



A REPORT
TO THE
ARIZONA LEGISLATURE

Performance Audit Division

Performance Audit and Sunset Review

Foster Care Review Board

SEPTEMBER • 2005
REPORT NO. 05 – 10



Debra K. Davenport
Auditor General

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STATE OF ARIZONA
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AUDITOR GENERAL

WILLIAM THOMSON
DEPUTY AUDITOR GENERAL

September 22, 2005

Members of the Arizona Legislature

The Honorable Janet Napolitano, Governor

Mr. Dave Byers, Director
Foster Care Review Board
1501 W. Washington, Suite 128
Phoenix, AZ 85007

Transmitted herewith is a report of the Auditor General, A Performance Audit and Sunset Review of the Foster Care Review Board. This report is in response to a November 20, 2002, resolution of the Joint Legislative Audit Committee. The performance audit was conducted as part of the sunset review process prescribed in Arizona Revised Statutes §41-2951 et seq. I am also transmitting with this report a copy of the Report Highlights for this audit to provide a quick summary for your convenience.

As outlined in its response, the Foster Care Review Board agrees with all of the findings and plans to implement all of the recommendations.

My staff and I will be pleased to discuss or clarify items in the report.

This report will be released to the public on September 23, 2005.

Sincerely,

Debbie Davenport
Auditor General

Enclosure

PROGRAM FACT SHEET

Foster Care Review Board

Services:

The Foster Care Review Board (FCRB) is responsible for conducting citizen reviews of children who have been placed in out-of-home care. To carry out FCRB's responsibilities, volunteer review boards located throughout the State conduct reviews of children in out-of-home care and make recommendations to the juvenile court, the Department of Economic Security (DES), and other interested parties. FCRB local boards are required to conduct these reviews at least once every 6 months and submit findings and recommendations to the juvenile court. As of June 2005, FCRB's caseload included 5,263 cases representing 9,054 children. Additionally, in 2004, FCRB began to prepare a report summarizing its identification of service gaps in the child welfare system and provides the report to officials from DES, the Governor's Office, and other stakeholders.

Board membership and staffing:

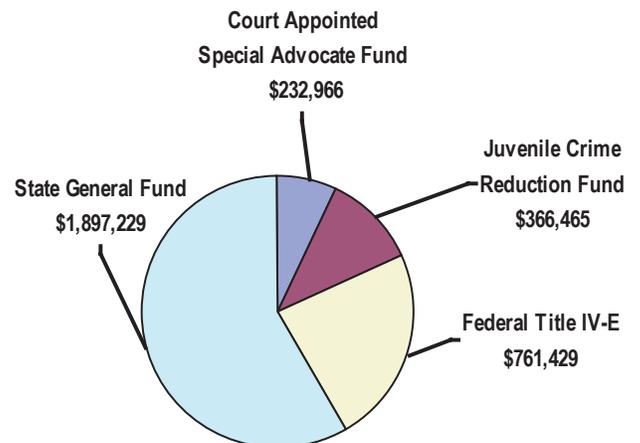
FCRB is governed by a State Board composed of 7 at-large member positions appointed by the Arizona Supreme Court and 35 volunteer representatives from the local boards as of June 2005. There are approximately 417 FCRB volunteers who serve on 94 local boards located throughout the State. FCRB had 38 authorized FTEs, which included 4 vacant positions, as of May 2005.

Facilities and equipment:

FCRB performs its administrative duties in Phoenix and Tucson in offices that it leases from the Arizona Department of Administration. Its equipment includes typical office equipment, such as furniture and computer equipment. FCRB also has four vehicles to help its program specialists facilitate review meetings held around the State.

Program revenue:

\$3.3 million (fiscal year 2005 actual)



Mission:

“The Foster Care Review Board is established by Arizona statute to review at least every 6 months the case of each child in foster care. The purposes of these reviews are to determine and advise the juvenile court of the adequacy of efforts and progress toward placement of the child in a permanent home; to encourage and facilitate the return of each dependent child to his/her family whenever possible; to promote and encourage stability in the child’s placement; and to assist in informing parents and others of their rights and responsibilities regarding a dependent child in foster care.”

Program goals:

1. To ensure that each child has a plan for permanent placement.
2. To establish, maintain, and train sufficient volunteers to perform high-quality case reviews.
3. To ensure that appropriate recommendations for foster care system needs are submitted to the Supreme Court, Legislature, and Governor.¹

Adequacy of goals and performance measures:

FCRB has established appropriate performance measures related to its reviews of children in out-of-home care and volunteer training. For example, FCRB has established measures focusing on the percentage of volunteers who meet the minimum training requirements and the percentage of children who received reviews during the fiscal year. However, FCRB has not established performance measures related to the timeliness of its reports to the juvenile courts in accordance with the timeliness requirements set forth in A.R.S. §8-515.03. In addition, although it has input, output, quality, and outcome measures, it has not established any performance measures related to efficiency. Therefore, FCRB should establish a performance measure that tracks the percentage of reports that were sent to the juvenile court within the required 30-day period. FCRB may also wish to consider establishing a goal related to the service gap report it began producing in 2004.

¹ Due to a legislative change to A.R.S. §8-515.04 in fiscal year 2003, FCRB is no longer required to submit recommendations. FCRB has not included this goal in its proposed fiscal year 2006 goals.

Source: Auditor General staff compilation of information obtained from Arizona Revised Statutes; vacancy reports and performance measures information provided by FCRB; and other information provided by FCRB, including a child/case activity report as of June 20, 2005.

SUMMARY

The Arizona Office of the Auditor General has conducted a performance audit and sunset review of the Foster Care Review Board (FCRB), pursuant to a November 20, 2002, resolution of the Joint Legislative Audit Committee. The audit was conducted as part of the sunset review process prescribed in Arizona Revised Statutes (A.R.S.) §41-2951 et seq.

FCRB is responsible for conducting reviews of children who have been placed in out-of-home care. Approximately 90 local boards comprising about 400 volunteers throughout the State are required to conduct these reviews at least once every 6 months and submit findings and recommendations to the juvenile court within 30 days following the review. In accordance with state statute, FCRB local boards must advise the juvenile court of the adequacy of efforts toward a permanent placement for the child, encourage and facilitate the return of each child to his/her family whenever possible, and assist in informing parents and others of their rights and responsibilities regarding children in out-of-home care. The local boards also make recommendations to the juvenile court regarding DES' efforts and progress toward achieving the goals outlined in the children's case plans, including whether additional services are needed. The local boards' recommendations are not legally binding, but serve to advise the juvenile court and DES on the child's progress toward permanent placement.

