.

Item 1. Timeliness of initiating investigations of reports of child maltreatment

Strength **Area Needing Improvement**

Case Review Findings

The assessment of item 1 was applicable for 29 (47 percent) of the 62 cases. Cases were not applicable if there were no child maltreatment reports during the period under review. In assessing item 1, reviewers were to determine whether the response to a maltreatment report occurring during the period under review had been initiated in accordance with the policy requirements of the State child welfare agency.

According to the Montana policy statement, revised in October 2007, all investigation timelines start with the date that the report was received by Centralized Intake. Priority 1 reports must be investigated immediately, and initiation is not to exceed 24 hours from the receipt of the report. Any child who is the subject of the report must be observed, and the child must be interviewed. In addition, if the

child is verbal, face-to-face contact is expected. Referrals of less urgent nature must be initiated with 14 days of the receipt of the report. The results of the assessment of item 1 are presented in the table below.

Item 1	Cascade County	Missoula County	Yellowstone County	Total	Percent
Strength	7	3	14	24	83
Area Needing Improvement	1	2	2	5	17
Total Applicable Cases	8	5	16	29	
Not Applicable	9	12	12	33	
Total Cases	17	17	28	62	

Item 1 was rated as a Strength in 87.5 percent of Cascade County cases, 60 percent of Missoula County cases, and 87.5 percent of Yellowstone County cases.

Item 1 was rated as a Strength when reviewers determined that the investigation was initiated and a contact sufficient to assess harm occurred within the timeframe established by State policy. Item 1 is rated as an ANI if the initial contact was not done within the required timeframe. Item 1 was rated an ANI in five cases when the investigation was not initiated within the policy guidelines (one case) or no face-to-face contact was made with the victims (four cases).

Rating Determination

Item 1 was assigned an overall rating of ANI. In 83 percent of the applicable cases, reviewers determined that the agency had initiated an investigation of a maltreatment report in accordance with required timeframes. This percentage is less than the 90 percent required for an overall rating of Strength. This item also was rated as an ANI in the State’s 2002 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, Montana conducts Peer Case Reviews as part of its quality assurance (QA) efforts. The Peer Case Review uses the CFSR item definitions to collect case-specific data for outcomes. The data is analyzed to inform staff of trends in compliance, and cases can be further studied to analyze reasons for ANI ratings. The Statewide Assessment notes that data from the Peer Case Reviews indicate that for the period from April 1, 2006, to September 30, 2006, 77 percent of the cases reviewed met the standard for timeliness, and for the period from October 1, 2006 to March 31, 2007, 58 percent of the cases met the standard for timeliness. The Statewide Assessment reports that of the cases not meeting the standard, 71 percent were missing documentation of a face-to-face contact, 14 percent were not initiated within the required timeframe, 11 percent were missing documentation of a face-to-face contact and the investigation was not initiated within the required timeframe, and 4 percent were noncompliant due to not reporting suspected abuse/neglect to Centralized Intake.

According to the Statewide Assessment, the Montana Child Welfare Survey conducted from July to December 2007, included a question asking if caseworkers responded to incoming reports of child maltreatment in a timely manner. In the results of the survey, 13.8 percent “agreed” that they do respond to incoming reports in a timely manner, 45.1 percent “mostly agreed,” 12.4 percent “disagreed,” and 2.5 percent “strongly disagreed.”

Stakeholder Interview Information

Most stakeholders commenting on this item during the onsite CF SR expressed the opinion that the agency responds to allegations of abuse and neglect in a timely manner, especially when they are classified as Priority 1 reports. They noted, however, that staffing issues and the volume of new reports coming in are barriers to timely initiations of investigations.

One concern expressed by several stakeholders pertained to the acceptance and initiation of reports made by mandatory reporters. Some stakeholders expressed the opinion that CFSD and Centralized Intake should engage mandatory reporters in an indepth training to better educate them about the circumstances that will result in an initiation of an investigation. Stakeholders also expressed the desire to learn tips that would make them better reporters, including the type of information needed when making a report of abuse/neglect. Regarding the policy that all abuse or neglect reports go to Centralized Intake, several stakeholders stated that despite knowledge of the policy, they contact local CFSD staff to make the report, contact Centralized Intake to make the report, and/or contact their local CFSD office. Most stakeholders commented that they do not currently receive any feedback on the cases they have reported. They expressed the opinion that a letter or call back letting them know if an investigation was initiated would allow them to make an alternate referral for services when CFSD is not going to investigate.

Item 2. Repeat maltreatment

Strength Area Needing Improvement

Case Review Findings

The assessment of item 2 was applicable for 13 (21 percent) of the 62 cases. Cases were not applicable for this item if there was no substantiated or indicated maltreatment report during the period under review. For all applicable cases, reviewers were to determine if there had been a substantiated or indicated maltreatment report on the family during the period under review, and, if so, whether another substantiated or indicated report involving similar circumstances had occurred within a 6-month period before or after the identified report. The results of the assessment of item 2 are in presented in the table below.

Item 2	Cascade County	Missoula County	Yellowstone County	Total	Percent
Strength	3	2	6	11	85
Area Needing Improvement	0	1	1	2	15
Total Applicable Cases	3	3	7	13	
Not Applicable	14	14	21	49	
Total Cases	17	17	28	62	

The item was rated as a Strength in 100 percent of Cascade County cases, 67 percent of Missoula County cases, and 86 percent of Yellowstone County cases. Item 2 was rated as a Strength when there was no indication of two or more substantiated or indicated maltreatment reports on the family within a 6-month period involving similar circumstances. Item 2 was rated as an ANI in two cases because at least two substantiated maltreatment reports occurred within a 6-month period.

Rating Determination

Item 2 was assigned an overall rating of ANI. In 85 percent of the applicable cases, reviewers determined that there was no recurrence of maltreatment. This percentage is less than the 90 percent required for a rating of Strength. This item also was rated as an ANI in the State’s 2002 CFSR.

Statewide Assessment Information

According to the Statewide Assessment to impact the falsely high repeat maltreatment rate that came to light in the 2002 CFSR, a monthly report was created, which improved data quality. Duplicate reports were reduced by the implementation of Centralized Intake in 2002. In addition, when a new report with similar information is received about an open investigation, it is entered as an addendum to the initial report, instead of as a new report.

The State also made substantial changes to the safety and risk assessment policies and practices since the 2002 CFSR. The Safety Assessment Guide (described under item 4) was implemented in 2004 to increase the structure and consistency of the assessment process. As indicated in the Statewide Assessment, risk and safety now are assessed throughout the life of the case and particularly at reunification and case closure.

In addition, the Statewide Assessment reports that a Voluntary Protective Services Agreement (VPSA), which is a voluntary plan that is similar to a treatment plan, is used to address specific safety concerns and increase parental protective capacity for children who remain in their homes.

Stakeholder Interview Information

Stakeholders participating in the 2008 CFSR expressed the opinion that repeat maltreatment may occur in families with chronic substance abuse issues when a primary caregiver has had a relapse. Other stakeholders expressed the opinion that the repeat maltreatment rate is low because of the low substantiation rate in the State. These stakeholders noted that there are many cases with recurring investigations that are not substantiated because the State requires a preponderance of evidence for substantiation, and therefore these reports would not be included in the calculation of the maltreatment recurrence measure.

Safety Outcome 2

Safety Outcome S2: Children are safely maintained in their homes whenever possible and appropriate					
Number of cases reviewed by the team according to degree of outcome achievement					
	Cascade County	Missoula County	Yellowstone County	Total	Percent
Substantially Achieved	14	8	22	44	71.0
Partially Achieved	2	5	2	9	14.5
Not Achieved or Addressed	1	4	4	9	14.5
Total Cases	17	17	28	62	

Status of Safety Outcome 2

Montana is not in substantial conformity with Safety Outcome 2. The outcome was substantially achieved in 71 percent of the cases reviewed, which is less than the 95 percent required for a rating of substantial conformity. The outcome was substantially achieved in 82 percent of Cascade County cases, 47 percent of Missoula County cases, and 79 percent of Yellowstone County cases. Montana was not in substantial conformity with Safety Outcome 2 in its 2002 CFSR and was required to address the outcome in its PIP.

Key Concerns From the 2002 CFSR

The following key concerns were identified in the 2002 CFSR:

- The State was inconsistent in its efforts to ensure that risk of harm to children was effectively reduced.
- The State was inconsistent in monitoring risk during children’s visitation with parents.

To address the identified concerns, Montana implemented the following strategy in its PIP: the agency designed and implemented a Safety Assessment Guide that includes the Investigative Safety Assessment (ISA) and other tools to assess safety throughout the life of a case.

The State met its target goals for this outcome by the end of the PIP implementation period.

Key Findings of the 2008 CFSR

In the 2008 CFSR, both items incorporated in Safety Outcome 2 were rated as ANIs. Case reviewers determined the following:

- In some cases, services were insufficient to ensure safety.
- When the family did not engage in services and the lack of engagement resulted in safety issues, these issues were not addressed.
- There were inadequate risk and safety evaluations at key decision points in the some cases.

The findings pertaining to the specific items assessed under Safety Outcome 2 are presented below.

Item 3. Services to family to protect child(ren) in home and prevent removal or reentry into foster care

Strength Area Needing Improvement

Case Review Findings

An assessment of item 3 was applicable in 36 (58 percent) of the 62 cases. Cases were excluded from this assessment if the children entered foster care prior to the period under review and there were no other children in the home or if there was no substantiated or indicated maltreatment report or identified risk of harm to the children in the home (including children reunified from foster care) during the period under review. For this item, reviewers assessed whether, in responding to a substantiated maltreatment report or risk of harm, the agency made diligent efforts to provide services to families to prevent placement of children in foster care while at the same time ensuring their safety. The results of this assessment are presented in the table below.

Item 3	Cascade County	Missoula County	Yellowstone County	Total	Percent
Strength	10	7	11	28	78
Area Needing Improvement	2	2	4	8	22
Total Applicable Cases	12	9	15	36	
Not Applicable	5	8	13	26	
Total Cases	17	17	28	62	

Item 3 was rated as a Strength in 28 cases when reviewers determined the following:

- Services were provided to the parents and children to prevent removal (19 cases).

- The children were appropriately removed from the home without service provision because the removal was necessary to ensure the child's safety (five cases).
- Services were provided after the reunification of the child to support the reunification and prevent reentry (four cases).

Case review information indicates that a broad range of services were offered or provided to families. Services provided directly by agency staff or by contracted providers included the following:

- Prevention services
- Behavioral management
- Parenting skills training
- Counseling
- Funds for utilities
- Arrangements for treatment
- Substance abuse assessment and treatment
- Domestic violence services
- Individual therapy
- Family therapy
- Life skills
- Family preservation services
- Medication management
- In-home mental health services
- Developmental screenings
- Inpatient mental health services
- Housing services
- Independent living (IL) services
- Financial assistance
- Homemaker services
- Early childhood development services

Item 3 was rated as an ANI in eight cases when reviewers determined the following:

- No services were provided to protect children in the home resulting in children entering foster care (four cases).
- Some services were provided but they did not adequately address the safety issues in the family, and the children remained at risk in the home (four cases).

Rating Determination

Item 3 was assigned an overall rating of ANI. In 78 percent of the cases, reviewers determined that the agency had made concerted efforts to provide services to the family to prevent children's entry into foster care or reentry after reunification. This percentage is less than the 90 percent required for a rating of Strength. This item was rated as Strength in the State's 2002 CFSR.

Statewide Assessment Information

In 2004, the State implemented the ISA to assist caseworkers in identifying, monitoring, and evaluating services provided to children and families to keep children safely in their homes when possible. The Safety Plan is used to identify and control any immediate safety threats until a service plan can be developed with the parent. The VPSA is more detailed than the Safety Plan and typically covers a 90-day period. It is used with the parents to identify necessary services to address safety concerns. CFSD provides contracted in-home and reunification services through 14 private providers throughout the State, and CFSD staff provide these services in areas of the State where contract providers are unavailable.

The Statewide Assessment provides the following data on this item:

- The Montana Child Welfare Survey, completed as part of the Statewide Assessment, reports that 64.4 percent of respondents agreed or mostly agreed that services provided to prevent removal while the child remains in the home are available and effective in their area of the State.
- In addition, Peer Case Review data for the period from October 10, 2005, through March 31, 2007, rated this item as a Strength in 87 percent of the cases reviewed.

Stakeholder Interview Information

Some stakeholders commenting on this item during the onsite CFSR expressed the opinion that the agency's effectiveness in providing services to prevent placements has improved due to smaller caseloads, a more family-focused practice, a focus on safety, a focus on immediate service delivery, availability of flexible spending dollars, and some excellent in-home contract providers.

Item 4. Risk of harm to child

Strength Area Needing Improvement

Case Review Findings

An assessment of item 4 was applicable for all 62 cases. For this item, reviewers assessed whether, during the period under review, the agency made concerted efforts to assess and address the risk and safety concerns relating to children in their own home or while in foster care. The results of this assessment are shown in the table below.

Item 4	Cascade County	Missoula County	Yellowstone County	Total	Percent
Strength	15	8	22	45	73
Area Needing Improvement	2	9	6	17	27
Total Cases	17	17	28	62	

The item was rated as a Strength in 88 percent of Cascade County cases, 47 percent of Missoula County cases, and 79 percent of Yellowstone County cases.

Item 4 was rated as a Strength when reviewers determined that the risk of harm to children was appropriately addressed by the agency through conducting initial and ongoing assessments of risk and safety either in the children’s home or foster home, and addressing all safety-related concerns identified through the assessment.

Reviewers rated item 4 as an ANI in 17 cases. Initial safety assessments were inadequate in eight cases due to the following:

- The initial assessment was delayed for 2 months (one case).
- The safety plan failed to adequately address risk issues (five cases).
- The assessment did not assess risk to all children in the family (one case).
- There was no assessment prior to a child entering foster care (one case).

Ongoing risk and safety assessments were rated as ANIs in nine cases when reviewers determined the following:

- There was a lack of adequate safety and risk assessments in the foster home during the period under review (two cases).
- There were no ongoing assessments of risk and safety of all children in the family (four cases).
- There were no risk or safety evaluations completed prior to reunification (two cases).
- The court ordered visitation with the birth mother against agency and therapist recommendations that visitation was contrary to the child’s best interests (one case).

Rating Determination

Item 4 was assigned an overall rating of ANI. Reviewers determined that the agency had appropriately addressed the risk of harm to children in 73 percent of the cases. This percentage is less than the 90 percent or higher required for a rating of Strength. This item also was rated as an ANI in the State’s 2002 CFSR.

Statewide Assessment Information

In 2004, the State implemented a Safety Assessment Guide and several safety assessment tools as a result of the 2002 CFSR. The primary tool, the ISA, is a structured investigative tool to assist caseworkers in identifying safety and risk issues and to guide decision-

making regarding the level of agency intervention necessary to ensure safety. The ISA assesses 15 safety factors and evaluates the protective capacities of the family including whether the family's history may affect safety issues for each child in the family.

In addition, the State developed four other safety tools to be used for ongoing safety assessment throughout the life of the case. These are the Safety Plan, the Safety Review, the Reunification Safety Assessment, and the Safety Assessment at Case Closure. Policy requires that safety is assessed every 6 months using one of the following tools:

- Family Group Decision Making (FGDM)
- Foster Care Review Committee (FCRC)
- Permanency Planning Staffing
- Safety Plan
- Safety Review
- Safety Assessment at Reunification
- Safety Assessment at Case Closure

In June 2005, the State implemented an activity detail screen in its Statewide Automated Child Welfare Information System, called the Child and Adult Protective System (CAPS), to better track decision-making points in the case, such as termination of parental rights (TPR), removal, changes in placement, change in visitation plan, permanency plan decisions, new referral, reunification, and case closure. According to the Statewide Assessment, the activity detail screen is mandatory but not implemented uniformly or consistently in all parts of the State.

The Statewide Assessment includes data from the Peer Case Reviews for the period from October 1, 2005, thru March 31, 2007. Of the cases reviewed, 80.26 percent were rated as a Strength for risk management and safety assessment. This is a significant decrease from the overall rating of 98 percent in the fourth quarter of the PIP. Montana acknowledges in the Statewide Assessment that its performance on item 4 is an ANI for completing and/or documenting initial or ongoing assessments in in-home, reunification services, and foster care cases.

Stakeholder Interview Information

Some stakeholders commenting on this item during the Onsite Review expressed the opinion that there appear to be inconsistencies between counties in CFSD actions taken to protect children from harm after an investigation is opened. Stakeholders indicated that if the family does a VPSA, the agency is better able to address specific safety concerns and increase parental protective capacity. If families are unwilling to enter into voluntary services and the caseworker does not believe that the evidence supporting the allegation of abuse/neglect meets the criteria for substantiation, children may be left in unsafe situations.

Several stakeholders also expressed the opinion that when professionals involved with the family believe there are safety issues and make a report of abuse or neglect, a letter or call back letting them know if an investigation was initiated would allow them to make an

alternate referral for services when CFSD is not going to investigate. Stakeholders expressed the opinion that professionals may not follow up with a family after a report to Centralized Intake because they believe a CFSD caseworker will be involved. Several stakeholders expressed the opinion that even when the agency completes an investigation, the response to safety factors in the home is inconsistent regarding perceived risk of harm as opposed to a preponderance of evidence that actual harm occurred. When risk of harm is evident but actual harm has not occurred, the agency may respond inappropriately to safety factors in the situation by closing the case without providing services. In addition, several stakeholders commented that the number of children entering foster care has decreased, yet the number of children they see “fall through the cracks” has not decreased, resulting in speculation about whether removals have decreased due to funding issues or due to a rigid interpretation of the law and statutes related to a preponderance of evidence.

II. PERMANENCY

Permanency Outcome 1

Outcome P1: Children have permanency and stability in their living situations					
Number of cases reviewed by the team according to degree of outcome achievement					
	Cascade County	Missoula County	Yellowstone County	Total	Percent
Substantially Achieved	5	3	5	13	32.5
Partially Achieved	4	7	12	23	57.5
Not Achieved or Addressed	1	0	3	4	10.0
Total Applicable Foster Care Cases	10	10	20	40	

Conformity of statewide data indicators with national standards	National Standard (Scaled Score)	State’s Composite Score	Meets Standard?
Composite 1: Timeliness and permanency of reunification	122.6 +	99.7	No
Composite 2: Timeliness of adoptions	106.4 +	121.7	Yes
Composite 3: Permanency for children in foster care for extended time periods	121.7 +	94.6	No
Composite 4: Placement stability	101.5 +	103.9	Yes

Status of Permanency Outcome 1

Montana is not in substantial conformity with Permanency Outcome 1. This determination was based on the following findings:

- The outcome was substantially achieved in only 32.5 percent of the cases, which is less than the 95 percent required for an overall rating of substantial conformity.
- The State Data Profile indicates that for the CFSR 12-month target period, the State did not meet the national standards for Permanency Composite 1 (Timeliness and permanency of reunification) and Permanency Composite 3 (Permanency for children in foster care for extended time periods).

However, the State met the national standard for Permanency Composite 2 (Timeliness of adoptions) and Permanency Composite 4 (Placement stability). Performance on the individual measures included in each composite is presented in the discussion of the items related to each measure.

The outcome was determined to be substantially achieved in 50 percent of Cascade County cases, 30 percent of Missoula County cases, and 25 percent of Yellowstone County cases.

Montana also was not in substantial conformity with Permanency Outcome 1 in its 2002 CFSR and was required to address the outcome in its PIP.

Key Concerns From the 2002 CFSR

The following key concerns were identified in the 2002 CFSR:

- There were concerns about the agency's ability to prevent the reentry of children into foster care.
- The agency was not consistent with regard to ensuring placement stability for children in foster care.
- The agency was not consistent with regard to making concerted efforts to achieve permanency for children in a timely manner, particularly adoptions.
- The agency was not consistent with regard to establishing appropriate permanency goals in a timely manner.

To address these concerns, Montana implemented the following strategies as part of its PIP:

- Corrected a data entry problem that adversely affected data on trial home visits and runaway situations for foster care reentries
- Made a programming change to CAPS to monitor the number of foster care placements
- Initiated the Safety Assessment at Reunification and the Safety Assessment at Case Closure to prevent foster care reentries
- Trained staff in developing crisis plans for resource families (e.g., foster families, pre-adoptive families, and relative caregivers) to prevent placement disruptions based on a child's known behaviors and stressors and the families' skills in dealing with them
- Created a mechanism to evaluate permanency goals for appropriateness by requiring approval of the goal by the FCRC

- Created a documentation protocol related to achieving adoptions in a timely manner, including documentation of compelling reasons not to file a TPR petition
- Established a Memorandum of Understanding with Casey Family Programs to provide oversight and direction for Montana’s IL program to ensure that eligible youth who emancipate have the necessary skills and experience to achieve self-sufficiency

The State met its target goals for this outcome by the end of the PIP implementation period.

Key Findings of the 2008 CFSR

Key findings of the 2008 CFSR case reviews were the following:

- The State’s performance on the national indicator for reentries to foster care in less than 12 months is higher than the national median of 15.0 percent. For this measure, lower percentages are associated with higher levels of performance.
- The State is inconsistent in ensuring that placement changes are made only when they are necessary to achieve the child’s permanency goal or meet the child’s specific needs.
- The State is inconsistent with regard to establishing appropriate permanency goals in a timely manner.
- The State is inconsistent in making concerted efforts to achieve reunification or permanent placements with relatives in a timely manner.
- There are extensive delays in achieving adoptions in a timely manner.
- The State did not consistently address the goal of other planned permanent living arrangement (OPPLA) in an appropriate way.

Findings from the 2008 CFSR pertaining to the specific items assessed under Permanency Outcome 1 are presented below.

Item 5. Foster care reentries

Strength **Area Needing Improvement**

Case Review Findings

An assessment of item 5 was applicable for 13 (32.5 percent) of the 40 foster care cases. Cases were not applicable for assessment if the child did not enter foster care during the period under review. In assessing this item, reviewers determined whether entry into foster care during the period under review occurred within 12 months of discharge from a prior foster care episode. The results of this assessment are presented in the table below.

Item 5	Cascade County	Missoula County	Yellowstone County	Total	Percent
Strength	3	2	7	12	92
Area Needing Improvement	1	0	0	1	8
Total Applicable Foster Care Cases	4	2	7	13	
Not Applicable Foster Care Cases	6	8	13	27	
Total Foster Care Cases	10	10	20	40	

Item 5 was rated as a Strength in 75 percent of applicable Cascade County cases, 100 percent of applicable Missoula County cases, and 100 percent of applicable Yellowstone County cases. Item 5 was rated as a Strength in 12 cases in which the child’s entry into foster care during the period under review did not take place within 12 months of discharge from a prior episode. Item 5 was rated as an ANI when the child’s entry into foster care occurred within 12 months of the date of discharge from a prior foster care placement episode.

Rating Determination

Item 5 was assigned an overall rating of Strength. In 92 percent of applicable cases, reviewers determined that entry into foster care during the period under review did not occur within 12 months of a prior foster care discharge. This percent exceeds the 90 percent or higher required for a rating of Strength. This item was rated as an ANI in the State’s 2002 CFSR.

Performance on Composite 1: Measure relevant to the permanency of reunification

The data below are presented to provide additional information about foster care reentry. There is no national standard for the measure of foster care reentry. National standards with regard to permanency have been established only for the scaled composite scores. The measure of foster care reentry is part of Composite 1: Timeliness and permanency of reunification. The State’s performance on Composite 1 is shown in the table for Permanency Outcome 1.

Montana’s performance for the CFSR 12-month target period on the individual measure of reentry (C1.4) included in Composite 1: Timeliness and Permanency of Reunification was as follows: 17.8 percent of the children exiting foster care to reunification in the 12-month period prior to the CFSR target period reentered foster care in less than 12 months from the time of discharge. This percentage is higher than the national median of 15.0 percent. For this measure, lower percentages are associated with higher levels of performance.

Statewide Assessment Information

According to the Statewide Assessment, despite changes to the CAPS system to improve the Adoption and Foster Care Analysis and Reporting System (AFCARS) data integrity for measure C1.4: Reentries to foster care in less than 12 months, incorrect removal

entries on CAPS continue to contribute to a higher reentry rate than is indicated in the Peer Case Review data. Data from the Peer Case Review cited in the Statewide Assessment indicate that for the period between October 1, 2005, and March 31, 2007, 100 percent of the 19 applicable cases reviewed were rated as a Strength.

The State analyzed its AFCARS data from the Results Oriented Management (ROM) system and determined that reentries in this data set were caused by substance abuse relapse by parents, court-ordered reunifications that occurred before the problems in the family were fully resolved, reentries of children who were originally voluntary placements, and data entry errors related to trial home visits.

Stakeholder Interview Information

Stakeholders commenting on this item during the onsite CFSR expressed the opinion that once children are reunified, intensive in-home services are provided, and these services are reducing the number of children who reenter foster care. Other stakeholders expressed the opinion that children reenter foster care for the same reason the initial foster care entry occurred. Stakeholders in Yellowstone County reported that the reentry rate for children is lower when their parent(s) are involved in the County Drug Court than it is when parents are not involved in the Drug Court program. This lower rate of reentry is attributed to Drug Court staff addressing issues on a long-term basis for the entire family rather than focusing only on the parents’ substance abuse.

Item 6. Stability of foster care placement

Strength Area Needing Improvement

Case Review Findings

All 40 foster care cases were applicable for an assessment of item 6. In assessing this item, reviewers were to determine whether the child experienced multiple placement settings during the period under review and, if so, whether the changes in placement settings were necessary to achieve the child’s permanency goal or meet the child’s service needs. Reviewers also assessed the stability of the child’s current placement setting. The findings of this assessment are presented in the table below.

Item 6	Cascade County	Missoula County	Yellowstone County	Total	Percent
Strength	7	9	13	29	72.5
Area Needing Improvement	3	1	7	11	27.5
Total Foster Care Cases	10	10	20	40	

Item 6 was rated as a Strength in 70 percent of Cascade County cases, 90 percent of Missoula County cases, and 65 percent of Yellowstone County cases.

Item 6 was rated as a Strength when reviewers determined the following:

- The child did not experience a placement change during the period under review and either the current placement was stable or the child was discharged from foster care during the period under review (25 cases).
- The placement changes experienced were in the child's best interests and were intended either to further achievement of the child's permanency goal or to provide specialized services to the child (four cases).

Item 6 was rated as an ANI when reviewers determined the following:

- The child was in multiple placement settings during the period under review, and at least one placement change was not planned by the agency to further attain the child's permanency goal (10 cases).
- The child did not change placements during the period under review, but the placement setting at the time of the onsite CFSR was not stable (one case).

Additional findings of the case review were the following:

- Children in 26 cases experienced only one placement during the period under review.
- Children in four cases experienced two placements during the period under review.
- Children in 10 cases experienced three or more placements during the period under review.

Rating Determination

Item 6 was assigned an overall rating of ANI. In 72.5 percent of the foster care cases, reviewers determined that the child experienced placement stability or that changes in placements were in the best interests of the child. This percentage is less than the 90 percent or higher required for a rating of Strength. Item 6 also was rated as an ANI in the State's 2002 CFSR.

Performance on the Individual Measures Included in Composite 4: Placement stability

The data below are presented to provide additional information about placement stability. There are no national standards for the individual measures of placement stability. National standards have been established only for the scaled composite scores for Composite 4: Placement stability. The State's performance on Composite 4 is shown in the table for Permanency Outcome 1.

Montana's performance for the CFSR 12-month target period on the individual measures included in Composite 4: Placement stability is as follows:

- C4.1: 87.0 percent of the children in foster care for at least 8 days but less than 12 months experienced two or fewer placement settings. This percentage is higher than the national 75th percentile of 86.0 percent.
- C4.2: 70.9 percent of the children in foster care for at least 12 months but less than 24 months experienced two or fewer placement settings. This percentage is higher than the 75th percentile for this measure of 65.4 percent.
- C4.3: 39.2 percent of the children in foster care for at least 24 months experienced two or fewer placement settings. This percentage is higher than the national median of 33.9 percent but is less than the 75th percentile of 41.8 percent.

Statewide Assessment Information

According to the Statewide Assessment, Montana’s effectiveness with regard to placement stability may be attributed in part to the following:

- The State formalized the process for matching children with families and for providing initial information to foster parents via creation of the Information on Child for Placement Purposes tool.
- The State formalized the process to place a child in a home beyond its licensed capacity via the Request to Family Resource Specialist (FRS) for License Change.
- The State created the Placement Stabilization Plan to address any issues that need extra attention to stabilize the placement, prevent a disruption, or avoid a crisis.

The Statewide Assessment reports that Peer Case Review data from October 1, 2005, through March 31, 2006, indicate that 87 percent of the cases reviewed were rated as a Strength for placement stability.

Stakeholder Interview Information

Most stakeholders commenting on this item during the onsite CFPSR expressed the opinion that the primary barrier for placement stability is the lack of available quality homes that match a child’s needs. Other stakeholders suggested that more frequent visitation with the child by the caseworker would improve placement stability.

Item 7. Permanency goal for child

Strength Area Needing Improvement

Case Review Findings

All 40 foster care cases were applicable for an assessment of item 7. In assessing this item, reviewers were to determine whether the agency had established a permanency goal for the child in a timely manner and whether the most current permanency goal was appropriate. Reviewers also were to determine whether the agency had sought TPR in accordance with the requirements of the Adoption and Safe Families Act (ASFA). The results of this assessment are presented in the table below.

Item 7	Cascade County	Missoula County	Yellowstone County	Total	Percent
Strength	7	7	7	21	52.5
Area Needing Improvement	3	3	13	19	47.5
Total Foster Care Cases	10	10	20	40	

This item was rated as a Strength in 70 percent of Cascade County cases, 70 percent of Missoula County cases, and 35 percent of Yellowstone County cases.

Item 7 was rated as a Strength when reviewers determined that the child's permanency goal was appropriate and had been established in a timely manner (21 cases). The case was rated as an ANI in 19 cases when reviewers determined one or more of the following:

- The child's goal was not established in a timely manner (eight cases).
- The child's goal was not appropriate given the case situation and the assessed needs of the child (eight cases).
- The agency did not file for TPR in accordance with ASFA requirements (eight cases).

The following case goals were identified for the 40 foster care cases:

- Reunification with parents only (15 cases)
- Adoption only (12 cases)
- OPPLA only (four cases)
- Guardianship only (three cases)
- Concurrent goals of guardianship and reunification with parents (two cases)
- Concurrent goals of guardianship and OPPLA (two cases)
- Concurrent goals of adoption and OPPLA (one case)
- Concurrent goals of adoption and reunification with parents (one case)

Case review findings pertaining to TPR were as follows:

- At the time of the Onsite Review, 25 (62.5 percent) of the 40 children in foster care cases had been in foster care for 15 of the most recent 22 months. Three cases were exempt from ASFA requirements because the children were residing with relatives.
- ASFA requirements were met in 73 percent (16 cases) of the 22 applicable cases.

Rating Determination

Item 7 was assigned an overall rating of ANI. Reviewers determined that the agency had established an appropriate permanency goal for the child in a timely manner and had meet ASFA requirements in 52.5 percent of applicable cases. This percentage is less than the 90 percent required for a rating of Strength. This item also was rated as an ANI in the State's 2002 CFSR.

Performance on the Individual Measures Included in Composite 3: Permanency for children in foster care for extended time periods

The data below are presented to provide additional information about permanency for children in foster care for extended time periods. There are no national standards for the individual measures included in Composite 3. National standards have been established only for the scaled composite scores for Composite 3. The State's performance on Composite 3 is shown in the table for Permanency Outcome 1.

Montana's performance for the CFSR target 12-month period on the individual measures included in Permanency Composite 3: Achieving permanency for children in foster care for extended time periods is as follows:

- C3.1: 26.5 percent of the children in foster care for 24 months or longer at the start of the 12-month CFSR target period were discharged from foster care to a permanent home (that is, adoption, reunification with parents or other relatives, or guardianship) by the end of the target period. This percentage is higher than the national median of 25.0 percent but lower than the national 75th percentile of 29.1 percent.
- C3.2: 89.4 percent of the children exiting foster care during the 12-month target period who were legally free for adoption at the time of exit were discharged to a permanent home. This percentage is less than the national median for this measure of 96.8 percent.
- C3.3: 64.4 percent of the children who were discharged from foster care during the 12-month target period with a discharge reason of emancipation had been in foster care for 3 years or longer at the time of discharge. This percentage is higher than the national median of 47.8 percent. For this measure, lower scores indicate more positive performance.

Statewide Assessment Information

According to the Statewide Assessment, CFSD policy requires that the case plan (which contains the permanency goal) must be established within 30 days of placement for a child placed under a VPSA and within 60 days of placement for a child placed under a court order. The case plan is to be updated at a minimum when a child moves to a new placement or there is a change in the permanent plan.

The Statewide Assessment reports that Montana created internal permanency staffing meetings to ensure timely and appropriate permanent placement goals for children in foster care. These are to be held within 90 days after a child has been placed in foster care unless there has been a FGDM meeting 9 months following placement in foster care and at 6-month intervals thereafter. Policy requires that if a child has been in care for 90 days or longer, there must be a concurrent plan. For concurrent plans, the primary plan must have an explanation of the circumstances that may lead to the implementation of the secondary plan.

According to the Statewide Assessment, the foster care case plan is used to meet the Federally-mandated requirements for case planning and is submitted to the FCRC every 6 months for review. The purpose of the FCRC is to ensure timely and appropriate permanent placement goals for children in foster care.

The Statewide Assessment notes that a Permanency Work Group was created after the State's 2002 CFSR to improve permanency of older youth and streamline the permanency process for all youth. The group developed a supervisor checklist and a diligent search tool.

The Statewide Assessment reports that both CFSD and community stakeholders have expressed the opinion that the legal system can be a barrier to timely permanency due to difficulty scheduling hearings and the granting of continuances after hearings are scheduled.

In addition, Montana cannot currently track the timeliness of court decisions related to permanency. Other barriers identified in the Statewide Assessment were the lack of available services in rural areas of the State, frequent turnover of caseworkers, and a shortage of caseworkers.

Peer Case Review data cited in the Statewide Assessment rated this item as a Strength in 81 percent of applicable cases.

Stakeholder Interview Information

Most stakeholders commenting on this item during the onsite CFSR expressed the opinion that initial permanency goals are established in a timely manner. However, the initial goal of reunification may not always be changed to another goal in a timely manner when such a change is appropriate.

Stakeholders expressed the opinion that concurrent planning exists in principle but not in practice. The concurrent plan is viewed as a plan B. That is, if the primary plan is not progressing, plan B may be implemented. Stakeholders also commented that caseworkers need more training on how to present the concurrent case plan concept to families and court personnel.

Some State-level stakeholders commenting on the appropriateness of the permanency goal stated that many caseworkers and court personnel are of the opinion that children over a certain age are not adoptable, and therefore their goal should be OPPLA. The State has set up training for caseworkers related to working with children who do not want to be adopted to explore further their reasons and to help them understand the advantages of adoption. Most stakeholders agreed that OPPLA is a permanency plan of last resort for children for whom no permanent placement has been identified.

According to stakeholders, team meetings are used to reach agreement on treatment plans (which also contain the permanency goal) and are attended by all parties to the legal suit.

Cascade County stakeholders expressed the opinion that the courts tend to give parents every opportunity to meet treatment plan requirements, often extending deadlines for 6 months or longer, even after years of failed efforts by the parents. The extensions often result in children remaining in foster care for long periods of time. Other stakeholders commenting on the use of concurrent planning stated that both families and caseworkers have a very difficult time dealing with two goals and the possibility of a failure to reunite the family.

Missoula County stakeholders expressed the opinion that often there may be contentious interactions between the parties to the legal suit who are involved in treatment team meetings. Because the treatment team cannot reach an agreement about the needs assessment or the services indicated for the case, it can result in additional time to achieve permanency. Stakeholders also stated that the county attorney's office takes the stance that it represents the public and not the department.

Yellowstone County stakeholders commented that the agency’s goal is always reunification up until the petition for TPR is filed. They also stated that caseworkers have expressed that they may not always be supported by the county attorney’s office in presenting the agency’s position in court. Because the treatment plan must be court ordered, a contested or delayed treatment plan may delay provision of services stipulated in the plan, causing a delay in timely permanency. In addition, stakeholders commented that if the parents are not making progress on the treatment plan, the parent’s attorney may request continuances to obtain more time to meet the provisions of the plan. These continuances are granted by the court and not necessarily contested by the agency.

Item 8. Reunification, guardianship, or permanent placement with relatives

Strength Area Needing Improvement

Case Review Findings

Item 8 was applicable for 23 (57.5 percent) of the 40 foster care cases. In assessing the cases, reviewers were to determine whether the agency had achieved the permanency goals of reunification, guardianship, or permanent placement with relatives in a timely manner or, if the goals had not been achieved, reviewers were to determine whether the agency had made, or was in the process of making, diligent efforts to achieve the goals. The results of this assessment are shown in the table below.

Item 8	Cascade County	Missoula County	Yellowstone County	Total	Percent
Strength	4	2	5	11	48
Area Needing Improvement	3	2	7	12	52
Total Applicable Foster Care Cases	7	4	12	23	
Not Applicable Foster Care Cases	3	6	8	17	
Total Foster Care Cases	10	10	20	40	

Item 8 was rated as a Strength in 57 percent of Cascade County cases, 50 percent of Missoula County cases, and 42 percent of Yellowstone County cases. Item 8 was rated as a Strength when reviewers determined that the permanency goal had been achieved in a timely manner or that the agency was making concerted efforts to achieve the goal in a timely manner.

Item 8 was rated as an ANI in 12 cases when reviewers determined that the agency and/or court did not make concerted efforts to achieve the goal in a timely manner. Many of the agency delays were due to handling concurrent goals in a sequential manner, including delays in focusing on the second goal when the first goal was not achieved in a timely manner and/or was no longer an appropriate goal to meet the best needs of the child.

Rating Determination

Item 8 was assigned an overall rating of ANI. In 48 percent of the applicable cases, reviewers determined that the agency had made diligent efforts to attain the goals of reunification, permanent placement with relatives, or guardianship in a timely manner. This percentage is less than the 90 percent or higher required for a rating of Strength. This item was rated as an ANI in the State's 2002 CFSR.

Performance on the Individual Measures Pertaining to Timeliness Included in Composite 1: Timeliness and permanency of reunification

The data below are presented to provide additional information about the timeliness of reunification. There are no national standards for the individual measures included in Composite 1. National standards have been established only for the scaled composite scores for Composite 1. The State's performance on Composite 1 is shown in the table for Permanency Outcome 1.

Montana's performance for the 12-month CFSR target period on the three timeliness measures included in Permanency Composite 1: Timeliness and permanency of reunification is presented below:

- C1.1: 64.6 percent of the reunifications occurred in less than 12 months of the child's entry into foster care. This percentage is less than the national median of 69.9 percent.
- C1.2: The median length of stay in foster care for children discharged to reunification during the 12-month target period was 7.6 months. This median length of stay exceeds the national median of 6.5 months. For this measure, a lower number of months indicate higher performance.
- C1.3: 45.5 percent of children entering foster care in the last 6 months prior to the 12-month target period were discharged from foster care to reunification in less than 12 months of entry into foster care. This percentage is higher than the national median of 39.4 percent but is less than the 75th percentile of 48.4 percent.

Statewide Assessment Information

According to the Statewide Assessment, Montana has made some progress in improving timely reunification but acknowledges that there is much more to be accomplished. Barriers affecting timely reunification include lack of community-based services, staff turnover, high caseloads, and court delays. An additional barrier is a reluctance on the part of caseworkers or judges to discontinue the plan for reunification when families are making progress in their ability to provide a safe and stable living arrangement for their children but have exceeded ASFA timeframes.

The Statewide Assessment indicates that the Peer Case Review data for the period from October 1, 2005, to March 31, 2007, rated item 8 as a Strength in 91.6 percent of the 60 cases reviewed.

Stakeholder Interview Information

Stakeholders commenting on this item during the onsite CFSR indicated that there are a number of reasons for delays in reunification. They suggested that delays often are due to a lack of parental compliance with case plan or treatment plan requirements or a parent's relapse into substance abuse. Several stakeholders also expressed the opinion that 12 months is not a reasonable amount of time to effectively and safely reunify children with their parents. Agency custody often is extended to give parents more time, especially in cases where there are instances of substance abuse.