FCRB adds value, but can improve report effectiveness (see pages 9 through 15)

Most of the 36 judges and commissioners who participated in an Auditor General survey believe that FCRB adds value to the child welfare system. For example, one respondent stated, "I like to have the objective view provided by the Board. It is another good piece of information to use in arriving in a fair, just, and equitable decision for each case, keeping in mind the best interest of children." However, FCRB can improve its effectiveness by ensuring that it provides reports to the courts in a timely manner and improving its reporting of service gaps for children in out-of-home care.

FCRB provides case review reports to the court that detail the results of its reviews and any recommendations to help the child find a permanent placement. According to FCRB management, FCRB schedules its reviews 30 days before the required 6-month court hearings. This coincides with A.R.S. §8-515.03, which requires FCRB local boards to provide their reports to the juvenile court within 30 days following the reviews. Although most respondents reported that FCRB reports were timely for 76 to 99 percent of their cases, 11 respondents indicated that FCRB reports were timely for 75 percent or less of their cases. Currently, supervisors in the FCRB Phoenix and Tucson offices use separate informal systems to record the board review meeting dates and the mailing dates of the reports associated with the meetings. However, they do not track the number of days that have elapsed from the review date. As a result, they are unable to determine how many days have elapsed from the review date and cannot use the systems to alert supervisors when reports are nearing the 30-day deadline. Auditors compiled and analyzed FCRB data for review reports that were mailed to the courts from March 2004 through February 2005. The analysis showed that reports for 104 of the 596 review meetings were mailed to the courts 35 days or more past the review date, meaning the reports may have arrived too late for use in the court hearing. In one instance, the review reports from one board meeting were not provided to the court until 111 days after the FCRB review.

To improve its effectiveness, FCRB should develop a comprehensive tracking system and monitor it to help ensure that its reports are submitted to the courts within 30 days from the review. At a minimum, the system should track the number of days that have elapsed from the review date and should clearly identify reports that are close to the 30-day deadline. To help further enhance the effectiveness of its reports, FCRB should also consider exploring the possibility of using its existing data to track the next upcoming court hearing for each case.

FCRB can also improve its reporting of service gaps in the child welfare system. FCRB began reporting information on service gaps in the child welfare system in response to the Governor's 2003 child protective services reform plan. However, the results of the Auditor General's survey of judges and a review of available information regarding services for children in out-of-home care indicated that FCRB can take steps to improve its reporting of service gaps in the child welfare system. Specifically, FCRB should provide training to its volunteers, use available information regarding services to children in out-of-home care, and ensure that all relevant service gaps are reported.

FCRB can further enhance its volunteer management (see pages 17 through 20)

FCRB has the key elements of an effective volunteer management system, but it can further enhance volunteer training compliance and diversity. Specifically, FCRB has:

- A process for screening and selecting volunteers,
- A volunteer manual defining volunteers' role and responsibilities,
- A training program for new and experienced volunteers,
- Practices for evaluating volunteers and local boards, and
- A variety of recruiting efforts intended to provide an adequate, diverse pool of volunteers.

Although FCRB has successfully increased the number of volunteers who meet the training requirements from 33 percent in 2002 to 77 percent in 2004, it should continue its efforts to ensure that more volunteers meet the requirements. Additionally, while FCRB uses various recruiting methods to help promote diversity among its volunteers, most volunteers are Anglo-American and over the age of 50. FCRB should develop a diversity plan to help ensure that its recruiting efforts are effective.

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INTRODUCTION & BACKGROUND

The Arizona Office of the Auditor General has conducted a performance audit and sunset review of the Foster Care Review Board (FCRB) pursuant to a November 20, 2002, resolution of the Joint Legislative Audit Committee. The audit was conducted as part of the sunset review process prescribed in Arizona Revised Statutes (A.R.S.) §41-2951 et seq.

FCRB role and purpose

The Arizona Legislature established FCRB in 1978 in response to concerns that Arizona's foster children were being "lost" in out-of-home care and staying too long in temporary placements. The primary role of FCRB is to advise the juvenile court by reviewing cases of children who have been placed in out-of-home care by the Department of Economic Security (DES). A.R.S. §8-515.03 requires the FCRB local boards to review these children's cases within 6 months of placement and at least once every 6 months thereafter, and submit findings and recommendations to the juvenile court within 30 days following the review. In accordance with state statute, FCRB must advise the juvenile court of the adequacy of the efforts toward a permanent placement for the child, encourage and facilitate the return of each child to his/her family whenever possible, and assist in informing parents and others of their rights and responsibilities regarding children in out-of-home care. FCRB reviews are intended to assist the courts in their reviews of these cases. A.R.S §§8-847 and 8-862 require the juvenile courts to conduct reviews of children in out-of-home care once every 6 months and hold a permanency hearing at 12 months.

Permanency Hearing—At the permanency hearing, the court determines whether terminating parental rights, adoption, permanent guardianship, or some other permanent legal status is the most appropriate plan for the child and orders the plan to be accomplished within a specified time period.

FCRB addresses federal review requirements

Through FCRB and the courts, Arizona meets the federal requirement for states to provide a review for children in out-of-home care. Title IV-E of the Social Security Act

(42 U.S.C.A. 670 et seq) requires states to establish a case review system for children in out-of-home care. Specifically, states must review children in out-of-home care at least once every 6 months and make determinations in five key areas:

- Safety of the child,
- Necessity and appropriateness of placement,
- Case plan compliance,
- Progress toward mitigating the need for foster care, and
- A likely date by which the child may be returned home or placed for adoption or legal guardianship.

The 6-month reviews must be held by a court or a panel of appropriate persons, at least one of who is not responsible for the case management of or the delivery of services to either the child or the parents who are the subject of the review. Additionally, states must hold permanency hearings no later than 12 months after the date the child entered foster care and at least every 12 months thereafter while the child is in foster care. The permanency hearings must be held by a court or court-appointed body. States have three primary options to comply with the federal requirement to provide reviews of children in out-of-home care:

- **Administrative Reviews**—These types of reviews are conducted by staff of the agency responsible for the child’s placement and care.
- **Judicial Reviews**—These types of reviews are conducted by the court.
- **Citizen Reviews**—These types of reviews are conducted by boards made up entirely of volunteers, such as Arizona’s FCRB.

Foster care review process

Most children enter the foster care system through investigations of abuse or neglect. A child enters the foster care system when DES removes him or her from the home. DES is the agency responsible for the placement and care of the child. Parents or guardians may also voluntarily place their children in out-of-home care. After the child is removed from his or her home, the juvenile court determines whether the child should be made a dependent (ward of the court). If the child is made dependent, the child’s DES case manager develops a case plan that is designed to help the child

find a permanent placement, which may include adoption or reunification with his or her family. The judge also assigns the case to FCRB to conduct 6-month reviews.