Various stakeholders identified the following factors as barriers to achieving permanency in a timely manner:

- Some judges in the State weigh due-process rights for the parents against safety issues of the child rather than focusing on timeliness of permanency for the child.
- Continuances adversely affect timely permanency for children.
- Montana statutes related to child welfare are inconsistent and contradictory.
- The public defender attorneys assigned to parents frequently contest the case plan requirements.

Cascade County stakeholders expressed the opinion that their Accountability Court has been successful in methamphetamine and other drug abuse intervention in obtaining a better reunification rate than cases handled in other courts. Also, Cascade County has instituted a one caseworker/one family concept in which the investigative caseworker provides ongoing services to the family after an investigation is completed. They believe this has increased caseworkers' knowledge about individual families and provided more opportunities to engage the families in successful reunification. These stakeholders also believe that FGDM has been effective in achieving timely reunification.

Missoula County stakeholders expressed the opinion that parents' attorneys sometimes advise parents not to comply with the treatment plan, causing delays in achieving permanency. If the parent also is involved in a criminal case, the time to permanency is adversely affected. When parties to the legal suit cannot reach consensus on the provisions of the treatment plan, there may be numerous meetings about the treatment plan for the family with little agreement on specific services and required goals of the family prior to reunification. These meetings lack a clear facilitator and the parties involved do not have clear roles and responsibilities. Most of the judges prefer that disagreements about the treatment plan are resolved in these meetings, rather than in the courtroom.

Yellowstone County stakeholders expressed the opinion that very full court calendars negatively affect timely reunification due to numerous continuances. It was noted that reunification sometimes remained the case plan for an inordinate time period, including when the parent was incarcerated.

Item 9. Adoption

Strength Area Needing Improvement

Case Review Findings

Item 9 was applicable for 14 (35 percent) of the 40 foster care cases. In assessing this item, reviewers were to determine whether diligent efforts had been, or were being, made to achieve finalized adoptions in a timely manner. The results are presented in the table below.

Item 9	Cascade County	Missoula County	Yellowstone County	Total	Percent
Strength	1	1	1	3	21
Area Needing Improvement	1	5	5	11	79
Total Applicable Foster Care Cases	2	6	6	14	
Not Applicable Foster Care Cases	8	4	14	26	
Total Foster Care Cases	10	10	20	40	

Item 9 was rated as a Strength in 50 percent of Cascade County cases, 17 percent of Missoula County cases, and 17 percent of Yellowstone County cases.

Item 9 was rated as a Strength when reviewers determined that the State had made diligent efforts to achieve finalized adoptions in a timely manner. Item 9 was rated as an ANI in 11 cases when reviewers determined the following:

- Court-related delays were caused by numerous continuances and delays in scheduling TPR hearings (three cases).
- There were agency delays and lack of concerted efforts to achieve the goal of adoption in a timely fashion (eight cases).

Additional findings relevant to this item were the following:

- Adoption was finalized during the period under review in 9 of the 14 cases that had adoption as a single or concurrent goal. Three of those cases were finalized within 24 months of the child’s entry into foster care.
- Of the five children who remained in foster care, three children had been in foster care for more than 5 years, one child had been in foster care for almost 4 years, and one child had been in foster care for less than 2 years.

Rating Determination

Item 9 is assigned an overall rating of ANI. In 21 percent of the cases, reviewers determined that the agency had made concerted efforts to achieve a finalized adoption in a timely manner. This percentage is less than the 90 percent required for a rating of Strength. This item also was rated as an ANI in the State's 2002 CFSR.

Performance on the Individual Measures Included in Composite 2: Timeliness of adoptions

The data below are presented to provide additional information about the timeliness of adoptions. There are no national standards for the individual measures included in Composite 2. National standards have been established only for the scaled composite score for Composite 2. The State's performance on Composite 2 is shown in the table for Permanency Outcome 1.

Montana's performance during the CFSR 12-month target period on the individual measures included in Permanency Composite 2: (Timeliness of adoptions) is as follows:

- C2.1: 31.5 percent of the children exiting to adoption were discharged in less than 24 months from the time of entry into foster care. This percentage is higher than the national median of 26.8 percent but lower than the national 75th percentile of 36.6 percent.
- C2.2: The median length of stay in foster care for children adopted was 29.3 months. This median length of stay is less than the national median of 32.4 months but higher than the 25th percentile of 27.3. For this measure, a lower number of months equates to a higher level of performance.
- C2.3: 21.2 percent of children in foster care for 17 months or longer on the first day of the CFSR 12-month target period were discharged to a final adoption by the last day of the target period. This percentage is higher than the national median of 20.2 percent but less than the national 75th percentile of 22.7 percent.
- C2.4: 22.0 percent of children in foster care for 17 months or longer on the first day of the CFSR 12-month target period became legally free for adoption (that is, there was a TPR for both mother and father) within 6 months. This percentage is higher than the 75th percentile of 10.9 percent.
- C2.5: 47.9 percent of children who were legally free for adoption were adopted within 12 months of becoming legally free. This percentage is higher than the national median of 45.8 percent but lower than the national 75th percentile of 53.7 percent.

Statewide Assessment Information

According to the Statewide Assessment, the Peer Case Review data for the period from October 1, 2006, through March 31, 2007, resulted in a rating of Strength for item 9 in 52.94 percent of applicable cases reviewed.

The Statewide Assessment reports that since the initial CFSR in 2002, the agency has formed a Permanency Workgroup and a Recruitment and Retention Workgroup to address performance on item 9. Barriers to achieving timely adoption identified in the Statewide Assessment include the following:

- Insufficient licensing staff for the workload in some areas of the State
- The length of time it takes to complete a SAFE (Structured Analysis Family Evaluation) home study

- The Interstate Compact for Placement of Children (ICPC) requirement that TPR is achieved before an adoptive home study can be requested
- Delays in children becoming free for adoption
- An insufficient number of adoption-proficient therapists

Stakeholder Interview Information

Several stakeholders commenting on this item during the onsite CFSR expressed the opinion that, although Montana has made efforts to improve outcomes for children with a permanency goal of adoption, the State generally is not effective in achieving adoptions in a timely manner. Various stakeholders identified the following concerns:

- The paperwork to complete an adoption is sent to the central office in Helena, MT, where a shortage of staff contributes to lengthy delays in completing paperwork.
- Although there is a low frequency of appeals, when they are filed, appeals add about 1 year to the time to achieve TPR.
- If an out-of-State ICPC request is necessary to obtain the home study, there are delays in the process.

Item 10. Permanency goal of other planned permanent living arrangement

Strength Area Needing Improvement

Case Review Findings

Item 10 was applicable for 7 (17.5 percent) of the 40 foster care cases. In assessing these cases, reviewers were to determine if the agency had made, or was making, diligent efforts to assist children in attaining the permanency goal of OPPLA. The results are presented in the table below.

Item 10	Cascade County	Missoula County	Yellowstone County	Total	Percent
Strength	1	2	1	4	57
Area Needing Improvement	0	0	3	3	43
Total Applicable Foster Care Cases	1	2	4	7	
Not Applicable Foster Care Cases	9	8	16	33	
Total Foster Care Cases	10	10	20	40	

Item 10 was rated as a Strength in four cases when reviewers determined that the agency had made concerted efforts to ensure long-term placement for the child and provide services necessary for preparing the child for independent living. The item was rated as an ANI in three cases due to a lack of concerted efforts to ensure that the youth had achieved the skills necessary for independent living.

Case review information also found that for three of the seven children with a goal of OPPLA, the goal was established when they were younger than age 16.

Rating Determination

Item 10 was assigned an overall rating of ANI. In 57 percent of the applicable cases, reviewers determined that the goal of OPPLA was being addressed in an appropriate way. This percentage is less than the 90 percent required for a rating of Strength. This item also was rated as an ANI in the State's 2002 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, the State's policy requires that a determination of OPPLA as the most appropriate option must be made at a permanency staffing or in a FCRC meeting. In addition, the court must find by a preponderance of evidence that specific statutory requirements have been met.

The Statewide Assessment reports that the Peer Case Review for the period from October 1, 2006, through March 31, 2007, rated item 10 as a Strength in all 13 applicable cases.

Montana has created designated staff to carry a specialized caseload of older youth. Beginning in April 2008, the State did not renew the contract for IL services and began providing these services directly to the identified population. This change is expected to result in better services to youth preparing to transition from foster care because the contracted services were only available in major urban areas.

Stakeholder Interview Information

Cascade County stakeholders expressed satisfaction with the services provided by the IL program providers and stated that service provision resulted in achievement of the skills necessary for successful transition to adulthood.

Missoula County stakeholders expressed the opinion that there is a gap in services to assist youth in transitioning out of foster care possibly due to funding limitations. These stakeholders also commented that rents are high in this area of the State, and there is not a lot of assistance in transitioning youth out of foster care and into apartments. In addition, the lack of enough foster homes for aging out youth is perceived to be a gap in services.

Yellowstone County stakeholders commented that youth are given a life skills assessment to determine what skills need to be learned and, although not all youth are referred to the contracted IL program, all youth receive IL services. Other stakeholders commented that caseworkers have begun to use the youth-centered meeting, which is modeled after the FGDM but designed specifically for youth age 16 and older to help them develop a plan to meet their needs as they approach independence.

Permanency Outcome 2

Outcome P2: The continuity of family relationships and connections is preserved for children					
Number of cases reviewed by the team according to degree of outcome achievement					
	Cascade County	Missoula County	Yellowstone County	Total	Percent
Substantially Achieved	10	8	13	31	77.5
Partially Achieved	0	2	7	9	22.5
Not Achieved or Addressed	0	0	0	0	0
Total Applicable Foster Care Cases	10	10	20	40	

Status of Permanency Outcome 2

Montana is not in substantial conformity with Permanency Outcome 2. This outcome was rated as substantially achieved in 77.5 percent of the cases, which is less than the 95 percent or higher required for a rating of substantial conformity. This outcome was determined to be substantially achieved in 100 percent of Cascade County cases, 80 percent of Missoula County cases, and 65 percent of Yellowstone County cases. Montana also was not in substantial conformity with Permanency Outcome 2 in its 2002 CFSR and was required to address the outcome in its PIP.

Key Concerns From the 2002 CFSR

Key concerns identified during the 2002 CFSR were the following:

- The State was not establishing regular visitation between parents and children.
- When siblings were separated, diligent efforts were not made to ensure their ongoing contact and visitation.
- The agency was not consistent in making diligent efforts to support or maintain the bond between children and their mothers and fathers through efforts other than arranging visitation.
- There were inconsistent efforts to search for relatives, particularly when an initial relative placement disrupted.

To address these concerns, Montana implemented the following strategies in its PIP:

- Revised visitation policy and implemented a tool to document quantity and quality of visitation
- Awarded grant monies to providers to facilitate and supervise visitation between parents and children
- Implemented policy requiring that a FGDM meeting is offered to all families whose children enter foster care as a means to identify potential relative placements

- Implemented policy requiring a permanency meeting for every child in foster care more than 90 days and modified the documentation for the meeting to include diligent efforts to locate and assess relatives as potential placements
- Developed standard observation/evaluation criteria to address the evaluation of the relationship between parents and children

The State met its target goals for this outcome by the end of the PIP implementation period.

Key Findings of the 2008 CFSR

Case reviews during the 2008 CFSR found that the agency demonstrated strengths in placing children in close proximity to their parents or relatives and in placing children with their siblings. However, the 2008 case reviews also identified the following concerns:

- The frequency and quality of children’s visits with the father, mother, or siblings is insufficient to meet the needs of children and families.
- The agency is not making concerted efforts to maintain children’s connections with extended family, culture, religion, community, and school.
- The agency is not consistently making diligent efforts to locate and assess maternal and paternal relatives as potential placement resources for children in foster care.
- The agency is not consistently making diligent efforts to support or maintain the bond between children in foster care and their mothers and fathers.

The findings pertaining to the specific items assessed under Permanency Outcome 2 are presented and discussed below.

Item 11. Proximity of foster care placement

Strength **Area Needing Improvement**

Case Review Findings

Item 11 was applicable for 27 (67.5 percent) of the 40 foster care cases. Cases determined to be not applicable were those in which TPR had been attained prior to the period under review, contact with parents was not considered to be in the child’s best interests, and/or parents were deceased or their whereabouts were unknown. In assessing this item, reviewers were to determine whether the child’s most current foster care setting was in close proximity to the child’s parents or close relatives. The results of this assessment are provided in the table below.

Item 11	Cascade County	Missoula County	Yellowstone County	Total	Percent
Strength	8	6	12	26	96
Area Needing Improvement	0	0	1	1	4
Total Applicable Foster Care Cases	8	6	13	27	
Not Applicable Foster Care Cases	2	4	7	13	
Total Foster Care Cases	10	10	20	40	

Item 11 was rated as a Strength in 100 percent of Cascade County cases, 100 percent of Missoula County cases, and 92 percent of Yellowstone County cases.

Item 11 was rated as a Strength when reviewers determined that the child was placed in the same community or county as the parents or that the child’s placement was not in the same community or county but was in close proximity to the parents. This item also was rated as a Strength if the child was placed out of his or her community or county, but the placement was determined to be necessary to meet the needs of the child and/or support attainment of the child’s permanency goal. Item 11 was rated as an ANI in one case when reviewers determined that the child’s placement was not in proximity to his parents or siblings and was not necessary to attainment of the child’s permanency goal.

Rating Determination

Item 11 was assigned an overall rating of Strength. In 96 percent of the cases, reviewers determined that the agency had made diligent efforts to ensure that children were placed in foster care placements that were in close proximity to their parents or relatives or that were necessary to meet special needs. This percentage is greater than the 90 percent or higher required for a rating of Strength. This item also was rated as a Strength in the State’s 2002 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, when a child enters foster care, the State’s goal is to place a child within their own county or within 25 miles of their home. Data from the Peer Case Review reflect continued strong performance for this item with an average of 98 percent of applicable cases rated as a Strength.

Stakeholder Interview Information

Several stakeholders commenting on this item during the onsite CFSR expressed the opinion that most children in foster care are placed in the same county and in close proximity to their parents or relatives. They noted that when children are placed some distance from their families, it usually is due to the child’s need for specialized treatment.

Item 12. Placement with siblings

 X Strength Area Needing Improvement

Case Review Findings

Item 12 was applicable for 22 (55 percent) of the 40 foster care cases. Cases were not applicable if the child did not have a sibling in foster care at any time during the period under review. In assessing item 12, reviewers were to determine whether siblings were, or had been, placed together and, if not, whether the separation was necessary to meet the needs (service or safety needs) of one or more of the children. The results of this assessment are presented in the table below.

Item 12	Cascade County	Missoula County	Yellowstone County	Total	Percent
Strength	5	6	11	22	100
Area Needing Improvement	0	0	0	0	0
Total Applicable Foster Care Cases	5	6	11	22	
Not Applicable Foster Care Cases	5	4	9	18	
Total Foster Care Cases	10	10	20	40	

Performance on this item was 100 percent at all sites.

Rating Determination

Item 12 was assigned an overall rating of Strength. Reviewers determined that the agency placed siblings together in foster care (when appropriate) in 100 percent of the applicable cases. This item also was rated as a Strength in the State's 2002 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, Montana policy states that siblings are to be placed together whenever possible, and if placement with siblings is determined not to be in the best interests of the child, the reason must be documented and submitted to the supervisor for approval. Peer Case Review data for the period from October 1, 2006, to March 31, 2007, indicate that 91 percent of the cases reviewed were rated as a Strength.

Stakeholder Interview Information

Most stakeholders commenting on this item during the onsite CFSR expressed the opinion that every effort is made to keep sibling groups together when it is appropriate. However, stakeholders noted that there is a lack of homes for sibling groups of three or more.

Item 13. Visiting with parents and siblings in foster care

 Strength X Area Needing Improvement

Case Review Findings

Item 13 was applicable for 30 (75 percent) of the 40 foster care cases. Cases were not applicable for an assessment of this item if the child had no siblings in foster care and if one of the following conditions was met with regard to the parents: TPR was established prior to the period under review and parents were no longer involved in the child’s life (or parents were deceased), or visitation with a parent was considered to be not in the best interests of the child. In assessing this item, reviewers were to determine whether the agency had made, or was making, diligent efforts to facilitate visitation between children in foster care and their parents and siblings in foster care and whether these visits occurred with sufficient frequency to meet the needs of children and families. The findings of this assessment are presented in the table below.

Item 13	Cascade County	Missoula County	Yellowstone County	Total	Percent
Strength	7	4	10	21	70
Area Needing Improvement	0	2	7	9	30
Total Applicable Foster Care Cases	7	6	17	30	
Not Applicable Foster Care Cases	3	4	3	10	
Total Foster Care Cases	10	10	20	40	

Item 13 was rated as a Strength in 100 percent of Cascade County cases, 67 percent of Missoula County cases, and 59 percent of Yellowstone County cases.

Item 13 was rated as a Strength when reviewers determined that the frequency and quality of visitation with parents and siblings met the needs of the children or the agency made concerted efforts to promote frequent visitation even when the current visitation frequency did not meet the child’s needs.

Item 13 was rated as an ANI in nine cases when reviewers determined one or more of the following:

- The agency did not make concerted efforts to promote visitation between the child and his/her mother (4 out of 24 applicable cases).
- The agency did not make concerted efforts to promote visitation between the child and his/her father (5 out of 17 applicable cases).
- The agency did not make concerted efforts to promote visitation between the child and his/her siblings in foster care (4 out of 12 applicable cases).

Specific information about visitation frequency is provided in the table below. As shown in the table, for the applicable cases, children visited with their fathers at least once a month in 41 percent of the cases, with their mothers at least once a month in 75 percent of the cases, and with their siblings at least once a month in 60 percent of the cases.

Visitation Frequency for Children in Foster Care (during the period under review)	Mother	Father	Siblings in Foster Care
At least once a week	11 (46%)	5 (29%)	2 (20%)
Less than once a week but at least twice a month	4 (17%)	2 (12%)	1 (10%)
Less than twice a month but at least once a month	3 (12.5%)	0 (0%)	3 (30%)
Less than once a month	3 (12.5%)	4 (24%)	3 (30%)
Never	3 (12.5%)	6 (35%)	1 (10%)
Total Applicable Cases	24	17	10

Rating Determination

Item 13 was assigned an overall rating of ANI. Reviewers determined that the agency had made concerted efforts to ensure that visitation frequency and quality were sufficient to meet the needs of the child and family in 70 percent of the applicable cases. This percentage is less than the 90 percent required for a rating of Strength. This item also was rated as an ANI in the State’s 2002 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, Montana introduced two visitation forms to track visitation and ensure consistency in documentation as a result of the round 1 PIP. The Parent-Child Interaction Plan outlines the schedule and guidelines for visitation and the Summary of Parent-Child Interaction form is used in addition to the Activity Detail screen on CAPS to document visitation. Data from the Peer Case Review indicate that for the most recent period under review, 67.75 percent of applicable cases reviewed were rated as a Strength for this item.

The Statewide Assessment identified the following barriers to consistent visitation:

- The large size of the State
- Lack of public transportation in rural areas
- Amount of time required to provide transportation
- Hazardous weather and road conditions during winter

Stakeholder Interview Information

Some stakeholders interviewed during the onsite CFSR expressed the opinion that, since the last CFSR, the State has increased its focus on maintaining consistent visitation between children and their parents and siblings. Various stakeholders identified the following barriers to consistent visitation:

- Parents do not have transportation
- Parents do not come to the scheduled visit
- Difficulties in scheduling visits with multiple parties involved
- Children live out of State

Item 14. Preserving connections

Strength Area Needing Improvement

Case Review Findings

Item 14 was applicable for 39 (97.5 percent) of the 40 foster care cases. In assessing item 14, reviewers were to determine whether the agency had made, or was making, diligent efforts to preserve the child’s connections to neighborhood, community, heritage, extended family, faith, and friends while the child was in foster care. This item is not rated on the basis of visits or contacts with parents or siblings in foster care. The results of the assessment of item 14 are presented in the table below.

Item 14	Cascade County	Missoula County	Yellowstone County	Total	Percent
Strength	9	9	16	34	87
Area Needing Improvement	0	1	4	5	13
Total Applicable Foster Care Cases	9	10	20	39	
Not Applicable Foster Care Cases	1	0	0	1	
Total Foster Care Cases	10	10	20	40	

Item 14 was rated as a Strength in 100 percent of Cascade County cases, 90 percent of Missoula County cases, and 80 percent of Yellowstone County cases.

Item 14 was rated as a Strength when reviewers determined that the agency made concerted efforts to preserve the child’s connections with extended family members, religious or cultural heritage, schools, neighborhoods, and friends. Item 14 was rated as an ANI in five cases when reviewers determined the following:

- The agency did not make concerted efforts to maintain the child’s connections to extended family (one case).
- The agency did not make concerted efforts to maintain the child’s connections to his or her cultural heritage (one case).

- The agency did not make concerted efforts to maintain connections to cultural heritage, extended family, community, school, friends, or extended family (three cases).

Rating Determination

Item 14 was assigned an overall rating of ANI. Reviewers determined that the agency had made concerted efforts to maintain the child’s connections with extended family, culture, religion, community, and school in 87 percent of the cases. This percentage is less than the 90 percent required for a rating of Strength. This item was rated as a Strength in the State’s 2002 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, the use of FGDM meetings has enhanced the State’s ability to preserve connections by providing an opportunity for relatives to be actively involved in the foster care case. The State acknowledges that the limited number of Native American foster parents residing on or adjacent to reservation communities impacts the ability of caseworkers to keep Native American children connected to their cultural heritage, extended family, and communities. Data from the information system indicate a total of 637 Native American children in placement and 232, or 36.4 percent, of these children placed with Native American families.

The Statewide Assessment indicates that in the most recent Peer Case Review, item 14 was rated as a Strength in 90 percent of the 60 cases reviewed.

Stakeholder Interview Information

Several stakeholders’ comments on this item during the onsite CFSR pertained primarily to the issue of maintaining connections for Native American children in foster care. Some stakeholders indicated that several Tribes are using FGDM with the goal of enhancing children’s connections to the Tribe. A few stakeholders stated that non-Native American foster parents are required to assist Native American children in maintaining connections with their Tribes and are given training on how to do this. It was noted that non-Native American foster parents who are fostering Native American children will take them to powwows and to Native American Centers. Yellowstone County stakeholders commented that the county has a therapeutic foster care program operated by Native Americans, Native American foster homes, and a Native American cultural club at the high school.

Item 15. Relative placement

Strength Area Needing Improvement

Case Review Findings

Item 15 was applicable for 36 (90 percent) of the 40 foster care cases. Cases were not applicable if relative placement was not an option during the period under review because the child was in an adoptive placement at the start of the time period, or the child

entered foster care needing specialized services that could not be provided in a relative placement. In assessing this item, reviewers were to determine whether the agency had made diligent efforts to locate and assess relatives (both maternal and paternal relatives) as potential placement resources for children in foster care. The results of this assessment are presented in the table below.

Item 15	Cascade County	Missoula County	Yellowstone County	Total	Percent
Strength	9	7	14	30	83
Area Needing Improvement	0	1	5	6	17
Total Applicable Foster Care Cases	9	8	19	36	
Not Applicable Foster Care Cases	1	2	1	4	
Total Foster Care Cases	10	10	20	40	

Item 15 was rated as a Strength in 100 percent of Cascade County cases, 87.5 percent of Missoula County cases, and 74 percent of Yellowstone County cases.

Item 15 was rated as a Strength when reviewers determined the following:

- The child was placed with relatives (17 cases).
- The child was not placed with relatives but the agency made diligent efforts to search for both maternal and paternal relatives when applicable (13 cases).

Item 15 was rated as an ANI in six cases when reviewers determined that the agency did not make diligent efforts to locate maternal and paternal relatives.

Rating Determination

Item 15 was assigned an overall rating of ANI. In 83 percent of cases, reviewers determined that the agency had made diligent efforts to locate and assess relatives as potential placement resources. This percentage is less than the 90 percent or higher required for a rating of Strength. This item also was rated as an ANI in the State’s 2002 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, policy was changed after the 2002 CFSR to require that a FGDM meeting is offered within the first 90 days of the case opening regardless of whether the child is in foster care. The Statewide Assessment indicates that there were 829 FGDM meetings conducted in FY 2007, and 22 percent of these were conducted for Native American children.

The Statewide Assessment notes that in the Peer Case Review for the period from April 1, 2006, to September 30, 2006, item 15 was rated as a Strength in 70 percent of the 37 applicable cases. Reviewers noted strengths related to the frequency of placements with

relatives and noncustodial parents, the use of FGDM meetings, and requests to the Tribes to request assistance in locating relatives. Cases rated as ANIs lacked documentation that relatives were considered for placement and that both maternal and paternal relatives were considered as placement resources.

Stakeholder Interview Information

Stakeholders commenting on this item during the Onsite Review expressed the opinion that FGDM meetings have contributed toward an improvement in locating potential maternal and paternal relatives as placement resources for children in foster care. Some stakeholders noted, however, that there is room for improvement with regard to ongoing searches for relatives later in the case.

Item 16. Relationship of child in care with parents

Strength Area Needing Improvement

Case Review Findings

Item 16 was applicable for 27 (67.5 percent) of the 40 foster care cases. Cases were not applicable if parental rights had been terminated prior to the period under review and parents were no longer involved with the child, or a relationship with the parents was considered to be not in the child’s best interests throughout the period under review. In assessing this item, reviewers were to determine whether the agency had made diligent efforts to support or maintain the bond between children in foster care and their mothers and fathers through efforts other than arranging visitation. The results of this assessment are provided in the table below.

Item 16	Cascade County	Missoula County	Yellowstone County	Total	Percent
Strength	6	5	7	18	67
Area Needing Improvement	1	2	6	9	33
Total Applicable Foster Care Cases	7	7	13	27	
Not Applicable Foster Care Cases	3	3	7	13	
Total Foster Care Cases	10	10	20	40	

The item was rated as a Strength in 86 percent of Cascade County cases, 71 percent of Missoula County cases, and 54 percent of Yellowstone County cases.

Item 16 was rated as a Strength when reviewers determined that the agency made concerted efforts to support and/or strengthen the bond between parents and children. Item 16 was rated as an ANI when reviewers determined one or more of the following:

- The agency did not make concerted efforts to support the relationship with the father (six cases).
- The agency did not make concerted efforts to support the relationship with the mother (five cases).

The table below identifies the activities as well as the number of cases relevant for each type of activity.

Effort Made	With Mother	With Father
Encourage parent participation in school or after-school activities and attendance at medical appointments and special events	10	4
Provide transportation for parents to participate in events, activities, and appointments	6	1
Provide opportunities for family therapeutic situations	10	5
Encourage foster parents to mentor biological parents as parenting role models	11	3
Encourage and facilitate contact with incarcerated parents when appropriate or with parents who live far away from the child	3	4
Total Applicable Cases	24	18

Rating Determination

Item 16 was assigned an overall rating of ANI. Reviewers determined that the agency had made concerted efforts to support the parent-child relationships of children in foster care in 67 percent of the cases. This percentage is less than the 90 percent or higher required for a rating of Strength. This item was rated as an ANI in the State’s 2002 CFSR.

Statewide Assessment Information

The Statewide Assessment information with regard to this item focused primarily on agency efforts to arrange visitation. It states, however, that when a child must be removed from the home of the custodial parent because of child abuse or neglect, the noncustodial parent must be the first placement option considered by the child protection specialist unless there is documented evidence of safety concerns with the noncustodial parent.

Stakeholder Interview Information

A few stakeholders commenting on this item during the onsite CFSR indicated that the agency supports the child’s relationships with parents by encouraging letters and phone calls when proximity to parents is an issue and inviting parents to attend school events, educational meetings, and medical appointments.

III. CHILD AND FAMILY WELL-BEING

Well-Being Outcome 1

Outcome Well-Being 1: Families have enhanced capacity to provide for their children’s needs					
Number of cases reviewed by the team according to degree of outcome achievement					
Degree of Outcome Achievement	Cascade County	Missoula County	Yellowstone County	Total	Percent
Substantially Achieved	10	5	15	30	48.4
Partially Achieved	6	5	11	22	35.5
Not Achieved or Addressed	1	7	2	10	16.1
Total Applicable Foster Care Cases	17	17	28	62	

Status of Well-Being Outcome I

Montana is not in substantial conformity with Well-Being Outcome 1. The outcome was rated as substantially achieved in 48.4 percent of the cases reviewed, which is less than the 95 percent required for a rating of substantial conformity. This outcome was substantially achieved in 59 percent of Cascade County cases, 29 percent of Missoula County cases, and 54 percent of Yellowstone County cases. In addition, this outcome was substantially achieved in 62.5 percent (25 cases) of the 40 foster care cases and 23 percent (five cases) of the 22 in-home services cases. Montana was not in substantial conformity with this outcome in its 2002 CFSR and was required to address this outcome in its PIP.

Key Concerns From the 2002 CFSR

The following key concerns were identified in the 2002 CFSR:

- The State was not consistent in its efforts to identify and address families’ service needs.
- The State was not consistent in involving parents and children in case planning.
- Caseworker visits with children and caseworker visits with parents were of insufficient frequency to meet the needs of the children and families.

To address identified concerns, Montana implemented the following strategies in its PIP:

- Developed and implemented a behavioral assessment procedure and documentation tool to improve identification of service needs
- Developed and implemented policy requiring that every family that has an open case is offered an opportunity to participate in case planning through FGDM
- Modified the case planning tool to improve documentation of family participation in case planning

- Developed and implemented policy requiring that caseworkers have monthly face-to-face contacts with the children in their caseloads
- Developed and implemented policy that caseworkers have sufficient contact with the parents of the children in their caseloads
- Modified intensive in-home contracts to require more caseworker visitation

The State met its target goals for this outcome by the end of its PIP implementation period.

Key Findings of the 2008 CFSR

The case reviews in the 2008 CFSR indicate that the agency was not consistent in regard to the following:

- Assessing and addressing the service needs of fathers, mothers, children, and foster parents
- Involving and engaging children, mothers, and fathers in case planning
- Ensuring frequent and quality caseworker visits with children and parents, especially fathers

The findings pertaining to the specific items assessed under Well-Being Outcome 1 are presented and discussed below.

Item 17. Needs and services of child, parents, foster parents

Strength Area Needing Improvement

Case Review Findings

Item 17 was applicable for all 62 cases. In assessing this item, reviewers were to determine whether the agency had adequately assessed the needs of children, parents, and foster parents and provided the services necessary to meet those needs. This item excludes the assessment of children’s (but not parents’) needs pertaining to educational, physical health, and mental health needs. These are addressed in later items. The case review results are presented in the table below.

Item 17	Cascade County	Missoula County	Yellowstone County	Total	Percent
Strength	12	7	15	34	55
Area Needing Improvement	5	10	13	28	45
Total Cases	17	17	28	62	

This item was rated as a Strength in 71 percent of Cascade County cases, 41 percent of Missoula County cases, and 54 percent of Yellowstone County cases. This item was rated a Strength in 67.5 percent (27 cases) of the 40 foster care cases and 32 percent (seven cases) of the 22 in-home services cases.

Item 17 was rated as a Strength when reviewers determined that the needs of children, parents, and foster parents had been adequately assessed and that identified service needs had been met. Item 17 was rated as an ANI when reviewers determined that there was either inadequate assessment of needs or inadequate services to meet identified needs.

Specific case review findings for item 17 are shown in the table below. The data indicate that, for foster care cases, the agency was more likely to assess and meet the needs of children and foster parents than to assess and meet the needs of either fathers or mothers. For in-home services cases, the agency was more likely to assess and meet the needs of mothers and children than assess and meet the needs of fathers.

Target Person for Needs Assessment and Services	Foster Care		In-Home Services	
	Yes	Total	Yes	Total
Mother's needs assessed and met	19 (73%)	26	16 (76%)	21
Father's needs assessed and met	14 (70%)	20	8 (36%)	22
Foster parents' needs assessed and met	30 (88%)	34		
Child's needs assessed and met	38 (95%)	40	18 (82%)	22

Rating Determination

Item 17 was assigned an overall rating of ANI. In 55 percent of the cases, reviewers determined that the State had adequately assessed and addressed the service needs of children, parents, and foster parents (when applicable). This percentage is less than the 90 percent or higher required for a rating of Strength. This item also was rated as an ANI in the State's 2002 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, needs assessment begins during the investigation with the completion of the required ISA, which assesses safety and protective capacity. If the child is placed into foster care, the caseworker fills out the form, Information on Child for Placement Purposes, which identifies any medical or behavioral concerns. The case plan identifies the services needed by the foster parents, child, and family members. According to the Statewide Assessment, although the State continues to see improvements in needs assessment and provision of services, there is room for improvement, especially in the area of documentation.

As indicated in the Statewide Assessment, in the recent Peer Case Review, this item was rated as a Strength in 69.62 percent of the cases reviewed. It was rated as a Strength in 79.17 percent of foster care cases and 54.84 percent of in-home cases.

Stakeholder Interview Information

Most stakeholders commenting on this item during the onsite CFSR expressed the opinion that the agency is effective in identifying the needs of parents, children, and foster parents, and noted that the FGDM meeting is a good forum to identify needs and develop plans to meet the needs. However, stakeholders also noted that the availability of services to meet needs is inconsistent across the

State and may involve long waiting lists or the need to drive long distances. Several stakeholders noted a need for assistance in finding respite care for foster parents.

Cascade County stakeholders did not comment on this item during the Onsite Review.

Missoula County stakeholders commented that the treatment team meeting is used to identify needs and plan for services for families and often includes therapists, service providers, Indian Child Welfare Act (ICWA) specialists, legal representatives, and family members. Several Missoula County stakeholders commented that these meetings may not result in agreement about either the needs or the services. Some Missoula County stakeholders expressed the opinion that although the guardians *ad litem* (GALs) are clear about their role and responsibilities in the treatment team meeting, there may be other legal parties advocating treatment decisions that are not supported by the treatment professionals.

In Yellowstone County, several stakeholders expressed the opinion that there was inconsistent identification of and responsiveness to the needs of foster parents. Issues they identified included inconsistent caseworker contact, lack of agency communication about progress toward permanency goals, and lack of reimbursement for travel expenses when foster parents routinely transported children to family visits.

Item 18. Child and family involvement in case planning

 Strength **X** **Area Needing Improvement**

Case Review Findings

Item 18 was applicable for 55 (89 percent) of the 62 cases. A case was not applicable if parental rights had been terminated prior to the period under review, parents were not involved with the child in any way, and/or the child was too young or had cognitive delays or other conditions that were barriers to participation in case planning. In assessing this item, reviewers were to determine whether parents and children (when appropriate) had been involved in the case planning process and, if not, whether their involvement was contrary to the child's best interests. A determination of involvement in case planning required that a parent or child had actively participated in identifying the services and goals included in the case plan. The results of the assessment of item 18 are presented in the table below.

Item 18	Cascade County	Missoula County	Yellowstone County	Total	Percent
Strength	8	7	12	27	49
Area Needing Improvement	7	7	14	28	51
Total Applicable Cases	15	14	26	55	
Not Applicable Cases	2	3	2	7	
Total Cases	17	17	28	62	

Item 18 was rated as a Strength in 53 percent of Cascade County cases, 50 percent of Missoula County cases, and 46 percent of Yellowstone County cases. The item was rated as a Strength in 55 percent (18 cases) of the 33 applicable foster care cases and 41 percent (9 cases) of the 22 in-home services cases.

Item 18 was rated as a Strength when reviewers determined that parents and children (when appropriate) had actively participated in the case planning process or that the agency had made concerted efforts to involve them in the case planning process. The item was rated as an ANI when reviewers determined that the agency had not made concerted efforts to involve the mother, father, and/or child (when appropriate) in case planning.

Key findings with regard to this item are presented in the table below. The data indicate that for the cases reviewed, fathers were less likely to be involved in case planning (56 percent) than were mothers (83 percent) or children (69 percent).

Person Involved in Case Planning	Evaluation Results	Applicable Cases
	Yes	
Mother	38 (83%)	46
Father	22 (56%)	39
Child (when appropriate)	27 (69%)	39

Rating Determination

Item 18 was assigned an overall rating of ANI. In 49 percent of the applicable cases, reviewers determined that the agency had made diligent efforts to involve parents and children in case planning. This percentage is less than the 90 percent required for a rating of Strength. This item also was rated as an ANI in Montana's 2002 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, Montana policy requires that the foster care case plan be developed jointly with the parents of the child and that if parents are unwilling or unable to participate, the reason must be documented. For the in-home services cases, policy states that appropriate family members, including children, are to participate in the Family Service Plan.

Stakeholders interviewed as part of the Statewide Assessment process expressed the opinion that the agency attempts to involve youth who are 16 years and older in case planning when the IL plan is being developed. The Statewide Assessment reports that the agency has begun using youth-centered meetings for 17-year-olds to help them focus on transitioning out of foster care.

As indicated in the Statewide Assessment, the results of the child welfare survey conducted as part of the self-assessment were that 76.7 percent (175 of the 228 respondents) agreed that parents generally are included in the development of the treatment plan.

The Statewide Assessment also reports that in the Peer Case Review for the period from October 1, 2005, to March 31, 2007, item 18 was rated as a Strength in 60 percent of the cases reviewed.

The Statewide Assessment reports that the most significant barrier to parental participation in the case plan is when a parent's attorney advises the parent not to cooperate with CFSD. In July 2006, passage of the Public Defender Bill allowed parents to be represented by the Public Defenders Office. According to the Statewide Assessment, some public defenders do not support their clients' participation in the case planning process.

The most significant barrier to child participation in case planning was noted to be the distance of youth's placement from the location of the FCRC.

Stakeholder Interview Information

Some stakeholders commenting on this item during the onsite CFSR expressed the opinion that, although family members are invited to the FCRC where the case plan is reviewed, they do not often attend in certain locations because reviews there are sometimes perfunctory, lasting for only 10 to 20 minutes. A few stakeholders commented that children are involved in case planning either through the FCRC or through discussions with their court-appointed special advocate (CASA) volunteer, GAL, or caseworker.

A few stakeholders reported that for in-home services cases, although the State does not require involvement of noncustodial parents in case planning, noncustodial parents may be invited to FGDM meetings if they have involvement with the children in the case or if there is a need for a placement resource. Stakeholders reported, however, that noncustodial fathers in foster care cases are diligently sought and invited to participate in case planning. Stakeholders expressed the opinion that the FGDM concept is strength based and very supportive of family involvement in case planning, but that not all facilitators have the skills necessary to effectively engage family members in this process.

Item 19. Caseworker visits with child

 Strength **X** Area Needing Improvement

Case Review Findings

Item 19 was applicable for all 62 cases. In conducting the assessment of this item, reviewers were to determine whether the frequency of visits between the caseworkers and children was sufficient to ensure adequate monitoring of the child’s safety and well-being, and whether visits focused on issues pertinent to case planning, service delivery, and goal attainment. The results of the assessment are presented in the table below.

Item 19	Cascade County	Missoula County	Yellowstone County	Total	Percent
Strength	13	6	26	45	73
Area Needing Improvement	4	11	2	17	27
Total Cases	17	17	28	62	

Item 19 was rated as a Strength in 76 percent of Cascade County cases, 35 percent of Missoula County cases, and 93 percent of Yellowstone County cases. The item was rated as a Strength in 82.5 percent (33 cases) of the 40 foster care cases and 55 percent (12 cases) of the 22 in-home services cases.

Item 19 was rated as a Strength when reviewers determined that the frequency and quality of visits between caseworkers and children were sufficient to ensure adequate monitoring of the child’s safety and well-being, and promote attainment of case goals. Item 19 was rated as an ANI in 17 cases when reviewers determined the following:

- Neither the frequency nor quality of caseworker visits was sufficient (10 cases).
- The frequency of caseworker visits was sufficient, but the visits did not focus on issues pertinent to case planning, service delivery, and goal attainment (four cases).
- The frequency of caseworker visits was not sufficient but, when visits did occur, they were focused on issues pertinent to case planning, service delivery, and goal attainment (three cases).

Specific caseworker visit information regarding frequency of visits from the case reviews is presented in the table below.

Typical Frequency of Caseworker Visits with Child (during the period under review)	Foster Care Cases	In-Home Services Cases
Visits occurred at least once a week	6 (15%)	11 (50%)
Visits occurred less frequently than once a week but at least twice a month	7 (17.5%)	3 (14%)
Visits occurred less frequently than twice a month but at least once a month	23 (57.5%)	1 (5%)
Visits occurred less frequently than once a month	4 (10%)	7 (32%)
Total Cases	40	22

Rating Determination

Item 19 was assigned an overall rating of ANI. In 73 percent of the cases, reviewers determined that caseworker visits with children were of sufficient frequency and quality. This percentage is less than the 90 percent required for a rating of Strength. This item also was rated as an ANI in the State's 2002 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, between 2002 and 2007, Montana policy required face-to-face contact with children placed in foster care on a monthly basis, with this contact being made at least quarterly in the child's residence. Policy was revised to include quality guidelines after the Office of Inspector General study on caseworker visits in July 2006. In response to the Child and Family Services Act of 2006, policy was again revised in October 2007 to require monthly face-to-face caseworker contacts with children in their residence.