FCRB local boards review cases and make recommendations to the juvenile court. Local boards typically meet once per month. However, some local boards in small counties meet less frequently. Local boards in larger counties typically hear between 10 and 12 cases during a review meeting. According to FCRB management, review meetings generally last approximately 6 to 7 hours and require about 6 hours of preparation time for each board member. Prior to the review meeting, FCRB local board members review the case plan and other relevant documentation, such as psychological evaluations. During the review meetings, board members take statements from any available interested parties, which may include the child's case manager, biological parents, foster care parents, attorney, and others interested in the child's case. For each review, FCRB local board members answer ten standardized findings (see Figure 1, page 4). Additionally, local boards may make other recommendations regarding the case. FCRB staff then compile the findings and recommendations, along with other information, into a court report.

FCRB reviews out-of-home care cases for children who are under the direct supervision of two divisions within DES—the Division of Children, Youth and Families—Child Protective Services (CPS) and the Division of Developmental Disabilities (DDD). FCRB also reviews cases that are managed by other organizations, such as Catholic Social Services, that contract with DES to provide limited case management services for foster care children. Most of the children FCRB reviews are under CPS' direct care.

Organization and staffing

FCRB is part of the Dependent Children's Services Division of the Arizona Supreme Court, Administrative Office of the Court. In addition to FCRB, the Dependent Children's Services Division administers the Court Appointed Special Advocate (CASA) program, which is a volunteer advocacy program for abused and neglected children in the juvenile court system, and the Court Improvement Project, which was established in 1998 to evaluate and improve dependency case processing in the juvenile courts. As of May 2005, FCRB had 38 FTE positions, including 4 vacancies. FCRB's organizational structure has three main components:

- **FCRB staff (38 FTE positions, including 4 vacancies)**—A majority of FCRB's staff are program specialists who are responsible for scheduling cases for review, facilitating the review meetings, and preparing the case reports. FCRB has 3 supervisor positions, 20 program specialist positions, 10 administrative support positions, 1 IT specialist position, 2 management positions, 1 training coordinator, and 1 outreach specialist who works half-time for FCRB and half-

Figure 1: FCRB 10 Standard Review Findings

1. Reasonable efforts were made to prevent the removal of the children from the home and that continuation therein would be contrary to the welfare of the children.
2. The Board makes a determination that continuation of the child(ren) in out-of-home care placement is necessary.
3. The Board makes a determination that the placement(s) is/are safe, appropriate, and least restrictive.
4. The Board makes a determination that there is an appropriate case plan(s) which outlines tasks for each participant in the case.
5. The Board makes a determination that each case participant is following the tasks outlined in the case plan.
6. The Board makes a determination that progress is being made toward removing the causes necessitating out-of-home placement.
7. In cases other than long-term foster care or independent living, the Board makes a determination that a realistic target date for the completion of the permanency goal is established.
8. The Board recommends that a judicial determination be made that reasonable efforts are being made by the Agency to implement the permanency plan for the child(ren).
9. The child(ren)'s education is being implemented successfully.
10. The Board makes a determination that there are no significant service gaps or system problems in this case.

Source: *FCRB Findings and Determinations Guidebook for Volunteer Members and FCRB Staff.*

time for the CASA program. FCRB has two offices, one in Phoenix and one in Tucson.

- **FCRB local boards (94 boards, 417 volunteers, 53 vacancies)**—A.R.S. §8-515.01 requires the establishment of one local citizen review board for every 100 children in out-of-home care. State-wide, there are a total of 94 local boards. There is at least one board in each of Arizona's 15 counties. Some larger counties, like Maricopa, have more than one board. Volunteers are appointed to a local board after they complete FCRB's application and selection process.

FCRB local board members serve a 3-year term. FCRB local boards have the authority to make recommendations to the juvenile court regarding the efforts and progress made by the child welfare agency toward achieving the goals outlined in the children's case plans. The FCRB boards also make recommendations regarding the treatment and care of the child, including whether additional services are needed. The boards' recommendations are not legally binding and serve only to advise the juvenile court and the child welfare agency on the child's progress toward permanent placement.

FCRB's volunteers have contributed many hours to help ensure that children in foster care receive reviews of their cases. Specifically, according to information provided by FCRB, volunteers donated approximately 120 hours each (over 40,000 hours total) to participate in review boards and another 6,276 hours in training related to their board participation during 2004. Many FCRB volunteers have served on review boards for several years. According to FCRB, 27 percent of board members have served for 5 to 9 years, 8 percent have served for 10 to 20 years, and 2 percent have served for more than 20 years.

- **FCRB State Board (7 state-wide positions, 1 vacancy, 35 local board members)**—In addition to the local boards, A.R.S. §8-515.04 also provides for the FCRB State Board. The State Board serves as an oversight body for the FCRB. The State Board is composed of 7 member positions appointed by the Arizona Supreme Court and had 35 additional members from the local boards as of June 2005. The State Board is responsible for establishing the policies and procedures that govern the local boards, including training requirements for local board members. The State Board also advocates for child and family needs through interaction with legislators and collaborates with entities and stakeholders involved with foster care. A.R.S. §8-515.04(C) requires the State Board to meet no less than twice annually.

Funding

FCRB receives most of its funding from the State General Fund. As shown in Table 1 (see page 6), FCRB received approximately \$1.9 million in General Fund monies during fiscal year 2005. Starting in fiscal year 2004, FCRB also receives additional state monies from the CASA Fund and grant monies from the Juvenile Crime Reduction Fund (JCRF), which is funded by the Criminal Justice Enhancement Fund. Finally, FCRB receives Federal Title IV-E monies from the Arizona Department of Economic Security. In fiscal year 2005, FCRB received approximately \$761,000 in Title IV-E monies. In fiscal year 2005, FCRB received approximately \$233,000 in CASA monies and \$366,000 in JCRF monies, while its General Fund appropriation was approximately \$104,000 less than it had been in fiscal year 2003 before FCRB began receiving these monies.

Table 1: Schedule of Revenues, Expenditures, and Other Changes in Fund Balance
Years Ended June 30, 2003, 2004, and 2005
(Unaudited)

	2003	2004	2005
Revenues:			
State General Fund appropriations	\$2,001,485	\$1,767,105	\$1,897,229
Federal Title IV-E ¹	490,665	588,121	761,429
Court Appointed Special Advocate (CASA) Fund ²		282,643	232,966
Juvenile Crime Reduction Fund (JCRF) ³		<u>30,134</u>	<u>366,465</u>
Total revenues	<u>2,492,150</u>	<u>2,668,003</u>	<u>3,258,089</u>
Expenditures and transfers out: ⁴			
Personal services and employee related	1,634,036	1,849,113	2,057,228
Professional and outside services	25,173	22,752	41,677
Travel	81,129	107,308	108,712
Other operating	388,958	370,179	424,936
Equipment	<u>11,562</u>	<u>4,543</u>	
Total expenditures	2,140,858	2,353,895	2,632,553
Transfers to other Arizona Supreme Court functions ⁵	<u>57,809</u>	<u>140,242</u>	<u>460,451</u>
Total expenditures and transfers	<u>2,198,667</u>	<u>2,494,137</u>	<u>3,093,004</u>
Excess of revenues over (under) expenditures and transfers out	293,483	173,866	165,085
Fund balance, beginning of year	<u>653,253</u>	<u>946,736</u>	<u>1,120,602</u>
Fund balance, end of year ⁶	<u>\$ 946,736</u>	<u>\$1,120,602</u>	<u>\$1,285,687</u>

¹ FCRB has an interagency agreement with DES to receive federal Title IV-E foster care reimbursement monies. Title IV-E monies are provided to DES by the U.S. Department of Health and Human Services to cover a portion of the costs associated with administering the foster care program, including foster care reviews.