As indicated in the Statewide Assessment, in the recent Peer Case Review for the period from October 1, 2005, to March 31, 2007, this item was rated a Strength in 48.91 percent of cases. The Statewide Assessment reports that Montana plans to implement several strategies in an attempt to improve performance on this item, including the addition of new staff and the purchase of laptops to provide flexibility for data entry.

Stakeholder Interview Information

Some stakeholders commenting on this item expressed the opinion that there is inconsistency in both the frequency and quality of caseworker visits with children. However, stakeholders also expressed the opinion that the State has a renewed emphasis on improving both the frequency and quality of visits with children.

Item 20. Caseworker visits with parents

 Strength **X** Area Needing Improvement

Case Review Findings

Item 20 was applicable for 49 (79 percent) of the 62 cases. Cases were not applicable for this assessment if parental rights had been terminated prior to the period under review and parents were no longer involved in the lives of the children. Reviewers were to assess whether the caseworker’s face-to-face contact with the children’s mothers and fathers was of sufficient frequency and quality to promote attainment of case goals and/or ensure the children’s safety and well-being. The results of this assessment are presented in the table below.

Item 20	Cascade County	Missoula County	Yellowstone County	Total	Percent
Strength	9	3	10	22	45
Area Needing Improvement	6	10	11	27	55
Total Applicable Cases	15	13	21	49	
Not Applicable Cases	2	4	7	13	
Total Cases	17	17	28	62	

The item was rated as a Strength in 60 percent of Cascade County cases, 23 percent of Missoula County cases, and 48 percent of Yellowstone County cases. Foster care cases were rated a Strength in 56 percent (15 cases) of the 27 applicable cases and 32 percent (7 cases) of the 22 in-home services cases.

Item 20 was rated as a Strength when reviewers determined that visits occurred with sufficient frequency to meet the needs of parents and children and that visits focused on issues pertinent to case planning, service delivery, and goal attainment. Item 20 was rated as an ANI when reviewers determined one or more of the following:

- Visits with the mother were not of sufficient frequency (15 cases).
- Visits with the father were not of sufficient frequency (22 cases).
- Quality of visits with the mother was insufficient (8 cases).
- Quality of visits with the father was insufficient (6 cases).

Additional information from the case reviews is provided in the table below. The data in the table indicate that caseworker visitation at least once a month was more likely with mothers (62 percent) than with fathers (34 percent).

Typical Frequency of Caseworker Visits with Parents (during the period under review)	Foster Care Cases		In-Home Services Cases	
	Mother	Father	Mother	Father
At least once a week	6 (23%)	2 (11%)	7 (33%)	5 (24%)
Less than once a week but at least twice a month	3 (12%)	2 (11%)	2 (10%)	1 (5%)
Less than twice a month but at least once a month	7 (27%)	2 (11%)	4 (19%)	1 (5%)
Less than once a month	6 (23%)	7 (39%)	7 (33%)	3 (14%)
There were no visits during the period under review	4 (15%)	5 (28%)	1 (5%)	11 (52%)
Total Applicable Cases	26	18	21	21

Rating Determination

Item 20 was assigned an overall rating of ANI. In 45 percent of the applicable cases, reviewers determined that the frequency and quality of caseworker visits with parents were sufficient to monitor the safety and well-being of the child or promote attainment of case goals. This percentage is less than the 90 percent or higher required for a rating of Strength. This item also was rated as an ANI in the State's 2002 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, policy states that the caseworker is expected to maintain contact with the birth parents according to the parameters outlined in the case plan. The frequency of contact depends on the intensity of the case, the needs of the parents, and the required level of monitoring. Policy also requires that any issues related to paternity are identified and resolved early in the case.

The Statewide Assessment reports that in the Peer Case Review for the period from October 1, 2005, to March 31, 2007, item 20 was rated a Strength in 59.09 percent of the cases. The Statewide Assessment reports that the low percentage of strength ratings may be attributed to the lack of documentation of visits as well as the insufficient frequency of visits. However, it was noted that, among the cases reviewed, when visits did occur they were of sufficient quality.

Stakeholder Interview Information

A few stakeholders commenting on this item expressed the opinion that caseworkers make minimal efforts to visit with noncustodial fathers for in-home services cases when the mother has custody of the children. A few stakeholders commented that occasionally caseworkers have made diligent efforts to locate noncustodial parents, but when the efforts were unsuccessful, they failed to document their efforts in the case record.

Well-Being Outcome 2

Outcome Well-Being 2: Children receive appropriate services to meet their educational needs					
Number of cases reviewed by the team according to degree of outcome achievement					
Degree of Outcome Achieved	Cascade County	Missoula County	Yellowstone County	Total	Percent
Substantially Achieved	8	9	22	39	95.1
Not Achieved	0	2	0	2	4.9
Total Applicable Cases	8	11	22	41	
Not Applicable Cases	9	6	6	21	
Total Cases	17	17	28	62	

Status of Well-Being Outcome 2

Montana is in substantial conformity with Well-Being Outcome 2, which includes only item 21: Educational needs of the child. Reviewers determined that the outcome was substantially achieved in 95.1 percent of the cases. This percentage is greater than the 95 percent or higher required for a rating of Strength. The outcome was substantially achieved in 100 percent of Cascade County cases, 82 percent of Missoula County cases, and 100 percent of Yellowstone County cases. In addition, the outcome was substantially achieved in 94 percent (33 cases) of the 34 applicable foster care cases and 86 percent (6 cases) of the 7 applicable in-home services cases.

Montana was in substantial conformity with this outcome in its 2002 CFSR and was not required to address the outcome in its PIP.

Key Findings of the 2008 CFSR

The key findings of the 2008 CFSR for the single item assessed for this outcome are presented below.

Item 21. Educational needs of the child

 X Strength Area Needing Improvement

Case Review Findings

Item 21 was applicable for 41 (66 percent) of the 62 cases reviewed. Cases were not applicable if any of the following applied: (1) children were not of school age; or (2) children in in-home cases did not have service needs pertaining to education-related issues. In

assessing this item, reviewers were to determine whether children’s educational needs were appropriately assessed and whether concerted efforts were made to meet those needs. The results of this assessment are provided below.

Item 21	Cascade County	Missoula County	Yellowstone County	Total	Percent
Strength	8	9	22	39	95
Area Needing Improvement	0	2	0	2	5
Total Applicable Cases	8	11	22	41	
Not Applicable Cases	9	6	6	21	
Total Cases	17	17	28	62	

Item 21 was rated as a Strength when reviewers determined that the child’s educational needs were appropriately assessed and concerted efforts were made to provide services, if necessary. Item 21 was rated as an ANI in two cases when reviewers determined that the caseworker did not collaborate with school personnel and with the family to address the child’s educational needs.

Rating Determination

Item 21 is assigned an overall rating of Strength. Reviewers determined that the agency made diligent efforts to meet the educational needs of children in 95 percent of the applicable cases. This percentage is equal to the 95 percent required for this item to be rated as a Strength. A 95-percent standard is set for this item because it is the only item assessed for the outcome.

Statewide Assessment Information

According to the Statewide Assessment, State policy requires that caseworkers consider the child’s educational needs when choosing a placement and take into account the proximity to the school in which the child was enrolled prior to placement in foster care. Children in foster care under age 3 must receive a developmental screening, and children 3 and older require both a developmental and education screening. Children receiving in-home services are referred by the caseworker for educational assessments as needed. Educational needs assessments and current school records are submitted to the FCRC for its evaluation.

The Statewide Assessment reports that in the Peer Case Review for the period from October 1, 2005, to March 31, 2007, 78.23 percent of the cases reviewed for this item were rated a Strength. Of the Child Welfare Survey respondents, 62.6 percent agreed or mostly agreed with the statement that the child welfare system was successful in meeting the educational needs of children.

Stakeholder Interview Information

Most stakeholders commenting on this item during the onsite CFSR expressed the opinion that caseworkers are meeting children’s educational needs. Stakeholders indicated that caseworkers often attend the Individual Education Plan meetings at the schools. Stakeholders also noted that most foster parents are involved with their foster children’s schools.

Well-Being Outcome 3

Outcome Well-Being 3: Children receive adequate services to meet their physical and mental health needs					
Number of cases reviewed by the team according to degree of outcome achievement					
Degree of Outcome Achievement	Cascade County	Missoula County	Yellowstone County	Total	Percent
Substantially Achieved	8	11	19	38	67.9
Partially Achieved	3	2	3	8	14.3
Not Achieved	2	3	5	10	17.9
Total Applicable Cases	13	16	27	56	
Not Applicable Cases	4	1	1	6	
Total Cases	17	17	28	62	

Status of Well-Being Outcome 3

Montana is not in substantial conformity with Well-Being Outcome 3. The outcome was determined to be substantially achieved in 67.9 percent of the applicable cases, which is less than the 95 percent required for substantial conformity. The outcome was substantially achieved in 62 percent of Cascade County cases, 69 percent of Missoula County cases, and 70 percent of Yellowstone County cases. The outcome was substantially achieved in 74 percent (29 cases) of 39 applicable foster care cases and 53 percent (9 cases) of the 17 applicable in-home services cases. Montana was not in substantial conformity with Well-Being Outcome 3 in its 2002 CFSR and was required to address the outcome in its PIP.

Key Concerns From the 2002 CFSR

The following concerns were identified in the 2002 CFSR:

- There were inconsistencies in CFSD’s efforts to meet the physical health needs of children, particularly dental needs.
- There were inconsistencies in concerted efforts to meet children’s mental health needs.

To address these concerns, Montana implemented the following strategies in its PIP:

- Worked with representatives of the Health Services Policy Division to recruit dentists to Medicaid

- Worked with dentists individually to accept foster children as Medicaid patients in one community in each region
- Enlisted the help of the FCRC to monitor physical and mental health conditions of children by adding specific physical and mental health questions to the review format
- Updated legal petition templates to include authorization for medical care routinely, including physical examinations
- The division administrator participated in Montana Policy Academy to develop systems of care for children with mental health needs and their families
- Developed a behavioral assessment tool and policy to assist foster parents and caseworkers in assessing children’s mental health needs

The State met its target goals for this outcome by the end of its PIP implementation period.

Key Findings of the 2008 CFSR

The key finding of the 2008 CFSR case reviews indicates that the agency is inconsistent in assessing and meeting children’s physical and mental health needs. Findings pertaining to the specific items assessed under Well-Being Outcome 3 are presented below.

Item 22. Physical health of the child

 Strength **X** Area Needing Improvement

Case Review Findings

Item 22 was applicable for 49 (79 percent) of the 62 cases reviewed. Cases that were not applicable were in-home services cases in which physical health concerns were not an issue. In assessing this item, reviewers were to determine whether children’s physical health needs, including dental needs, had been appropriately assessed, and the services designed to meet those needs had been, or were being, provided. The findings of this assessment are presented in the table below.

Item 22	Cascade County	Missoula County	Yellowstone County	Total	Percent
Strength	8	11	18	37	76
Area Needing Improvement	2	4	6	12	24
Total Applicable Cases	10	15	24	49	
Not Applicable Cases	7	2	4	13	
Total Cases	17	17	28	62	

The item was rated as a Strength in 80 percent of Cascade County cases, 73 percent of Missoula County cases, and 75 percent of Yellowstone County cases. Foster care cases were rated a Strength in 79 percent (31 cases) of the 39 applicable foster care cases and 60 percent (6 cases) of the 10 applicable in-home services cases.

Item 22 was rated as a Strength when reviewers determined that children's medical and dental health needs were routinely assessed and services provided as needed. Item 22 was rated as an ANI in 12 cases when reviewers determined one or more of the following:

- Child's dental health needs were not assessed or needed services were not obtained (nine cases).
- Child's physical health needs were not assessed or needed services were not obtained (eight cases).

Rating Determination

Item 22 was assigned an overall rating of ANI. In 76 percent of the applicable cases, reviewers determined that the agency was adequately addressing the health needs of children in applicable cases. This percentage is less than the 90 percent or higher required for a rating of Strength. This item also was rated as an ANI in the State's 2002 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, policy states that, during an investigation, children should be examined by a physician when they have been removed from a methamphetamine lab, when there is reason to believe that they are victims of serious physical or sexual abuse, or that they have drugs in their systems. If the child did not receive a medical exam during the investigation, an exam is required within the first 30 days of placement. In addition, children under age 3 who are placed in foster care must be referred for a developmental assessment, and children ages 3 and older must receive either a developmental, educational, or neuropsychological evaluation. Any recommendations for services or further assessments are to be handled by the caseworker. In the in-home services cases, if there is no indicated need for medical or dental services, the caseworker requests that the contracted service provider assess the child's needs and follow through with appropriate referrals for any identified needs.

According to the Statewide Assessment, health, education, and mental health information is updated on the case plan, which is due within the first 60 days of placement. The FCRC reviews the most recent health and dental records in order to identify any unmet needs.

Data cited in the Statewide Assessment include results of the Child Welfare System Survey where 75.6 percent of respondents agreed or mostly agreed that the physical needs of children are being met. In the Peer Case Reviews for the period from October 1, 2005, through March 31, 2007, 62.31 percent of cases reviewed were rated as a Strength.

Stakeholder Interview Information

Most stakeholders expressed the opinion that dental care is extremely difficult to secure in their area of the State because there are not enough dentists who will accept Medicaid due to the low reimbursement rate. Stakeholders also noted that there is no funding for

orthodontic work for children in foster care. Missoula County stakeholders expressed the opinion that there is a deficit of both medical and dental providers who will accept Medicaid.

Item 23. Mental health of the child

 Strength **X** Area Needing Improvement

Case Review Findings

Item 23 was applicable for 43 (69 percent) of the 62 cases reviewed. Cases were not applicable if the child was too young for an assessment of mental health needs, or if there were no mental health concerns. In assessing this item, reviewers were to determine whether mental health needs had been appropriately assessed and whether appropriate services to address those needs were provided. The findings of this assessment are presented in the table below.

Item 23	Cascade County	Missoula County	Yellowstone County	Total	Percent
Strength	7	10	17	34	79
Area Needing Improvement	4	2	3	9	21
Total Applicable Cases	11	12	20	43	
Not Applicable Cases	6	5	8	19	
Total Cases	17	17	28	62	

Item 23 was rated as a Strength in 64 percent of Cascade County cases, 83 percent of Missoula County cases, and 85 percent of Yellowstone County cases. In addition, the item was rated as a Strength in 90 percent (27 cases) of the 30 applicable foster care cases and 54 percent (7 cases) of the 13 applicable in-home services cases.

Item 23 was rated as a Strength when reviewers determined that children’s mental health needs were appropriately assessed and the identified mental health needs were addressed. Item 23 was rated as an ANI in nine cases when reviewers determined that mental health needs were not assessed and/or not addressed.

Ratings Determination

Item 23 was assigned an overall rating of ANI. Reviewers determined that the agency had made concerted efforts to address the mental health needs of children in 79 percent of the cases reviewed. This percentage is less than the 90 percent or higher required for a rating of Strength. This item also was rated as an ANI in the State’s 2002 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, several new practices and procedures were put into place after the 2002 CFSR. Policy requires that at the time of removal, the caseworker gather information from the parents to fill out the Child for Placement Purposes form and provide this to the foster parents. Within 45 days of removal, the foster parents fill out the Child Assessment by Foster Care Provider form indicating any behavioral or mental health issues for the child. The information from this form is used to update mental health information for the child's case plan, which must be completed within 60 days of placement and submitted to the FCRC for periodic reviews.

If the caseworker is aware of any mental health needs at the time of referral for in-home services cases, this information is on the referral form; otherwise, the caseworker requests that the provider complete an assessment of the child's needs and follows up on any appropriate service needs.

The 2003 Montana Legislature authorized the creation of a system of care for the State's high-risk youth and their families who are currently served by multiple agencies. The Children's System of Care Planning Committee (SOC Committee) was established to coordinate the development of Kids Management Authorities (KMA) in the communities and reservations. KMA is responsible for developing a continuum of care in its community and for case planning and coordination for youth with serious emotional disturbances using a child-focused approach and providing wraparound services.

The Statewide Assessment reports the results from the Child Welfare Survey indicated that 59.2 percent of respondents agreed or mostly agreed that the mental health needs of children were being met. Peer Case Review data for the period October 1, 2005 to March 31, 2007 resulted in a Strength rating for this item in 69.66 percent of the cases reviewed.

Barriers to a Strength rating for this item cited in the Statewide Assessment include the following:

- Foster parents are not completing or returning the Child Assessment by Foster Care Provider form and therefore not all children with a need for a mental health assessment are identified.
- For families in rural areas, it often is a time-consuming process to access mental health providers because of the distances families must travel.

Stakeholder Interview Information

A few stakeholders, commenting during the onsite CFSR, expressed the opinion that caseworkers could benefit from additional cross training with mental health staff to better understand eligibility issues.

SECTION B: SYSTEMIC FACTORS

This section of the CFSR Final Report provides information regarding the State’s substantial conformity with the seven systemic factors examined during the CFSR. Information on the items included under each systemic factor comes from the Statewide Assessment and from interviews with stakeholders held during the onsite CFSR. Additional information may come from other Federal reports or assessments.

Each item included in a systemic factor reflects a key Federal program requirement relevant to the Child and Family Services Plan (CFSP) for that systemic factor. The overall rating for the systemic factors is based on the ratings for the individual items incorporated in the systemic factor. For any given systemic factor, a State is rated as being either “in substantial conformity” with that factor (i.e., a score of 3 or 4) or “not in substantial conformity” with that factor (a score of 1 or 2). Specific requirements for each rating are shown in the table below.

Rating the Systemic Factor			
Not in Substantial Conformity		In Substantial Conformity	
1	2	3	4
None of the CFSP or program requirements is in place.	Some or all of the CFSP or program requirements are in place, but more than one of the requirements fail to function as described in each requirement.	All of the CFSP or program requirements are in place, and no more than one of the requirements fails to function as described in each requirement.	All of the CFSP or program requirements are in place and functioning as described in each requirement.

It should be noted that ratings for the items included in each systemic factor are not based on single comments from an individual stakeholder. However, these comments are included in the report when they provide important insights or clarification on the State’s performance on a particular systemic factor.

If a State is not in substantial conformity with a particular systemic factor, that factor must be addressed in the State’s PIP. For each systemic factor, information is provided about the State’s performance in its first CFSR as well as in the current CFSR. If the systemic factor was part of the State’s PIP, the key concerns addressed in the PIP and the strategies for assessing those concerns are noted.

I. STATEWIDE INFORMATION SYSTEM

Rating of Review Team Regarding Substantial Conformity				
Rating	Not in Substantial Conformity		In Substantial Conformity	
	1	2	3	4X

Status of Statewide Information System

Montana is in substantial conformity with the systemic factor of Statewide Information System. The State was in substantial conformity with this factor during its 2002 CFSR and was not required to address the factor in its PIP.

Key Findings of the 2008 CFSR

The findings pertaining to the item assessed under Statewide Information System are presented below.

Item 24. The State is operating a statewide information system that, at a minimum, can readily identify the status, demographic characteristics, location, and goals for the placement of every child who is (or, within the immediately preceding 12 months, has been) in foster care

 X **Strength** _____ **Area Needing Improvement**

Item 24 is rated as a Strength. Montana’s statewide information system, called CAPS, can readily identify the status, demographic characteristics, location, and goals for each child in foster care. In addition, information in the system is perceived by stakeholders as current and accurate. This item was rated as a Strength in the State’s 2002 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, Montana implemented CAPS in 1996. This mainframe information system is the official case record of CFSD. Intake information, assessment/investigation results, person information, contacts, services provided, court history, paid and nonpaid placements, provider and payment information is recorded in CAPS. A case file in the local office containing documents from contracted providers, service providers, correspondence, court orders, and other sources may contain supporting documentation. CAPS records are routinely updated and completed before closure. In addition, the Statewide Assessment reports the State is in compliance with all of the Federal reporting requirements for an automated statistical reporting system.