² Amount is the portion of CASA fund monies appropriated by the Legislature for board operations.

³ Amount is the portion of JCRF monies that are available for encouraging the design, development, and successful implementation of state-wide, community-based programs for reducing juvenile crime. The JCRF is funded with state Criminal Justice Enhancement Fund monies.

⁴ Includes administrative adjustments from the prior year.

⁵ Amount is the portion of the Title IV-E reimbursements that are used to pay for other Arizona Supreme Court functions, such as the Model Court program.

⁶ Amount is primarily the unspent Title IV-E reimbursements.

Source: Auditor General staff analysis of the financial information prepared by the Arizona Supreme Court for the years ended June 30, 2003, 2004, and 2005.

Scope and methodology

This audit focused on the value the FCRB program adds to the foster care review process and its management of volunteers. This performance audit and sunset review includes two findings, an analysis of the 12 statutory sunset factors, and associated recommendations:

- To improve report effectiveness, FCRB should develop a comprehensive report tracking system, revise its service gap report to ensure that it encompasses relevant service gaps in the child welfare system, provide its volunteers with training on identifying service gaps, and continue its efforts to obtain access to CPS' IT system, CHILDS.
- To further enhance its volunteer management, FCRB should continue its efforts to increase volunteer compliance with training requirements and develop a diversity plan.

- Within the sunset factors, the report recommends that, in accordance with statute, FCRB should provide written notification to the Joint Legislative Budget Committee regarding its retention of Title IV-E monies.

Auditors used a variety of methods to study the issues addressed in the audit, including interviews with FCRB management and staff and a review of applicable state and federal statutes and regulations, and FCRB policies and procedures. To perform more specific audit steps, auditors used the following methods:

- To evaluate the value that FCRB adds to the child welfare system, auditors conducted an online survey of 57 juvenile court judges and commissioners regarding the quality and timeliness of its reports and recommendations. The survey had a 63 percent response rate. Auditors took steps to provide reasonable assurance that the survey encompassed all juvenile court judges and commissioners in the State who heard dependency cases as of February 2005 (see Appendix, pages a-iii through a-v).¹ Auditors also interviewed officials from DES—Administration for Children, Youth and Families; the Department of Health Services, Division of Behavioral Health Services; and the Governor’s Office.
- To evaluate FCRB’s volunteer management practices, auditors interviewed FCRB volunteers, reviewed the FCRB volunteer training report for calendar year 2004, and conducted a review of studies and books on volunteer management.²⁻⁵ Finally, auditors interviewed officials from New Mexico, New Jersey, Oregon, and South Carolina to determine how these states manage their volunteer training programs. Auditors selected these states because they have similar populations or were among the first few states to establish a citizen foster care review system.
- To develop the Introduction and Background section, auditors compiled unaudited information from state and federal laws and regulations, the FCRB policies and procedures manual, revenue and expenditure information provided by the Administrative Office of the Courts from its financial management

¹ Dependency cases include children who are in need of proper and effective parental care and control and have no parent or guardian, or whose homes are “unfit” by reason of abuse, neglect, cruelty, or depravity by a parent, guardian, or other persons having care or custody of the child.

² McCurley, Steve, and Rick Lynch. *Essential Volunteer Management*. Downers Grove, IL: The Volunteer Management Series of VMSystems, 1989.

³ U.S. Department of Health and Human Services, Head Start Bureau. *A Handbook for Volunteer Coordinators in Head Start*. Washington, D.C.: DHHS, Jan. 1990.

⁴ McCurley, Steve. *Volunteer Management Policies*. Downers Grove, IL: The Volunteer Management Series of VMSystems, 1990.

⁵ McCurley, Steve. *Recruiting and Retaining Volunteers: Jossey-Bass Handbook of Nonprofit Leadership and Management*. San Francisco: Jossey-Bass, 1994.

accounting system, and other information provided by FCRB. Auditors also observed three court dependency hearings.

The audit was conducted in accordance with government auditing standards.

The Auditor General and staff express appreciation to the FCRB board members, management, and staff for their cooperation and assistance throughout this audit.

FINDING 1

FCRB adds value, but can improve report effectiveness

Most juvenile court judges and commissioners who responded to the Auditor General's survey stated that FCRB adds value to the child welfare system. FCRB local boards are required to provide reports to the juvenile court that detail the results of the reviews and any recommendations to help the child find a permanent placement. Two aspects of these reports, however, can be improved. First, FCRB currently has no comprehensive system for monitoring report timeliness and should develop one. Second, although FCRB volunteers check for service gaps for the children they review, their reports do not disclose the full extent of service gaps that exist. FCRB should obtain input from stakeholders on the types of service gaps that should be reported and provide training to volunteers on how to identify all the gaps that may exist.

Most survey respondents indicate FCRB adds value

Most of the juvenile court judges and commissioners who participated in an auditors' survey reported that FCRB adds value to the foster care review process. Auditors surveyed 57 juvenile court judges and commissioners throughout the State to solicit their input. Auditors took steps to provide reasonable assurance that the survey encompassed all juvenile court judges and commissioners in the State who heard dependency cases as of February 2005. Thirty-six persons responded to the survey for a 63 percent response rate (see Appendix, pages a-iii through a-v). The survey respondents represented all 15 counties in Arizona. A majority of the survey respondents reported that FCRB adds value to the foster care review process. Specifically, 29 of the respondents listed in their written comments one or more positive factors that FCRB adds to the foster care review process. For example, one respondent stated, "I like to have the objective view provided by the Board. It is another good piece of information to use in arriving in a fair, just, and equitable decision for each case, keeping in mind the best interest of children."

Twenty-nine respondents indicated that FCRB adds value to the foster care review process.

Guardian ad Litem (GAL)—A person with formal legal training appointed by a judge to represent the best interests of an allegedly abused or neglected child.