Stakeholder Interview Information

According to stakeholders, the 2007 Legislature granted CFSD \$27.1 million to develop a new automated information system. Most stakeholders expressed the opinion that CAPS is able to identify the status, location, demographic characteristics, and goals of all children in foster care. Tribes are required to enter their title IV-E cases in CAPS and are allowed to enter all cases if desired. Some stakeholders noted that CAPS sends alerts to staff to let them know of upcoming due dates. Reports are used by caseworkers and supervisors for various purposes. One example of the use of the CAPS report is to find youth who are eligible for IL services.

II. CASE REVIEW SYSTEM

Rating of Review Team Regarding Substantial Conformity				
Rating	Not in Substantial Conformity		Substantial Conformity	
	1	2X	3	4

Status of Case Review

Montana is not in substantial conformity with the systemic factor of Case Review System. The State was not in substantial conformity with this factor during its 2002 CFSR and was required to address it in its PIP.

Key Concerns From the 2002 CFSR

The following concerns relevant to the Case Review System were identified in the 2002 CFSR:

- Parents and children were not actively involved in the development of case plans on a consistent basis.
- There was confusion between case plans and treatment plans, with staff viewing case plans as a compliance document, while treatment plans were viewed as the heart of the direction of services and outcomes for children and families.
- Periodic reviews of the status of each child at least every 6 months either by the court or an administrative review were described as perfunctory. In some parts of the State, periodic reviews were held inconsistently, especially for youth in long-term foster care.
- The periodic review was seen as a compliance detail that did not affect the case outcomes of achieving permanency.
- Court adherence to timely permanency hearings was inconsistent throughout the State, due to continuances and delays caused by full court dockets. In addition, some courts were closing cases after TPR.

To address these concerns, Montana implemented the following strategies in its PIP:

- Created and trained staff on a new case plan format and on documentation standards that required documentation of involvement of children and parents in case plan development

- Modified the periodic review process by obtaining input about the FCRC to determine its strengths and weaknesses
- Collaborated with courts, GALs, Tribal authorities, and others to develop joint training on periodic reviews and trained staff and FCRC members on requirements of the periodic review
- Provided training on permanency hearing requirements to county attorneys and judges
- Worked collaboratively with the Court Assessment Project (CAP) to improve timeliness of permanency hearings
- Introduced legislation to allow the FCRC to conduct the permanency hearing instead of a judge

Montana met its target goals with regard to this systemic factor by the end of its PIP implementation period.

Key Findings of the 2008 CFSR

The findings pertaining to the items assessed under Case Review System are presented and discussed below.

Item 25. The State provides a process that ensures that each child has a written case plan to be developed jointly with the child’s parent(s) that includes the required provisions

 Strength **X** Area Needing Improvement

Item 25 is rated as an ANI. Although the State has a policy requiring that each child have a written case plan that is developed jointly with parents, the Statewide Assessment and stakeholder comments indicate that parents are not actively or consistently involved in case planning. In addition, in the 2008 CFSR case review, item 18, which assesses child and family involvement in case planning, indicates that mothers were involved in case planning in 73 percent of the applicable cases, while fathers were involved in 56 percent of applicable cases. This item was rated as an ANI in the State’s 2002 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, since the last CFSR, Montana revised the case plan document to be more user-friendly, individualized, and readable. Completion of an initial plan is required within 30 days of placement for a child placed under a VPSA and within 60 days of placement for a child placed under a court order. At a minimum, the case plan is to be updated when a child moves to a new placement or when there is a change in the permanent plan. The information is entered into the CAPS application and printed at least every 6 months, and provided to the FCRC members prior to the periodic review. Policy requires that the case plan is developed jointly with the child’s parents if possible. If parents are unwilling to participate in the development of the case plan, the reason is to be documented in the case plan. Policy requires that a child is to be included in the development of the plan as appropriate.

As indicated in the Statewide Assessment, the results of a survey conducted as part of the State’s self-assessment were that 175 of 228 respondents (77 percent) identified parents (caregivers) as generally being included in the development of the treatment plan and

establishment of the permanency goal. In addition, the Statewide Assessment notes that compliance with case plan requirements is monitored by the Program Assessment Team and the FCRC.

Stakeholder Interview Information

Some stakeholders expressed the opinion that FGDMs are used as a mechanism to involve parents in case planning but noted that not all families are offered a FGDM to create or review the case plan. Stakeholders commented that FGDM is implemented inconsistently, that in some sites it is integrated into the case planning process, and in other sites it is not. Parental involvement in the case plan may not occur when the FGDM conference is held at a time that is inconvenient to parents, or if the parents' attorney advises his/her clients not to participate in case planning or agree to any service needs identified in the case plan or the treatment plan. Several stakeholders commented that parents can be included in case planning via telephone. Other stakeholders commenting on this item stated that although the case plan originates from a template, it is individualized to the family.

The State utilizes both a case plan and a treatment plan, resulting in some confusion expressed by stakeholders regarding the purpose of each document. A few stakeholders expressed concern that having two separate plans results in a disjointed planning process. The case plan is designed to meet Federal requirements, while the treatment plan must be approved by the court and actually determines the direction of the case activities and outcomes for children and families. However, it is not clear to stakeholders whether the two plans are integrated.

Item 26. The State provides a process for the periodic review of the status of each child no less frequently than once every 6 months, either by a court or by administrative review

Strength **Area Needing Improvement**

Item 26 is rated as a Strength because the State has regulatory processes in place to conduct periodic reviews for each child by the court and/or the FCRC and these reviews generally occur on a timely basis. Both the Statewide Assessment and comments from stakeholders indicate that periodic reviews are being held at least once every 6 months. This item was rated as an ANI in the State's 2002 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, the status of each child in foster care is reviewed at least every 6 months by the FCRC for all children under State Court jurisdiction, including eligible children under the juvenile justice system. Children under Tribal Court jurisdiction have a periodic review conducted by the FCRC or the Tribal Court. Each district court judge appoints members to the FCRC for that court's jurisdiction. Prior to 2003 there were two administrative boards conducting periodic reviews, the FCRC and the Citizen Review Board (CRB). The 2003 Legislature eliminated the staffing and funding for the CRB. Those areas previously operating a CRB had to establish a FCRC.

According to the Statewide Assessment, a CAPS alert goes to the caseworker 45 days prior to the due date for a periodic review. The caseworker updates CAPS information, prints the case plan, and submits it to the supervisor who provides a copy to the FCRC. The FCRC provides a written report of its findings to the department, which provides a copy to the court.

The Statewide Assessment did not provide data regarding the State's compliance rate with the requirement for a periodic review of the status of each child no less frequently than once every 6 months.

Stakeholder Interview Information

Most stakeholders expressed the opinion that the periodic review of the status of the child, which is handled by the FCRC, is held no less frequently than once every 6 months. In describing the FCRC process, stakeholders commented that records are sent to committee members for review prior to the meeting. Most FCRCs meet monthly and review approximately 8 to 10 cases, spending between 5 and 20 minutes per case. In some rural areas of the State, all foster care cases are reviewed every 6 months. The goals of each meeting are to assess the safety, permanency, and well-being of the child and to determine if the child is in an appropriate placement. The caseworker and supervisor present the background of the case to the committee and are available to answer any questions. The date of the review and the written report of the findings are entered into CAPS into the case plan part B by the caseworker.

Missoula County stakeholders commented that the FCRC does not receive feedback from the court about whether its recommendations were implemented. They were of the opinion that feedback from the courts would better inform the next FCRC case review.

Item 27. The State provides a process that ensures that each child in foster care under the supervision of the State has a permanency hearing in a qualified court or administrative body no later than 12 months from the date the child entered foster care and no less frequently than every 12 months thereafter

 Strength X Area Needing Improvement

Item 27 is rated as a an ANI because both the Statewide Assessment and comments from stakeholders indicate that there are delays in permanency hearings due to court continuances for a variety of reasons. This item also was rated as an ANI in the State's 2002 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, Montana statute requires that a permanency hearing be held in accordance with the following timelines:

- Within 30 days of a determination that reasonable efforts to provide family preservation or reunification services are not necessary

- No later than 12 months after an initial court finding that the child has been subjected to abuse and neglect, or 12 months after the child's first 60 days of removal from the home, whichever comes first
- Within 12 months of the initial hearing and every 12 months thereafter until the child is permanently placed

The purpose of the hearing is to present to the court the permanency plan for the child, which the judge reviews along with the agency's efforts to finalize the plan. The court may enter any order determined to be in the best interests of the child as long as the order does not conflict with statutory permanency options. Caseworkers document the permanency hearings by entering information regarding the court hearing into the CAPS application.

According to the Statewide Assessment, Montana district courts are courts of general jurisdiction and may have limited appellate responsibilities. The judicial district courts across the State are very diverse. While some districts may have implemented the "one judge, one family" policy and hold an in-depth hearing to look at permanency, other judicial districts have developed procedures for quick and perfunctory permanency hearings for child welfare cases, deferring contentious issues to other hearings. The State child welfare agency, through its legal counsel, is responsible for ensuring that the court holds the permanency hearing in a timely manner.

According to the Statewide Assessment, most of the respondents of the 2007 Montana Child Welfare Survey indicated that they believe there were delays in conducting permanency hearings.

According to the Statewide Assessment, CFSD staff report that the legal system can be a barrier to timely permanency as there continue to be issues with timely scheduling of hearings and continuances in some areas of the State. In addition, lack of services for parents in rural areas and frequent turnover of Child Protective Services (CPS) caseworkers were cited in the Statewide Assessment as barriers to achieving timely permanency hearings.

According to the Statewide Assessment, a 2005 change in Montana statute allowed the FCRC to conduct permanency hearings at the discretion of the court. Utilizing the FCRC instead of the district court was an attempt to decrease the judicial workload and improve timeliness of permanency hearings. However, in the majority of the districts, the judge still continues to require that the hearing be held in court.

According to the Statewide Assessment, after the State failed the 2003 title IV-E review due to permanency hearing issues, the title IV-E unit was created to monitor cases for compliance. In the 2006 title IV-E review, no cases failed the requirements regarding permanency hearings.

The Statewide Assessment provides no statistical data regarding timeliness of permanency hearings.

Stakeholder Interview Information

According to some stakeholders, once the case has been presented to a judge for an initial permanency hearing, subsequent reviews are timely, as they are entered into the court calendar and scheduled at 11-month intervals. However, according to several stakeholders, the caseload of the county attorney’s office may prohibit the case from a timely first hearing. Stakeholders commented that the IV-E unit is responsible for monitoring the timeliness of permanency hearings for title IV-E eligible children and expressed the opinion that the State has improved on the timeliness of permanency hearings.

Various stakeholders commenting on this item identified the following factors as contributing to delays in permanency hearings:

- If the permanency hearing is contested, it may be rescheduled and fail to meet the 12-month requirement.
- The requirement that the permanency report must be sent to the parties prior to the hearing may cause a delay when either the caseworker is late submitting the report to the county attorney’s office or the county attorney’s office does not send the report to the parties by the deadline.
- There is a delay in assignment of a GAL to the child.
- General jurisdiction judges may postpone a permanency hearing by assigning it a lower priority on their docket.
- Some courts use a “cattle call” approach to holding permanency hearings, requiring that all parties to all cases appear at the same time and wait for their case to be called. Inadequate time may be allotted for each case causing some permanency hearings to be continued.

Stakeholders from Cascade County formed a Children Can’t Wait Coalition, which meets quarterly and is composed of judges, county attorneys, CASAs, and GALs. The meetings have focused on timely permanency. They are believed to have decreased the number of continuances and improved both the relationship and the communication between CFSR and the courts.

Item 28. The State provides a process for termination of parental rights proceedings in accordance with the provisions of the Adoption and Safe Families Act

Strength Area Needing Improvement

Item 28 is rated as an ANI. The Statewide Assessment and stakeholder comments indicate that the agency is not consistent with regard to filing for TPR in accordance with the provisions of ASFA. In addition, item 7 from the 2008 CFSR case review instrument indicates that ASFA requirements were met in 73 percent (16 cases) of the 22 applicable cases. This item was rated as an ANI in the State’s 2002 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, Montana Code Annotated, 41-3-604 and Division policy describes the ASFA requirements for TPR as applicable when a child has been in foster care for 15 of the most recent 22 months, except in cases where there are

compelling reasons not to terminate parental rights. The State uses permanency planning teams to monitor each child's movement toward permanent placement. The permanency plans are submitted to the court or to the FCRC for approval at permanency hearings. At 12 months in placement, the caseworker is to begin gathering information regarding petitioning for permanent legal custody and at 15 months in placement. In this case, either a petition to terminate parental rights or an exception must be filed.

The Statewide Assessment reports that the percentage and number of children in foster care for 17 of the most recent 22 months have increased since the last CFSR. The national Data Profile indicates that in FFY 2005 the percentage of foster children in care for 17 of the most recent 22 months was at 27.7 percent, 34.3 percent in FFY 2006, and 37.6 percent in the 12-month period ending March 31, 2007. The median length of stay in foster care in FFY 2005 was 13.9 months, 16.4 months in FFY 2006, and 17.2 months in the 12-month period ending March 31, 2007.

According to the Statewide Assessment, reasons that children might remain in foster care longer than 17 months from removal include:

- The TPR petition is not filed according to policy requirements.
- Continuances cause delays in the adjudication of cases.
- Parties to the legal suit disagree on the case-specific issues substantiating compelling reasons not to file for TPR.
- Cultural philosophies are discordant with ASFA requirements, particularly for Tribes with a cultural bias against TPR.
- There are delays in approval of out-of-State placements via the ICPC.

According to the Statewide Assessment, since the last CFSR, there has been legislative establishment of the Child Protection Unit (CPU) consisting of attorney specialists who work with the division and the courts. Creation of the CPU has resulted in expedited TPR where appropriate, and more timely finalized adoptions.

The Statewide Assessment did not provide statistical data that would indicate that the agency met the ASFA requirements with regard to seeking TPR.

Stakeholder Interview Information

Many State-level stakeholders commenting on this item during the onsite CFSR expressed the opinion that petitions for TPR may be delayed because families with substance abuse problems often are granted one or more extensions to achieve compliance with their service plans. Many stakeholders expressed the opinion that judges do not believe the ASFA timelines provide sufficient time for parents with substance abuse issues to receive reunification services. In addition, in areas of the State where service array is an issue, the judge may rule that reasonable efforts were not made to reunify the child and the agency may be granted more time to provide the services. Several stakeholders commented that reunification plans are open ended with respect to timeliness, and that often parents may be given a second or third chance to comply with the reunification service goals.

According to several stakeholders, the court may delay ordering an initial treatment plan for a family due to disagreement among the legal parties. If the court order for the initial treatment plan is delayed, then the amount of time necessary for the family to comply with the treatment plan also is extended, which may result in a delay in filing for TPR.

Various stakeholders identified the following additional barriers to timely filing of TPR:

- Tribal members find TPR very offensive and prefer to move either toward an open adoption or guardianship. There may be reluctance in Tribal courts to file for TPR unless there is an identified adoptive family.
- There is an ingrained belief that all new cases will have a reunification goal regardless of case circumstances. For example, new cases that meet the ASFA grounds for filing an immediate TPR petition will not have one filed for 6 months.
- Legal parties may spend too much time attempting to reach an agreed voluntary relinquishment rather than proceeding with a petition for TPR.

Item 29. The State provides a process for foster parents, pre-adoptive parents, and relative caregivers of children in foster care to be notified of, and have an opportunity to be heard in, any review or hearing held with respect to the child

 Strength X Area Needing Improvement

This item was rated as an ANI. The Statewide Assessment and stakeholder comments indicate that the State is not consistent in providing notification to foster and preadoptive parents and relative caregivers of reviews and hearings. In addition, notification of the right to be heard in hearings also is inconsistent. This item was rated as a Strength in the State’s 2002 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, although Montana statute requires that the attorney filing the petition (usually a county attorney) is responsible for providing legal notice of court hearings to foster parents, preadoptive parents, and relative caregivers, in practice, the process and responsibility for providing notice of court hearings varies across the State. Montana statute was amended in 2007 to provide caregivers a right to be heard, as opposed to an opportunity to be heard.

CFSD policy requires supervisors to provide the notification to resource parents, preadoptive parents, and relative caregivers for the FCRC periodic review at least 10 days prior to the review date.

The Statewide Assessment provides no statistical data regarding notification of foster parents, preadoptive parents, and relative caregivers of reviews or hearings, or of their rights to be heard in a permanency hearing.

Stakeholder Interview Information

According to stakeholders in two of the three sites, there are problems with consistency in notification and opportunity to be heard. Notice is not always provided, particularly for court hearings, and judges do not always allow resource parents to be heard.

Most Cascade County stakeholders commenting on this item expressed the opinion that foster parents, relative caregivers, and preadoptive parents are notified by the agency of all court hearings and FCRC reviews pertaining to the children in their care, and that they are allowed to be heard in both court hearings and FCRC meetings.

Missoula County stakeholders suggested that notification of FCRC meetings and the opportunity to be heard in these meetings is slightly better than notification of court hearings, but neither is consistent. In regard to the right to be heard, there are no issues with FCRC reviews. However, stakeholders expressed the opinion that foster parents do not know they have a right to be heard in court hearings, although they sometimes are asked for an opinion by the judge in a permanency hearing.

Yellowstone County stakeholders expressed the opinion that foster parents are occasionally notified about court hearings and, if they receive notice, the letter from the county attorney will instruct them regarding the opportunity to have input into the hearing. These stakeholders expressed the opinion that they are receiving notification of FCRC and that if they participate, they have the opportunity to be heard.

III. QUALITY ASSURANCE SYSTEM

Rating of Review Team Regarding Substantial Conformity				
Rating	Not in Substantial Conformity		Substantial Conformity	
	1	2	3	4X

Status of Quality Assurance System

Montana is in substantial conformity with the systemic factor of QA System. The State was not in substantial conformity with this systemic factor in its 2002 CFSR and was required to address this factor in its PIP.

Key Concerns From the 2002 CFSR

The following key concerns were identified in the 2002 CFSR:

- The State’s policy requiring caseworkers to make face-to-face contact with children in foster care only once per quarter posed a safety issue for children.
- Due to the lack of foster homes in parts of the State, foster home capacity was exceeded when additional children were placed in foster homes. This practice presented risk to the safety of some children in foster care.
- The State was not operating an identifiable QA system in the jurisdictions where the services included in the CFSP were provided.

To address these concerns, the State implemented the following strategies in its PIP:

- The State created and implemented a policy requiring monthly face-to-face caseworker contacts with children in foster care and trained staff on this policy.
- The State created and implemented licensing standards for new placements in foster homes already operating at licensed capacity that assures the safety of the children in the home. The State also trained staff on these standards.
- The State developed guidelines for documenting case activities in the CAPS application.
- The State implemented a QA system to evaluate the quality of services, identify strengths and needs of the service delivery system, and provide relevant reports including evaluation of program improvement measures implemented. The QA system consists of Peer Case Reviews using a case review instrument that is consistent with CFSR onsite case review tool.

The State met its target goals for this systemic factor by the end of the PIP implementation period.

Key Findings of the 2008 CFSR

Findings pertaining to the specific items assessed for this factor are presented below.

Item 30. The State has developed and implemented standards to ensure that children in foster care are provided quality services that protect the safety and health of the children

 X Strength _____ Area Needing Improvement

Item 30 was rated as a Strength. The Statewide Assessment and stakeholder comments indicate that the State has developed and implemented standards to ensure the safety and quality of care for children in foster care. This item was rated as an ANI in the State’s 2002 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, as part of Montana's PIP, a new policy requiring monthly face-to-face contact with children in foster care was implemented in August 2004 and training was provided to field staff in September 2004. The State revised this policy again in October 2007 to require that face-to-face contacts with children in foster care, including children in out-of-State placements, be conducted in the child's residence at a minimum of once every calendar month. The policy requires contacts to be documented in CAPS and to address issues of case planning, service delivery, safety, permanency, and well-being. The policy includes suggested questions that guide the caseworker to make and record a quality visit.

According to the Statewide Assessment, data from Peer Case Reviews show that for all three periods under review, October 1, 2005, through March 31, 2007, 48.91 percent of the cases reviewed statewide had sufficient frequency and quality of visitations between the caseworker and the child. The Statewide Assessment indicates that, while the percentage of foster children with a monthly face-to-face visit is low compared to the CFSR standard of 90 percent, the State has increased face-to-face contacts from its PIP baseline rating of 24 percent for this item.