Most respondents also reported that FCRB recommendations are reasonable and its reports are generally accurate. Specifically, 28 respondents reported that FCRB recommendations were reasonable for 76 to 99 percent of their cases, and 2 respondents reported that the recommendations were reasonable for 100 percent of their cases. Most respondents also indicated that FCRB reports were accurate and complete for 76 to 99 percent of their cases. In addition, although most respondents indicated that FCRB made different or additional recommendations from the case plan in only 1 to 25 percent of their cases, nearly all stated that those recommendations were generally appropriate. For example, one respondent stated, “Usually, when there is a difference, FCRB is recommending that a more permanent plan can be achieved over long-term foster care. At the Report and Reviews, I usually, but not always, tend to agree with the case plan. However, I do not mind contrasting points of view at all, because I will scrutinize matters and question the GALs and case managers more closely if FCRB does not agree with the case plan.” Although most judges who responded to the survey believe that FCRB adds value, three respondents reported in their written comments that FCRB does not add value to the foster care review process. For example, one judge indicated that FCRB resources would be better used elsewhere.

FCRB can improve value by ensuring timely reporting

Survey responses and an auditor review of FCRB internal reports indicate that FCRB can improve report effectiveness by ensuring that the reports are provided to the courts in a timely manner. FCRB local boards are required to provide reports to the juvenile court that detail the results of its reviews and any recommendations to help the child find a permanent placement. The judge, in turn, is required to address FCRB recommendations on the court record. Although most survey respondents indicated that they received FCRB reports in enough time for the court hearing for 76 to 99 percent of their cases, 11 survey respondents reported that they received FCRB’s reports in enough time for 75 percent or less of their cases. Further, in a related survey question, only about half (19) of the respondents said the information in FCRB case reports was current for more than 75 percent of their cases. Fourteen respondents reported that the information was current for only 51 to 75 percent of their cases, and 3 reported that it was current for 50 percent or less of their cases.

According to FCRB management, an initial FCRB review is scheduled 5 months after the child is first removed from his/her home and every 6 months thereafter to ensure that the reports are submitted in time for the court hearings. This places the review 30 days before the required 6-month court review, which coincides with the A.R.S. §8-515.03 requirement that FCRB local boards provide reports to the juvenile court within 30 days following the reviews. Currently, supervisors in its Phoenix and Tucson offices use separate informal systems to track the dates of board review meetings and the mailing dates of the reports associated with the meetings. However, they do

not track the number of days that have elapsed from the review date. Specifically, the offices record the date a board met and reviewed a group of cases and the subsequent date the associated reports were mailed to the courts. Although FCRB tracks the review date and mailing date, they are unable to determine from the systems how many days have elapsed from the review date and cannot use the systems to alert supervisors when case reports are nearing the 30-day deadline. Auditors compiled and analyzed FCRB data for review reports that were mailed to the courts from March 2004 through February 2005. The analysis found that reports for 104 of the 596 review meetings were mailed to the courts 35 days or more past the FCRB review date, meaning the reports may have arrived too late for use in the court hearings for all the cases in those reviews. In one instance, the review reports from one board meeting were not provided to the court until 111 days after the FCRB review. According to FCRB management, several former employees' performance issues contributed to the late reports.

The lack of a comprehensive tracking system makes it more difficult to know if reports are arriving late, and if so, the reasons for the delays. Therefore, to improve its effectiveness, FCRB should develop a comprehensive tracking system to help ensure that its reports are submitted to the courts within the required 30 days. At a minimum, the system should track the review date, the date mailed for the reports, and the number of days that have elapsed from the review date to help monitor and prioritize reports that are close to the 30-day deadline. To help further enhance the effectiveness of its reports, FCRB should also consider exploring the possibility of using its existing data to track the next upcoming court hearing for each case.

FCRB should improve reporting of service gaps in the child welfare system

In response to the Governor's 2003 child protective services action plan, FCRB began reporting information on service gaps in the child welfare system. However, FCRB should take steps to improve its service gap reports. Specifically, FCRB should better identify service gaps by training volunteers to ask detailed questions and by obtaining access to necessary information. In addition, FCRB should improve the usefulness of its reports by ensuring that they encompass all relevant services and clearly differentiate gaps in services to children from gaps related to DES' failure to participate in the review process.

FCRB reports service gaps in the child welfare system—FCRB developed a service gap report in response to the Governor's 2003 Child Protective Services Reform Action Plan, which called for communication between FCRB and CPS regarding service gaps in the child welfare system. In 2004, FCRB implemented a requirement for local boards to identify and report service gaps, and developed a

The Governor's 2003 CPS Action Plan called for improved communication regarding service gaps.

report to compile this information to identify service gaps in the child welfare system. According to FCRB management, the report was developed in collaboration with CPS and FCRB intended to review the report's format and make needed revisions after using it for a year. FCRB reports its service gap findings to DES, Department of Health Services' Division of Behavioral Health Services (BHS), and the Governor's Office. As shown in Figure 2 (see page 13), FCRB local boards reviewed 6,054 cases from July 1, 2004 through June 30, 2005. Of the total cases reviewed during that period, FCRB local boards identified service gaps in 1,623, or 26.8 percent, of their cases. According to FCRB's report, local boards identified 3,798 instances of service gaps related to the 1,623 cases. One child can have multiple service gaps.

However, the highest instances of service gaps shown in the FCRB report pertain to DES' participation in the FCRB process, with relatively few gaps related to services needed by children in out-of-home care. Specifically, the highest instances of FCRB-reported service gaps are related to the case managers not providing their case report in time for the FCRB review, or case managers not attending the review. As shown in Figure 2 (see page 13), FCRB reported that it did not receive case reports in about 1,677 instances, and case managers did not attend the reviews in about 617 instances for cases reviewed during the period of July 2004 through June 2005. FCRB also reports on services the foster child needs but is not receiving, such as behavioral health services or case manager visits. For example, as shown in Figure 2 (see page 13), FCRB reports on various aspects of behavioral health services, such as whether the recommended treatment services are currently available.

FCRB reports do not fully reflect service gaps in the child welfare system—The results of the auditors' survey and a review of available information regarding services for children in out-of-home care indicate that FCRB reports do not adequately reflect service gaps in the child welfare system. Specifically:

- Most survey respondents reported that service gaps existed in 26 to 50 percent of their cases.
- Information from other sources indicates FCRB under-reports two specific types of service gaps to children. Specifically, reports CPS prepared indicate a higher percentage of children not receiving monthly visits from case managers than shown on the FCRB report, and a BHS official stated that the FCRB report under-reports gaps in behavioral health system services.
- FCRB service gap reports do not include information on all relevant services. For example, FCRB service gap reports do not include information related to the children's education. Three child welfare officials interviewed by auditors indicated that service gap information related to education is important. Although FCRB reports this information to judges separately on a case-by-case basis, that information is not included on the service gap report to make it readily available to other stakeholders.

Figure 2: Example of FCRB Report on Service Gaps

Significant Service Gaps Found for Children Reviewed by the Arizona
Foster Care Review Board

Statewide Summary

Date Range:
7/1/2004 thru 6/30/2005

Total Cases Reviewed During the Date Range: 6,054
Total Cases Reviewed On Which Significant Service Gaps Were Found: 1,623
Percent of Cases with Significant Service Gaps: 26.8%

0.4%	25	The Agency has not submitted the referral to the RBHA.
1.3%	79	Agency staffing problems are impeding service provisions.
3.9%	237	Changes in case manager(s) is impeding service provisions.
27.7%	1,677	The Agency is not in compliance with submitting its required progress reports and/or case plans to the FCRB.
2.0%	121	The child has not been visited by the case manager on at least a monthly basis.
0.7%	43	Visits between the child(ren) and parents/siblings have not been facilitated by the case manager
10.2%	617	The case manager did not appear either in-person or telephonically at the FCRB.
0.4%	24	The child is age 14 and there are no tasks/services in the case plan which will facilitate his/her transition into a case plan goal of independent living.
0.3%	20	The youth's independent living needs are not being adequately met.
0.7%	41	The child(ren)'s medical and/or dental care/coverage has not been adequately arranged.
0.7%	40	The RBHA has denied the requested service(s).
4.0%	240	The RBHA is not providing the required services.
3.8%	233	The child's therapeutic needs are not being met through the services the RBHA is providing.
3.8%	228	The recommended treatment services(s) is not adequately available.
1.0%	58	A waiting list for counseling is inhibiting service delivery.
0.1%	6	Residential Substance Abuse treatment is not adequately available.
0.0%	1	Out-Patient Substance Abuse treatment is not adequately available.
0.7%	42	The parent is incarcerated and the recommended services are not being provided.
0.3%	20	The child is in detention or in the custody of the ADJC, and the recommended services are not being provided.
0.3%	17	The child is dually-adjudicated and the recommended services are not being coordinated and/or provided.
0.5%	29	A waiting list is inhibiting an appropriate placement.
3,798		Total Instances of Significant Service Gaps, Statewide

The numbers represented here are the number of times that Significant Service Gaps were found and the percent of those gaps in relation to the total cases reviewed. They do not represent the number of children that the service gaps apply to. Instances of significant service gaps can be found more than once per child. (i.e. Turn over in case management and lack of placement can both be applied to the same child.)

Information from DES could help FCRB local boards better identify service gaps. For example, DES case plans often include detailed information about needed services for the child and his/her family. However, FCRB does not always receive these plans from case managers. As shown in Figure 2 (see page 13), FCRB reports instances in which it did not have the case plan or the case manager did not attend the review meeting. In these cases, it may be difficult for the local board to determine if service gaps exist because they did not have the case plans or could not interview the case manager. Although FCRB has a written agreement with DES to access CPS' CHILDS case management computer system, which contains information regarding the case plans and needed services, FCRB management reports that its staff are currently unable to access CHILDS. According to FCRB management, FCRB and CPS are working to provide FCRB access to CHILDS by end of summer 2005.

FCRB can take steps to improve its reporting of service gaps—To help ensure that its local boards accurately identify service gaps, FCRB can take steps to help improve its identification and reporting of service gaps. First, FCRB should

consider suggestions made by survey respondents for improving its identification of service gaps (see text box). Second, FCRB should continue its efforts to obtain access to CHILDS to ensure that its staff are able to access information on case plans that are otherwise unavailable. According to FCRB management, volunteers have not yet received comprehensive training on how to identify and report service gaps. It should develop training that could include the survey respondents' suggestions and also inform volunteers about using available resources, such as the case plans, to help ensure they accurately identify service gaps to children in out-of-home care.

FCRB should also revise its service gap report to ensure that it clearly reports relevant gaps in the child welfare system. For example, it should ensure that its report encompasses service gaps related to education. To help identify additional types of service gaps to include in its report, FCRB should obtain input from other stakeholders, such as BHS. Finally, to communicate more clearly to stakeholders, FCRB should clearly differentiate between service gaps related to DES' failure to participate in the review process and actual service gaps related to children in out-of-home care, such as the availability of behavioral health services.

Judges' Suggestions for Improving FCRB Service Gap Reporting

- FCRB local boards should ask the case managers detailed questions regarding when the request for the service was submitted, the follow-up process for the requested service, and why needed services were not requested.
- FCRB local boards should be more aware of the services that are available locally and state-wide.
- FCRB local boards should be familiar with the various systems, and ask the entities in the cases what's missing or not being provided.

Recommendations:

1. FCRB should develop a comprehensive tracking system and monitor it to help ensure that its reports are submitted to the courts within 30 days from the review. At a minimum, the system should track the number of days that have elapsed from the review date and should clearly identify reports that are close to the 30-day deadline. To help further enhance the effectiveness of its reports, FCRB should also consider exploring the possibility of using its existing data to track the next upcoming court hearing for each case.
2. To help ensure that local boards better identify service gaps, FCRB should:
 - a. Provide training to its volunteers regarding the identification and reporting of service gaps in the child welfare system. This training could include information about the types of services that are available locally and state-wide, and instruction on using available resources, such as the case plans.
 - b. Continue its efforts to obtain access to CPS' case management system to ensure that its staff can access case plans that are otherwise unavailable, and to help ensure that local boards better identify service gaps.
3. FCRB should revise its service gap report and obtain input from other stakeholders, such as the Department of Health Services' Division of Behavioral Health Services, to help ensure that it encompasses relevant service gaps in the child welfare system, such as service gaps related to education.
4. When reporting service gaps, FCRB should clearly differentiate between service gaps related to DES' failure to participate in the review process and actual service gaps related to children in out-of-home care, such as the availability of behavioral health services.

FINDING 2

FCRB can further enhance its volunteer management

Although FCRB has the components of an effective volunteer management system, it can further enhance training compliance and diversity. Specifically, FCRB should continue its efforts to improve compliance with its training and develop a diversity plan to help further its efforts to effectively recruit volunteers.

FCRB has key elements to manage volunteers

Experts in the field of volunteer management offer suggestions for an effective volunteer management system that can be categorized into five basic areas. FCRB has components of each of these following areas:

- **Selection process**—Organizations should have a process to screen and select potential volunteers. FCRB has established such a process. Potential volunteers must submit an application that includes general questions regarding their occupation, education, affiliations, life experience, and availability. Applicants must also sign a “Pre-Screening Criteria” form that includes information regarding time commitments, attendance, confidentiality, and training requirements. After applicants complete the application process, including a background check, their names and information are sent to the presiding court judge, who then decides whether to appoint the volunteers to local boards.
- **Define roles and responsibilities**—Organizations should clearly define volunteers’ roles and responsibilities. FCRB has a volunteer manual that includes detailed information regarding the roles and responsibilities of its volunteers. The manual also includes information regarding state and federal foster care review laws, FCRB training and attendance requirements, and a step-by-step description of the foster care review process.