According to the Statewide Assessment, as part of the State's PIP, the agency developed and implemented new standards regarding new placements in foster homes already operating at licensed capacity. The policy now requires a formal request for a change in the license submitted to the licensing caseworker before additional children can be placed. The licensing caseworker assesses the needs of the child and the capacity of the home to determine if an additional child creates safety issues.

According to the Statewide Assessment, the State created a program assessment team to conduct internal and external record reviews, track progress in meeting CFSR requirements, and monitor outcomes. This team was created in August 2004 and consists of two program managers, five program assessment specialists, and the program assessment supervisor. Results of Peer Case Reviews and contract compliance reviews conducted by this team are shared regularly with the management team and other stakeholders.

Stakeholder Interview Information

Several stakeholders commenting on this item during the onsite CFSR praised the State's abilities to ensure quality services that protect the safety and health of the children. Stakeholders said that the State did a comprehensive rewrite of foster care standards since the last CFSR to better ensure quality services for children in foster care.

According to some stakeholders, the quality of foster care for some children is impacted by a lack of available foster homes for teenagers, children with difficult behaviors, and children "stepping down" from residential treatment facilities.

Item 31. The State is operating an identifiable quality assurance system that is in place in the jurisdictions where the services included in the Child and Family Services Plan (CFSP) are provided, evaluates the quality of services, identifies strengths and needs of the service delivery system, provides relevant reports, and evaluates program improvement measures implemented

 X Strength _____ Area Needing Improvement

This item was rated as a Strength. The Statewide Assessment and stakeholder comments indicate that the State is operating a comprehensive statewide QA system that evaluates the quality, needs, and strengths of services, and provides reports and follow-up.

Statewide Assessment Information

According to the Statewide Assessment, in 2004 the State implemented a QA system to evaluate the quality of services, identify the strengths and needs of the service delivery system, and provide relevant reports including evaluation of program improvement measures implemented. Quality assurance is conducted through case reviews using an instrument consistent with the CFSR onsite case review instrument. The State uses the information obtained from the Peer Case Review to evaluate policies and procedures and to provide feedback to all levels of staff including supervisors and caseworkers. Participation in Peer Case Reviews is used as a training tool for new employees and is incorporated into the Montana Child Abuse and Neglect (MCAN) training and CAPS training. Peer Case Reviews are completed at each quarterly supervisors meeting.

In addition, the State uses the ROM system for reporting on the State's data for the CFSR national standards. The data are extracted from CAPS and presented in charts and graphs that allow managers to drill down to specific cases. The ROM system also provides a Summary of Research, organizing the research by the six major CFSR outcome measures and by the four factors associated with impacting outcomes: child and family, organizational, service, and community factors. The ROM system offers possible action steps to consider when designing program improvements that are supported by research.

According to the Statewide Assessment, the Program Assessment Team was created in August 2004 to conduct internal and external record reviews, track progress in meeting CFSR requirements, and monitor outcomes. The team shares results of both the Peer Case Reviews and contract compliance reviews with the Management Team, contractors, and other stakeholders.

The Statewide Assessment reports that the program improvement group was created to assist in the development of assessment tools and implementation of new practices resulting from the PIP. The group's membership is composed of field staff, management, and central office program managers who assist in drafting, testing, and training staff on new protocols and policies.

The Statewide Assessment identifies the permanency planning specialists as staff who contribute to QA efforts by identifying barriers to the achievement of permanency and then work to resolve the barriers.

Stakeholder Interview Information

According to stakeholders, the Peer Case Review process utilizes community partners, stakeholders, and contracted service providers in order to review 75 cases every 6 months. Random sampling is used to choose cases for review, and the reviews are done at one site for approximately 4 to 5 days, with a half day set aside for training. Quality assurance review of the case review results is done by participating Supervisors. The State uses the Federal case review instrument. According to stakeholders, the Peer Case Review process does not include an interview component. Several stakeholders noted that follow-ups on identified issues coming out of the case reviews are the prerogative of the regional administrator.

According to stakeholders, contract reviews involve interviewing staff and spending a week on site. After an exit conference, the draft report is written to address specific contractual requirements and may result in a corrective action plan with timelines for compliance. The contract manager will determine how the review results affect contract renewal.

In addition to the Peer Case Review process, the State has created a title IV-E unit to review cases for compliance with ASFA and title IV-E audit requirements.

IV. STAFF AND PROVIDER TRAINING

Rating of Review Team Regarding Substantial Conformity				
	Not in Substantial Conformity		Substantial Conformity	
Rating	1	2	3	4X

Status of Staff and Provider Training

Montana is in substantial conformity with the systemic factor of Staff and Provider Training. The State also was in substantial conformity with this systemic factor in its 2002 CFSR and therefore was not required to address the factor in its PIP.

Key Findings of the 2008 CFSR

The findings pertaining to the specific items assess under Staff and Provider Training are presented and discussed below.

Item 32. The State is operating a staff development and training program that supports the goals and objectives in the CFSP, addresses services provided under titles IV-B and IV-E, and provides initial training for all staff who deliver these services

 X Strength _____ Area Needing Improvement

Item 32 is rated as a Strength. The Statewide Assessment and stakeholder comments indicate the State is operating a comprehensive staff development and training program that provides initial training for all service delivery staff. This item also was rated as a Strength in the State's 2002 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, the division's training plan encompasses the following:

- MCAN training for newly hired staff
- The National Conference on Child Abuse and Neglect (CAN)
- Forensic interview training
- Training on CAPS
- FRS training
- Annual policy training
- Indian Child and Family Conference funded by CFSD and planned and coordinated by In-Care Network, Inc.
- Legal training
- Foster and adoptive parent training
- The title IV-E stipend program

The State is collaborating with the University of Montana's School of Social Work to develop a Montana Child Welfare Training Partnership by modifying the Standardized Core Project for California Child Welfare Workers. The training is competency based and will utilize technology to overcome training barriers, especially the long distances traveled to reach the training sites. The training is to be piloted with supervisors in the autumn of 2008, with the first class scheduled to be held in January 2009. The training will include a certification program.

The State offers new caseworkers a 12-hour orientation, two 1-week classroom trainings, and a 32-hour CAPS training class. New caseworkers first complete orientation training, an introductory course to be completed by the caseworker with the help of the supervisor, before he or she goes to MCAN training. The first week of MCAN training consists of 32 hours in the classroom. Caseworkers then go back to their units and later return for a second week of MCAN training, which is 30 hours. The 32-hour CAPS training is provided by a contractor.

According to the Statewide Assessment, in 2007 five sessions of MCAN 1 and 2 were offered. Participants included 13 Tribal staff and 109 CFSD staff.

Stakeholder Interview Information

According to stakeholders, centralized intake staff keep a training binder that they use with their supervisor for their orientation training. They review recorded calls and learn how to navigate CAPS before attending weeks 1 and 2 of MCAN training. According to stakeholders, the MCAN training is always held in Helena, and although a class begins every quarter, it can take up to 4 months to get into the class. New caseworkers are only assigned cases jointly with a supervisor or tenured caseworker until they complete MCAN. Several stakeholders commented that the MCAN training is lecture based, which is not that helpful for developing casework skills.

According to stakeholders, the State only offers 2 days of non-CPS specific supervisory training for new supervisors, which they expressed was inadequate preparation for the job. Stakeholders said that Tribal members are routinely invited to the State's training programs.

Item 33. The State provides for ongoing training for staff that addresses the skills and knowledge base needed to carry out their duties with regard to the services included in the CFSP

 X Strength Area Needing Improvement

Item 33 is rated as a Strength. The Statewide Assessment and stakeholder comments indicate that required ongoing training for staff is provided through participation in an annual policy conference and optional training opportunities are offered through other conferences, specialized training opportunities, and a stipend program. Staff are encouraged to attend optional trainings, and their transportation and per diem are paid for by the agency. This item also was rated as a Strength in the State's 2002 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, CFSD requires staff to participate in policy training each year. In 2007, the 12-hour policy training was conducted in five regions and emphasized new statutes and training on existing policy. Contracted in-home services caseworkers also were mandated to attend the policy training. In addition, staff are encouraged to attend other trainings and conferences offered throughout the year, and CFSD provides for both transportation and per diem costs. There are two annual conferences, CAN and the Indian Child Welfare Conference. The CAN conference provides training in a 3-day forum that includes national speakers and opportunities to network with key stakeholders. Participation at the CAN conference has grown in recent years to up to 600 participants.

There is also an annual Legal Summit, which includes agency staff, State Supreme Court justices, district court judges, county attorneys, defense attorneys, CASAs, and GALs, and focuses on issues of permanency and child well-being. The State has two title IV-E stipend programs, one with the University of Montana and the other with the Confederated Salish Kootenai College. Both

programs offer graduate and undergraduate degrees in social work. Regarding training for supervisors, CFSD holds quarterly supervisor and leadership meetings to provide ongoing training for supervisors and to provide interaction with the management team.

Stakeholder Interview Information

According to stakeholders, many opportunities for training are posted on the online training calendars. Offerings include an ICWA refresher, expert witness training, FGDM, required basic and advanced forensic interviewing, and the annual CAN and policy conferences. Stakeholders expressed the opinion that additional training on working with parents with developmental disabilities would be helpful. In addition, due to budget constraints, out-of-State training has been curtailed in the past 2 years. Missoula County stakeholders expressed the opinion that caseworkers could benefit from more extensive legal training, especially practice sessions and tips on testifying in court.

Item 34. The State provides training for current or prospective foster parents, adoptive parents, and staff of State licensed or approved facilities that care for children receiving foster care or adoption assistance under title IV-E that addresses the skills and knowledge base needed to carry out their duties with regard to foster and adopted children

 X Strength _____ Area Needing Improvement

Item 34 is rated as a Strength. The Statewide Assessment and stakeholder comments indicate there is a comprehensive training program in place for current and prospective foster and adoptive parents. This item was rated as a Strength in the State’s 2002 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, the State requires the preservice training, Keeping Children Safe (KCS), for all prospective foster and adoptive parents. It is a flexible 18-hour course that can be offered over a period of 6 weeks or in one concentrated weekend. Several cities (Helena, Billings, and Missoula) have multiagency collaborative groups that recruit, support, and provide training for foster and adoptive families. The frequency of KCS training classes varies depending on location and the workload of the FRS staff. However, families can attend in other locations or use videotaped training if availability is a problem. An additional component offered to KCS enrollees who are interested in adoption is a 6-hour training called “Creating a Lifelong Family.”

Regarding ongoing training for foster and adoptive parents, the Statewide Assessment describes an annual conference offered by the Montana State Foster and Adoptive Parents’ Association. This conference offers workshops on selected child welfare subjects including discipline and parenting skills, working with special needs children, attention deficit hyperactivity disorder, fetal alcohol effect/fetal alcohol syndrome, child development, managing stress, current practices, kinship placements, and recruitment and retention. In 2007, 21 CFSD staff, four board members, and 37 foster families attended. In addition, foster and adoptive parents are encouraged to obtain ongoing training by attending the annual CAN conference or by using the videotapes for specialized training needs. The Statewide Assessment did not address ongoing training requirements for foster and adoptive parents.

The Statewide Assessment does not contain information regarding training requirements for staff of State-licensed or -approved facilities that care for children receiving foster care under title IV-E, but refers to the State’s Administrative Rule requirements.

According to the Statewide Assessment, foster parents expressed the opinion that additional training on identifying and assessing problem behaviors is needed.

Stakeholder Interview Information

Most stakeholders commenting on this item during the CFSR stated that the State’s KCS training is very informative and assists families in deciding if fostering or adopting is appropriate for their family. They noted that there also are opportunities for training and flexibility about the source of the training, including a library at each office where books can be checked out. Several stakeholders stated that there is a requirement for 15 hours of training per year. Several stakeholders commented that additional training opportunities are desired that focus on managing adolescent’s behaviors, teaching IL skills, and managing difficult behaviors.

V. SERVICE ARRAY AND RESOURCE DEVELOPMENT

Rating of Review Team Regarding Substantial Conformity				
Rating	Not in Substantial Conformity		Substantial Conformity	
	1	2	3X	4

Status of Service Array and Resource Development

Montana is in substantial conformity with the systemic factor of Service Array and Resource Development. The State was in substantial conformity with this systemic factor in its 2002 CFSR and was not required to address this factor in its PIP.

Key Findings of the 2008 CFSR

The findings pertaining to the items assess under Service Array and Resource Development are presented and discussed below.

Item 35. The State has in place an array of services that assess the strengths and needs of children and families and determine other service needs, address the needs of families in addition to individual children in order to create a safe home environment, enable children to remain safely with their parents when reasonable, and help children in foster and adoptive placements achieve permanency

X **Strength** _____ **Area Needing Improvement**

Item 35 is rated as a Strength. Although the case reviews indicate that in item 17 ratings, children and families, particularly fathers, are not consistently having their needs assessed and identified services provided, the Statewide Assessment and stakeholder interviews suggest that the State has in place an array of services to meet the needs of children and families. The State also was rated as a Strength on this item in the 2002 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, the State has a good service array used to assess strengths and needs and provide services that are needed by children and families. The State contracts with 16 in-home/reunification services providers statewide and, in areas of the State where there are no contract providers, CFSD provides the service. The State also contracts with 21 providers who offer domestic violence services. IL services were provided in one contract statewide, but in April 2008, these were transitioned to CFSD staff. The State began using FGDM in 1997 and now offers this approach to both in-home and out-of-home clients. The FGDM meeting is used to engage families to develop a plan for remedying the situation that put the child at risk. The State held 829 FGDM meetings in 2007.

In addition, the Statewide Assessment describes CPS meetings which are used to assess the needs of families in the community at risk for safety issues and families who have entered the child welfare system. The collaborative meetings are used to formulate and monitor a treatment plan and coordinate any needed services. In addition, every region of the State has a Permanency Planning Specialist position to assist staff in focusing on permanency planning and progress toward permanency for each case.

Stakeholder Interview Information

State-level stakeholders commented that FGDM has been a very positive step in bringing extended family members into the loop and involved in assisting family members in defining services needed to keep their family together and the children safe. In addition, the mini-grants of \$25,000 per community that are administered through the Kids Management Authority (Montana's System of Care) are very popular and allow communities to expand their service arrays. The grants have been used for services such as respite, recreational therapy, in-home services, psychiatrists, psychologists, drug and alcohol assessments, and sexual offending assessments.

Cascade County stakeholders reported that the Kinship locator service has been used to locate absent parents or relatives and enhance opportunities to make relative placements. These stakeholders also commented that the children's health insurance program is a great resource for children statewide.

Missoula County stakeholders commented that the largest number of nonprofit organizations in the State is in that area, resulting in an extensive service array for families and children. For example, Missoula County stakeholders commented on the availability of the following services: contracted visitation services, which allows for more visitation time between children and their parents; medical services; an interpreter for Hispanic families; contracted in-home services; and services for foster families and birth families. In

addition, Missoula County was noted to have a vast mental health service array including an adult case management program, a home-based program to stabilize emotionally disturbed children at home, an adolescent partial hospitalization (day treatment) program, and children’s psychiatric inpatient services.

Yellowstone County stakeholders commented that they have “everything from A to Z as it relates to services.” These stakeholders said that there is a large array of available services which include, but are not limited to, the following: parenting classes, school social caseworkers, drug courts, outpatient counseling services including individual and family therapy and case management, doctors willing to accept Medicaid, an adequate number of foster homes and residential treatment centers, mental health services available to foster parents and the children in their care, services for sexually abused children, and services for domestic violence.

The State works in partnership with community agencies to develop resources and to apply for grants for additional funding. In addition, several resources offer dedicated slots to CPS clients.

Item 36. The services in item 35 are accessible to families and children in all political jurisdictions covered in the State’s CFSP

 Strength **X** **Area Needing Improvement**

Item 36 is rated as an ANI. The Statewide Assessment and stakeholder comments indicate that although Montana has an extensive array of services, it is not readily accessible to families and children in all counties. Some clients, especially those in rural parts of the State, have extensive wait times or must travel long distances to access critical services. This item also was rated as an ANI in the State’s 2002 CFSP.

Statewide Assessment Information

According to the Statewide Assessment, FGDM meetings, CPS meetings, and Permanency Team meetings are available throughout the State. Permanency Planning Specialists are available in every region and county. In-home and reunification services also are provided in all jurisdictions. However, the Statewide Assessment also acknowledges that although many urban areas in Montana have a fairly extensive array of services, rural areas may have only basic services.

The Statewide Assessment reports that the Montana Child Welfare System Survey was used to collect information on service availability. Of the respondents participating in the survey, 64.4 percent agreed or mostly agreed that services provided while the child remains in the home are available and effective in their area of the State; 50.2 percent of the respondents agreed that appropriate services were available in their area to assist the family in establishing and maintaining a safe home environment; and 20.4 percent responded that only a small spectrum of services are available in their communities. In addition, 7.3 percent of respondents reported that families must travel long distances to obtain services.

The survey respondents named the following services as most commonly lacking in their areas: parent assistance resources, in-home and reunification services, and mental health services. The second most common responses were chemical dependency services and additional placement options for youth. Other responses indicated that some areas have a need for more culturally appropriate services, transportation services, primary prevention services, sex offender treatment options, more child protection caseworkers, services for those clients above poverty level, and IL services.

Stakeholder Interview Information

State-level stakeholders identified the following gaps in services:

- There are not enough dental and orthodontic providers who will accept Medicaid.
- There is an insufficient number of foster homes, particularly for teenagers, large sibling groups, Native American children, and children discharged from residential treatment centers.
- There is inconsistent provision of IL services for youth, and many youth are not receiving services. In addition, there is a general lack of services and programs for adolescents in the State.
- There are insufficient in-patient mental health and substance abuse services, especially those that will accept parents and their children.
- There are very few psychiatrists who will accept Medicaid.
- The State has few resources available for the residential treatment of sexually inappropriate children or for perpetrators of sexual abuse.
- Many Tribal children have not received the IL-related services to which they are entitled.

Item 37. The services in item 35 can be individualized to meet the unique needs of children and families served by the agency

 X **Strength** _____ **Area Needing Improvement**

Item 37 is rated as a Strength. Although the case reviews indicate that in practice, children and families are not consistently receiving the services that they need, the Statewide Assessment and stakeholder interviews suggest that the State has the capacity to individualize services for families through an individualized case plan, FGDM, and youth-centered meetings.

Statewide Assessment Information

According to the Statewide Assessment, the State develops an individualized case plan with children in foster care and their parents. The case plan identifies both the needs and the necessary services identified to meet the needs. The child's case plan is reviewed every 6 months by the FCRC. In addition, annual permanency review hearings monitor the case plan.

According to the Statewide Assessment, FGDM meetings also are used to develop individualized case plans by assisting participants in identifying the individualized strengths and concerns of each parent and the services needed to address the concerns. The plans are

reviewed and modified at follow-up FGDM as needed. Involvement of family members in case planning has enhanced culturally relevant treatment approaches, particularly in ICWA cases. For children placed into foster care, the Permanency Planning Specialist assists staff in focusing on permanency planning and progress toward permanency for each case. The Statewide Assessment notes that the recently negotiated title IV-E foster care contracts with Montana's Tribes allows them to develop their own culturally relevant FGDM services which will allow each Tribe to individualize services for Tribal members.

The State began implementing youth-centered meetings in 2007 to individualize and enhance participation of older youth in identifying their goals and plans for adulthood, and in identifying the people who are important in their lives.

Barriers to individualizing services reported in the Statewide Assessment include the lack of appropriate placements for Native American children, the large size and diversity of caseloads, the inability to immediately identify Native American children, the inability to obtain meaningful Tribal staff input on case planning for ICWA cases in which a Tribe has intervened, and the inconsistency in family-centered and culturally relevant casework practice.

Stakeholder Interview Information

According to State-level stakeholders, case plans are individualized, as are the services necessary to meet each family's needs, especially in areas where services are available. Stakeholders also lauded the individualization of case plans for children who are in a Tribal court jurisdiction and placed into foster care from the reservation. Both FGDM and the youth-centered meetings were cited as mechanisms to individualize services. Visitation schedules also are individualized to meet each family's needs.