- **Training**—Organizations should have a volunteer training program that includes both initial and ongoing training. FCRB has a volunteer training program that includes an initial orientation training session and ongoing annual training requirements. New volunteers are required to attend a 2-day orientation within 90 days of their appointment. This orientation covers several topics related to foster care review and the child welfare system, such as CPS' intake process, protocol and demeanor, the review process, and how to write effective recommendations to the court. Volunteers are required to complete 6 hours of continuing education annually, or 8 hours if FCRB sponsors a training conference during the year.
- **Evaluation**—Organizations should have a system in place to periodically evaluate volunteers and provide feedback. FCRB uses several methods to evaluate its volunteers. Specifically, according to FCRB management, program specialists use assessment tools to periodically evaluate their boards and address performance issues with board members. In addition, FCRB program specialists continually monitor volunteers at the review meetings and forward the names of volunteers who do not consistently meet the attendance requirements to judges for possible dismissal. Finally, FCRB worked with a local community college to conduct a survey of all parties who attended a FCRB review meeting from April 2004 through October 2004. The survey's purpose was to assess the local boards' strengths and weaknesses. FCRB received the survey results in August 2005 and as of September 2005 was making plans to share the results with board members.
- **Recruiting**—Organizations should ensure that recruiting efforts are effective and help ensure a diverse volunteer population. FCRB uses a variety of recruiting methods to help ensure that it has an adequate number of volunteers. For example, FCRB uses newspapers and radio announcements to raise awareness and recruit volunteers. FCRB staff also attend community events including fairs, forums, and town meetings. Additionally, in 2004, FCRB developed a recruitment plan, which includes tasks for developing media campaigns and recruiting graduate students from universities. As discussed in the next section, FCRB can further enhance its efforts to ensure that its volunteers are diverse.

FCRB can improve training compliance and diversity

Although FCRB has the elements of an effective volunteer management system, it should continue to monitor training compliance and further enhance its efforts to help ensure that its volunteers are adequately diverse. According to a strategic planning report, only 33 percent of its volunteers met the annual training requirements in 2002. To help ensure that volunteers more consistently meet training requirements, FCRB

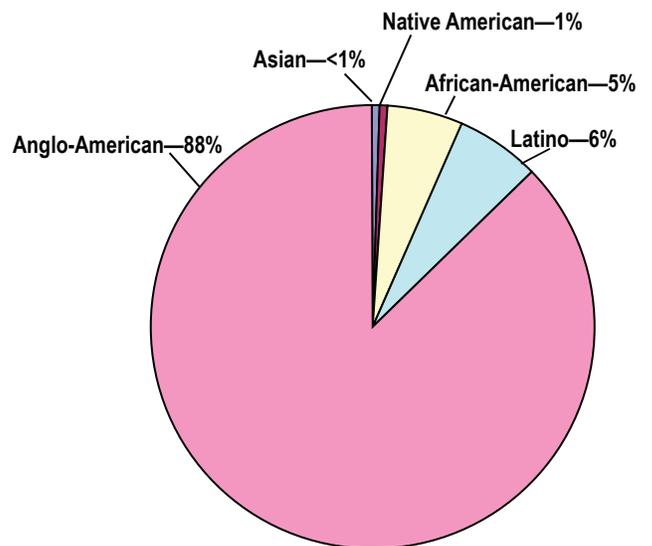
established a process to send letters to volunteers each year indicating the number of training hours needed to comply with FCRB requirements for the calendar year and held training sessions at board meetings to provide training on specific topics, such as protocol and demeanor at review meetings, the judicial system, and CPS policies. FCRB data indicates that 77 percent of volunteers met the annual training requirements in 2004. The increase in volunteer compliance between 2002 and 2004 suggests these efforts have had an impact. However, given that 23 percent of the volunteers still did not obtain the required training, FCRB should continue to emphasize and monitor efforts in this area.

In 2004, 77 percent of volunteers met the annual training requirements.

In addition to monitoring training compliance, FCRB should develop a diversity plan to enhance its recruiting efforts. A.R.S. §8-515.01 requires that members of each local board represent, to the extent possible, the demographics of the county in which they serve. As shown in Figure 3, most FCRB volunteers are Anglo-American. In addition, FCRB records show that nearly two-thirds are over 50 years old, and about one-third are retired.

Experts on volunteer management recommend that organizations take steps to ensure volunteer diversity. For example, one book on volunteer recruitment recommends that organizations distribute their brochures to corporate volunteer programs, libraries, post offices, and job counseling offices.¹ Another book on volunteer diversity recommends that organizations should contact culturally diverse organizations and arrange for referrals or presentations to help raise awareness and recruit new volunteers.² FCRB uses similar recruiting methods to help ensure that it has an adequate number of qualified volunteers who represent the demographics of the community. For example, FCRB has included tasks in its recruiting plan for distributing its brochures to libraries, churches, and jury assembly rooms. Additionally, FCRB staff conduct presentations at various diverse organizations including churches, rotary groups, universities and colleges, and Hispanic organizations. To help ensure that its recruiting efforts are effective, FCRB should establish a diversity plan. The plan should include a clear policy statement that communicates the FCRB commitment

Figure 3: Volunteer Demographics As of June 2005



Source: Auditor General staff analysis of *Foster Care Review Board Demographic Report*, June 15, 2005.

¹ McCurley, Steve and Sue Vineyard. *101 Tips for Volunteer Recruitment*. Downers Grove, IL: Heritage Arts Publishing, 1988.

² McCurley, Steve and Sue Vineyard. *Managing Volunteer Diversity: A Rainbow of Opportunities*. Downers Grove, IL: Heritage Arts Publishing, 1992.

to diversity and the most current demographic data for Arizona's major regions to help ensure that the recruiting efforts are appropriately targeted.

Recommendations:

1. FCRB should continue its efforts to ensure that volunteers meet training requirements, such as monitoring volunteer compliance and notifying volunteers who have not met the annual requirement.
2. FCRB should establish a diversity plan to help ensure that its recruiting efforts are effective. The plan should include a clear policy statement that communicates the FCRB commitment to diversity and the most current demographic data for Arizona's major regions to help ensure that the recruiting efforts are appropriately targeted.

SUNSET FACTORS

In accordance with A.R.S. §41-2954, the Legislature should consider the following 12 factors in determining whether the Foster Care Review Board (FCRB) should be continued or terminated.