Cascade County stakeholders commented that the community has services tailored to the Native American population. These services include White Bison training provided to the community to enhance cultural practice, parent education centers in the elementary schools, and Native American coordinators in every high school. In addition, therapists with backgrounds in Native American culture are available. Stakeholders commented that parenting training can be individualized as needed and can include medical education if needed. In addition, IL services are individualized and needs are reevaluated frequently. A few stakeholders commented that culturally appropriate parenting classes and chemical dependency services for Native American families who live more than 50 miles from the reservation are not available. Cascade County stakeholders also commented that flexible funds are available to purchase items and services to meet individual needs (for example, water heaters, vacuum cleaners, and diapers).

Missoula County stakeholders commented that FGDM meetings assist with the individualized assessment of each family's needs and the identification of necessary services for the family. At times, however, there can be a 3-month delay in getting on the FGDM meeting schedule. The involvement in treatment plans by the court and service providers also enhances individualization of services.

Yellowstone County stakeholders commented that the Drug Court is a model program that focuses on individualizing services for families. Additional comments were that the State has an ongoing process to meet the individual needs of children and individualize services to meet the needs. The FGDM process was cited as having a focus on matching individuals' needs to services. Several

stakeholders commented that the agency will attempt to meet individualized needs such as purchasing an airline ticket for a family visit. Yellowstone County has access to grant and State funds for special needs such as glasses and dental care.

VI. AGENCY RESPONSIVENESS TO THE COMMUNITY

Rating of Review Team Regarding Substantial Conformity				
Rating	Not in Substantial Conformity		In Substantial Conformity	
	1	2	3	4X

Status of Agency Responsiveness to the Community

The State is in substantial conformity with the systemic factor of Agency Responsiveness to the Community. The State was in substantial conformity with this systemic factor in its 2002 CFSR and was not required to address the factor in its PIP.

Key Findings of the 2008 CFSR

The findings pertaining to the items assessed under Agency Responsiveness to the Community are presented and discussed below.

Item 38. In implementing the provisions of the CFSP, the State engages in ongoing consultation with Tribal representatives, consumers, service providers, foster care providers, the juvenile court, and other public and private child and family-serving agencies, and includes the major concerns of these representatives in the goals and objectives of the CFSP

 X Strength _____ Area Needing Improvement

Item 38 is rated as a Strength because there are processes in place for ongoing consultation through the Child and Family Services Advisory Council (FSAC), which includes caseworkers and representatives from provider agencies, Tribes, and courts. The recommendations and input of this group are included in the State’s planning process. This item also was rated as a Strength in the 2002 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, the statewide FSACs are Montana’s Citizen Review Panel (CRP) which meets the requirement of the Child Abuse Prevention and Treatment Act. The State Advisory Council has 20 volunteer members from around the State. The membership is composed of the chairperson of the local advisory committees, legislators, attorneys, the executive

director of the Montana Chapter of the National Association of Social Workers, a CASA representative, and a member of the Native American Advisory Council. A representative of the Montana CAP also regularly attends these meetings.

The State council meets quarterly with the division administrator and the management team, including bureau chiefs, regional administrators, and other administrative staff as necessary. The FSACs provide oversight and recommendations on a variety of child protection issues in Montana.

There are six local FSACs, one in each of four regions and two in the Eastern region due to its large geographical size. Local FSACs meet quarterly to advise and make recommendations to the regional managers and to the State Advisory Council about CFSD policy, procedures, need for services, gaps in services, and other issues. According to the Statewide Assessment, FSACs conduct community stakeholder meetings when needed to obtain information about community needs. Community stakeholder meetings were held in conjunction with PIP planning, legislative planning, and in compiling information for the CFSR.

According to the Statewide Assessment, FSACs provide consultation on both the State plan submission and in preparing proposals for the next legislative session, which occurs every 2 years. Planning for the legislative session and for the State plan is integrated to fund and implement Federal legislation and PIP strategies.

CFSD also participated in the Legal Summit, held in 2006 and 2007. The Legal Summit was a forum to provide cross training to participants and to obtain consultation on the court system and child protective system that affects timely permanency. Locally, CFSD managers are meeting with judges and county attorneys to improve communications and working relationships.

Stakeholder Interview Information

Some stakeholders commented that they have served as representatives on FSACs and were impressed with the openness of CFSD and its acceptance of input without defensiveness. These stakeholders were of the opinion that there is a lot of informal feedback through the FSAC that finds its way back to Helena. There is a continuous dialogue throughout the year. Local FSACs generally meet quarterly. Each council talks about what is going on in their community, voices concerns, and discusses legislative goals. The council is seen as a mechanism for two-way communication and a process to continually update CFSD and the councils. The Advisory Council also serves as a CRP.

Item 39. The agency develops, in consultation with these representatives, Annual Progress and Services Reports pursuant to the CFSP

 X **Strength** _____ **Area Needing Improvement**

Item 39 is rated as a Strength because the State's Annual Progress and Services Reports indicate consultation with, and input from, community stakeholders. This item also was rated as a Strength in the State's 2002 CFSR.

Statewide Assessment Information

Information from the Statewide Assessment provided for item 38 also applies to this item.

Stakeholder Interview Information

Stakeholders commenting on this item said that the FSAC structure allows the councils to provide consultation on the annual reports as well as the CFSP.

Item 40. The State's services under the CFSP are coordinated with services or benefits of other Federal or Federally-assisted programs serving the same population

 X Strength Area Needing Improvement

Item 40 is rated as a Strength because several areas of coordination are identified in the Statewide Assessment. This item also was rated as a Strength in the State's 2002 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, the services under the CFSP are coordinated with services or benefits of other Federal or Federally-assisted programs serving the same population.

The Statewide Assessment provided the following examples of coordinated efforts:

- The Children's Trust Fund, which awards grants for child abuse prevention programs, is staffed by a CFSD grant manager.
- CFSD funds contracted in-home/reunification services from title IV-B subpart 2 funding, and uses the same funding to hire CFSD staff to provide in-home/reunification services in Region 2.
- The Court Improvement Project (CIP) is a statewide multidisciplinary committee composed of the CFSD bureau chief, Supreme Court justices, senators, district court judges, Tribal judges, drug court evaluators, State representatives, the assistant attorney general, legal councils, the State CASA director, foster and adoptive parents, and GALs. The CIP focus is on improving legal systems to enhance timely permanency for children.
- CFSD coordinates services with the Child Support Enforcement Division after title IV-E eligibility is established via an alert generated in CAPS, which directs the caseworker to make a referral to the division. In addition, Child Support Enforcement provides a parent locator service, establishes a child support order, and/or enforces any orders in existence.
- Montana has contracts with all seven Tribal governments to provide title IV-E funding for child welfare clients under the jurisdiction of Tribal courts. Tribal access to other funding sources also is coordinated by the State.
- CFSD contracts with local county attorneys to reimburse the county attorneys' offices for 50 percent of the cost of legal representation of title IV-E eligible foster children.

Stakeholder Interview Information

Stakeholders did not comment on this item.

VII. FOSTER AND ADOPTIVE PARENT LICENSING, RECRUITMENT, AND RETENTION

Rating of Review Team Regarding Substantial Conformity				
Rating	Not in Substantial Conformity		In Substantial Conformity	
	1	2	3X	4

Status of Foster and Adoptive Parent Licensing, Recruitment, and Retention

Montana is in substantial conformity with this systemic factor. The State also was in substantial conformity with this factor in its 2002 CFSR and was not required to address the factor in its PIP.

Key Findings of the 2008 CFSR

The findings pertaining to the items assessed under Foster and Adoptive Parent Licensing, Recruitment, and Retention are presented and discussed below.

Item 41. The State has implemented standards for foster family homes and child care institutions which are reasonably in accord with recommended national standards

Strength **Area Needing Improvement**

Item 41 is rated as a Strength. According to the Statewide Assessment and stakeholder comments, the State has implemented and updated foster care standards in accordance with national standards. This item was rated as a Strength in the State’s 2002 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, CFSD is responsible for licensing Youth Foster Homes and Therapeutic Foster Homes. Adoptive homes are approved rather than licensed. CFSD licenses Child Placing Agencies to recommend licensure of foster homes and approve adoptive homes for families receiving services from their program. CFSD issues licenses for foster homes recommended by Child Placing Agencies.

Montana's DPHHS, through the Quality Assurance Division (QAD), has responsibility for the licensure of child care institutions, shelter care facilities, group homes, therapeutic group homes, and child care agencies. The general requirements for these entities is found in administrative rule and include provisions for abuse/neglect reporting, case records, confidentiality, discipline, education, environmental safety, guns and ammunition, nutrition, personal needs, physical care, privacy, religion and culture, children's money, transportation, staff/foster parent requirements including training and employment, and staff-to-child ratios. QAD planned a thorough revision of all child care facility rules in 2008.

The 2002 CFSR rated the State's QA System as an ANI due in part to the State's practice of making additional placements into foster homes, which caused the foster homes to exceed their licensed capacities. Children were placed in foster homes without supervisory overview or the use of a waiver process, resulting in risk to the safety of the children in the foster home. The issue was addressed in the State's PIP. The State reviewed and revised foster home licensing rules in June 2006. The revisions were made to address gaps in the previous rules and to ensure that the rules adequately address issues of safety, health, well-being, and protection of civil rights for children in foster care or adoptive homes. The new rules limit the number of children a foster family can parent to a maximum of seven, including birth and adopted children. The Statewide Assessment details the process developed to request a change in the licensed capacity for nontherapeutic homes. The process ensures that the family is able to safely meet the youth's needs. The placement and the change in capacity must have approval by both the CPS and FRS supervisors involved with the home or the placement.

The Statewide Assessment reports that the State began using the SAFE home study methodology in May 2007 for all foster and adoptive home studies, to provide an efficient, effective, and thorough assessment of prospective resource families. Training requirements for all homes licensed or approved by CFSD are standardized. Effective July 2006, CFSD began requiring 12 additional hours of adoption training for prospective adoptive parents beyond the 18 hours of KCS training.

There is no set timeline for the completion and approval of foster and adoptive home studies but they are expected to be completed in a timely manner. QAD has an expectation that applications will be processed within 6 months from the application date.

Montana implemented policy as of October 1, 2007, that requires once-a-month contact between child protection specialists and foster care children in the children's residence to ensure the children's safety in the home.

All licensed providers are subject to fingerprint criminal background checks and CPS background checks. Prospective foster parents are denied a license if their criminal history includes any of the crimes listed in the Adoption & Safe Families Act. In addition, a prospective provider is typically denied a license if the background check reveals a substantiated CPS history.

Reports of maltreatment involving a substitute care provider are prioritized and handled in the same way as all other reports of abuse/neglect. The provider number is added to the referral and the appropriate licensing agency is notified. The investigation is assigned to a CPS supervisor and the FRS responsible for licensing the home is alerted by the CAPS system. The CPS supervisor, the

FRS supervisor and the regional administrator consult to determine if the investigation will be conducted by the CPS caseworker, the FRS caseworker, or both. CFSD is the only licensing agency in the State; therefore, all maltreatment reports are tracked in the CAPS system.

Stakeholder Interview Information

According to stakeholders commenting on this item during the ongoing review, the State licensing standards for foster family homes and child care institutions provide for the safety of children. The licensing caseworkers are required to make an annual onsite visit to each home. Child care institutions also must have annual visits. According to stakeholders, a provisional license can be issued for up to 4 months with a 2-month extension, and must be approved by the regional administrator. A provisional license is granted when a home has met all requirements and has an approved study but has not completed the necessary training. Each home must be relicensed annually, which requires that all paperwork and the home visit are completed before the end of the month in which the license expires. In addition, a name-based background check is done annually for the license renewal and the fingerprint criminal record check is done every 3 years. If a foster family desires to adopt a child, a new fingerprint criminal background check is required. Several stakeholders commented that exceptions to a licensing standard require the approval of a regional administrator and are rarely requested.

Item 42. The standards are applied to all licensed or approved foster family homes or child care institutions receiving title IV-E or IV-B funds

 X Strength _____ Area Needing Improvement

Item 42 is rated as a Strength. The Statewide Assessment and stakeholder comments indicate that Montana requires that standards are applied equally across the State and to all foster family and child care institutions that receive title IV-E or title IV-B funds. This item was rated as a Strength in the State's 2002 CFSR.

Statewide Assessment

According to the Statewide Assessment, all foster homes, licensed kinship homes, and adoptive homes meet the same standards for licensure and approval including application and preservice training requirements. Adoptive homes are required to attend an additional 12 hours of KCS training related to adoption. Nonlicensed kinship providers must meet the same requirements for criminal records checks and child protection background checks as licensed foster homes, although they are not required to attend the KCS training.

FRS staff are responsible for studies on foster and adoptive homes. FRS supervisors also approve and issue foster care licenses. The FRS supervisors meet quarterly and have monthly phone conferences in which they discuss interpretation and implementation of licensing rules. Although FRS supervisors review adoption home studies, the regional administrator is responsible for approval or denial of the home study. The State uses the SAFE tool to assess prospective resource families. All CFSD licensing staff are trained to use SAFE and training also is offered to child-placing agency staff and Tribal staff.

Issuance of a provisional license for foster homes requires approval by the regional administrator. A provisional license can be in effect for 4 months with one 2-month extension allowed. According to the Statewide Assessment, the shorter time period allowed for a provisional license was made to meet Federal requirements. A provisional license may be granted to allow a family more time to complete the required training prior to licensure.

The Statewide Assessment reports that the title IV-E unit reviews the foster home case records to confirm that all the necessary documents (the scanned foster care license, national criminal fingerprint check, out-of-State CPS checks, if required, and documentation of Montana CPS checks) are in compliance with title IV-E requirements prior to the start date of title IV-E eligibility.

As indicated in the Statewide Assessment, QAD handles all licensing and renewals for child care institutions. Licensing standards for all child care institutions are found in statute, administrative rule, and policy. The licensing standards are applied equally to all child care institutions.

Stakeholder Interview Information

Stakeholders commenting on this item during the CFSR on site review stated that because CFSD approves the licenses of all foster parents in the State, the same standards are applied to both State and private foster homes.

Item 43. The State complies with Federal requirements for criminal background clearances as related to licensing or approving foster care and adoptive placements and has in place a case planning process that includes provisions for addressing the safety of foster care and adoptive placements for children

Strength **Area Needing Improvement**

Item 43 is rated as a Strength. The Statewide Assessment and stakeholder comments indicate that Montana obtains criminal background clearances for foster and adoptive families prior to licensure. This item also was rated as a Strength in the State's 2002 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, the State requires cleared, fingerprint-based criminal database checks on all foster homes, adoptive homes, licensed and unlicensed kinship providers, and any adult members of their households prior to the issuance of a regular license. Unpaid kinship providers are not licensed, but these providers must meet the same requirements for criminal records and child protection background checks as licensed homes. Because the State issues all licenses, all home studies must meet the same criminal and CPS requirements. In addition, the title IV-E unit staff verify that a copy of the criminal check results have been obtained prior to use of title IV-E funds. The Statewide Assessment notes that prospective foster parents are denied a license if their criminal history includes any of the crimes listed in ASFA. In addition, a prospective provider is typically denied a license if there is a substantiated CPS history.

The Statewide Assessment also notes that child care facilities are subject to administrative rules established by QAD, and these rules do not require a criminal record check as part of the hiring process. The provider is responsible for a multidimensional screening of applicants to determine the applicant’s appropriateness for employment. QAD uses a “safety plan checklist” when completing a licensing survey and, according to the Statewide Assessment, this checklist meets the requirements of ASFA and also has met title IV-E audit requirements.

Effective October 1, 2007, additional State funding was provided in the title IV-E contracts with the Tribes to assist them in offsetting the costs associated with conforming to Federal legislation that requires obtaining national, criminal database check results prior to licensing foster and adoptive parents.

Stakeholder Interview Information

Stakeholders commenting on this item during the CFSR expressed the opinion that initial background checks are conducted and usually are completed in a timely manner. However, they noted that obtaining a criminal record check on someone who has lived out of State is difficult and can take a long time. Some stakeholders commenting on this item said that a fingerprint-based criminal record check is performed every 3 years on all active foster and adoptive homes and that, if a foster home wants to adopt, a new criminal records check is performed. In addition, a name-based criminal record check is completed every year on adults in foster and adoptive homes.

Item 44. The State has in place a process for ensuring the diligent recruitment of potential foster and adoptive families that reflect the ethnic and racial diversity of children in the State for whom foster and adoptive homes are needed

Strength Area Needing Improvement

Item 44 is rated as an ANI because, as indicated in the Statewide Assessment, there is a need for a coordinated statewide recruitment effort to increase the number of available Native American foster and adoptive homes. This item was rated as a Strength in the State’s 2002 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, the percentage of children in foster care who are Native American is about 35 percent or 1,663 children. The 2007 University of Montana survey of foster parents identified only 49 (11 percent) of the participating homes that classified themselves as Native American. The Statewide Assessment recognizes a need for a coordinated statewide recruitment effort to increase the number of available Native American foster and adoptive homes. The Statewide Assessment also notes that CFSD has a formal statewide recruitment and retention committee chaired by the regional administrator and that there are recruitment and retention teams in each region focusing on the need for homes in the region. The recruitment plan has a goal of recruiting more foster and adoptive parents and an objective of informing the media of the need for homes.

Recruitment tools utilized by Montana include the following:

- A statewide, toll-free telephone number is available for prospective families to learn about the process.
- Inquiries can be made from the State’s website or by e-mail.
- Television advertisements and programs recruit homes for waiting children.
- Lutheran Social Services employs three part-time staff under a grant from Wendy’s Wonderful Kids to perform relationship mining from case records.
- Children waiting for adoption are registered on AdoptUsKids.

Stakeholder Interview Information

Some stakeholders commenting on this item expressed the opinion that there are not enough foster homes available for teenagers, Native American children, youth with difficult behaviors, and large sibling groups.

Item 45. The State has in place a process for the effective use of cross-jurisdictional resources to facilitate timely adoptive or permanent placements for waiting children

 X Strength _____ Area Needing Improvement

Item 45 is rated as a Strength. The Statewide Assessment and stakeholder comments indicate that the State has a process in place for effective use of cross-jurisdictional resources, including active use of the ICPC. This item was rated a Strength in the 2002 CFSR.

Statewide Assessment Information

According to the Statewide Assessment, when children become free for adoption and are not already in a permanent placement, the child’s social history is circulated through the agency, to licensed private agencies, and to the appropriate Tribal agency in an attempt to identify a permanent family. If an appropriate home is not identified within 30 days, the child is referred to the Permanency Planning Specialist to be listed on the AdoptUsKids website. Policy requires that foster parents or other unrelated families not be given preference over kin families based solely on the kin family residing in another State.

The Permanency Team reviews the child’s circumstances and monitors the plan and actions to identify a permanent placement for the child. A Selection Committee meets to review adoptive families submitted for consideration for a child and selects the family that best meets the needs of the child. Staff responsible for locating permanent homes for the State’s children met with AdoptUsKids staff in 2007 to discuss how to improve the State’s use of the resource.

The Statewide Assessment reports that 228 of the 655 (34 percent) adoptions finalized between 2005 and 2007 involved children placed in another county, on a reservation, or in another State. During FFY 2007, Montana requested 234 home studies from other States, and about 64 of these requests were for adoptive home studies. The Statewide Assessment cites the length of time to obtain a

completed home study from another State (average of 111 days) as a barrier to the placement of children cross-jurisdictionally. Other barriers include the cost of transitioning the child to a new out-of-State family, problems with obtaining Medicaid in the new State, and high supervision fees if the identified family has a home study through a private agency.

Stakeholder Interview Information

State-level stakeholders commented that the State's use of FGDM has resulted in locating out-of-State relatives for children, which reduces the number of children without an identified adoption resource who need to be registered on AdoptUsKids. However, the State does register children on AdoptUsKids, especially older youth and sibling groups.

Stakeholders reported that there is close communication with the Tribe when a permanent placement is needed for a Native American child. The State created its first Heart Gallery in the fall of 2008 to find homes for waiting children. Other targeted recruitment efforts include a Waiting Child feature on television. In addition, recruitment for hard-to-place children is performed by two staff hired through a grant from Wendy's Wonderful Kids. Regarding ICPC cases, the timelines can be frustrating. Reminders were created in CAPS to alert caseworkers to request ICPC home studies and to periodically check on their status.

Regarding barriers to the use of cross-jurisdictional resources, several stakeholders stated that there may be a bias against making out-of-State adoption placements; caseworkers may prefer to wait in an attempt to find an in-State family and to keep the child's community and cultural connections intact.