1. Objective and purpose in establishing FCRB.

The Legislature established the Arizona Foster Care Review Board in 1978 in response to concerns that Arizona's foster children were being "lost" in out-of-home care and staying too long in temporary placements. The primary role of FCRB is to advise the juvenile court by reviewing cases of children who have been placed in out-of-home care by the Department of Economic Security at least once every 6 months, in accordance with A.R.S. §8-515.03. The purposes of these reviews are to:

- Determine and advise the juvenile court of the adequacy of the efforts and progress made toward placement of the child in a permanent home;
- Encourage and facilitate the return of each dependent child to his/her family whenever possible; and
- Assist in informing parents and others of their rights and responsibilities regarding a dependent child in foster care.

2. The effectiveness with which FCRB has met its objectives and purposes and the efficiency with which the FCRB has operated.

Through FCRB and court reviews, Arizona meets federal requirements to establish a review system for children in out-of-home care. However, the extent to which FCRB has affected the stability and quality of care for children in out-of-home care cannot be easily measured because FCRB acts only in an advisory role to the court and is one small piece of the child welfare system.

An auditors' survey of juvenile court judges and commissioners indicates that most of the survey respondents (29 out of 36) believe that FCRB adds value to the foster care review process (see Finding 1, page 9). However, this audit found that FCRB should improve the timeliness of its reports to the juvenile court and its reporting of service gaps in the child welfare system (see Finding 1, page 10). Additionally, FCRB can improve management of its volunteers by continuing its efforts to increase volunteer compliance with training requirements and developing a diversity plan (see Finding 2, page 18).

3. The extent to which FCRB has operated within the public interest.

FCRB operates within the public interest by conducting citizen reviews of children in out-of-home care, but should improve compliance with requirements in one area. FCRB reported that over 400 volunteers across the State conducted reviews of 7,931 children during 2004. The FCRB local boards provide information, observations, and recommendations to the juvenile court judges to help inform their decisions regarding children in out-of-home care.

However, FCRB should comply with a state law that requires it to notify the Joint Legislative Budget Committee of its retention of federal Title IV-E reimbursement monies that it receives from DES to cover costs associated with reviewing children in out-of-home care. A.R.S. §35-142.01 requires state budget units to either deposit federal reimbursement monies in the State General Fund or notify JLBC of federal reimbursement monies. While FCRB is not required to deposit its Title IV-E reimbursements, it should notify JLBC about them. According to FCRB management, the annual budget request reflects Title IV-E monies. However, FCRB has not notified JLBC of its balance of \$1.2 million in unused Title IV-E monies it has accumulated since 1999. According to FCRB management, some of these monies have been set aside for automation projects. FCRB should provide annual written notification to JLBC regarding its retention of Title IV-E monies.

4. The extent to which rules adopted by FCRB are consistent with the legislative mandate.

FCRB rules are promulgated in accordance with Arizona Supreme Court Rules of Procedure and are consistent with legislative mandate.

FCRB should notify the JLBC of its retention of federal monies.

5. **The extent to which FCRB has encouraged input from the public before adopting its rules and the extent to which it has informed the public as to its actions and their expected impact on the public.**

As a program of the Arizona Supreme Court, FCRB is not covered by the Administrative Procedures Act. FCRB has not promulgated new rules since 1980. However, according to FCRB management, FCRB rule changes are adopted by the court after the opportunity for public comment, as provided for by the Rules of the Supreme Court.

In addition, although FCRB is not required to comply with the State's open meeting law, FCRB management reports that FCRB informs the public of its actions through public service announcements, speaking engagements, and a quarterly newsletter.

6. **The extent to which FCRB has been able to investigate and resolve complaints that are within its jurisdiction.**

This factor does not apply because the FCRB has no statutory authority to investigate and resolve complaints.

7. **The extent to which the Attorney General or any other applicable agency of the state government has the authority to prosecute actions under the enabling legislation.**

This factor does not apply because the FCRB enabling legislation does not establish any authority that would require prosecuting actions.

8. **The extent to which FCRB has addressed deficiencies in the enabling statutes which prevent it from fulfilling its statutory mandate.**

Auditors did not identify any deficiencies in the FCRB statutes that prevent it from fulfilling its statutory mandate. FCRB has not proposed or sought the introduction of any legislation within the past 5 years, nor does it have any plans to propose legislation during the 2006 legislative session.

9. **The extent to which changes are necessary in FCRB laws to adequately comply with the factors listed in the sunset laws.**

Auditors did not identify any needed changes to FCRB statutes. Additionally, FCRB management did not identify any legislative changes that are needed to comply with the factors listed in the sunset laws.

10. The extent to which the termination of FCRB would significantly harm the public health, safety, or welfare.

Terminating the FCRB would end the citizen review component of Arizona's foster care review system. If FCRB were terminated, to comply with federal law, the State would have to rely solely on the courts to conduct judicial reviews or establish a panel of appropriate persons. For example, the Department of Economic Security (DES) could conduct the reviews. However, DES reviews would essentially be internal reviews of itself because DES is the agency responsible for the child's placement and care.

11. The extent to which the level of regulation exercised by FCRB is appropriate and whether less or more stringent levels of regulation would be appropriate.

This factor does not apply because FCRB has no regulatory authority.

12. The extent to which FCRB has used private contractors in the performance of its duties and how effective use of private contractors could be accomplished.

FCRB uses private contractors for interpreting services and report translation for reviews of children in out-of-home care. FCRB has also hired individual contractors to provide training services to its staff and volunteers. Additionally, FCRB has contracted with temporary service agencies to hire former employees who are willing to assist during periods of staff turnover. This audit did not identify any additional opportunities for FCRB to use private contractors.

APPENDIX

Appendix

SURVEY RESULTS

One important FCRB function is to provide recommendations to the juvenile courts regarding children in out-of-home care. To help assess the value FCRB adds to the child welfare system, auditors conducted an online survey of juvenile court judges and commissioners throughout Arizona. At the audit team's request, FCRB provided a list of all juvenile court judges and commissioners who heard dependency cases as of February 2005. Auditors took steps to confirm the list's accuracy and completeness. The total number of valid potential survey participants was 57.

There were 36 valid responses to the survey. The judges and commissioners who participated in the survey represented all 15 counties in Arizona. The survey questions covered a wide range of topics related to FCRB reports and recommendations. Specifically, the questions focused on the quality, usefulness, and relevance of FCRB's reports and recommendations. A summary of the survey results follows:

SURVEY RESULTS SUMMARY

Potential Survey Participants 57	Valid Surveys Completed 36			Response Rate 63%		
<i>Thinking about only your dependency cases in the last 2 years, in about what percent of cases:</i>	0%	1-25%	26-50%	51-75%	76-99%	100%
1. were FCRB reports <i>submitted in enough time</i> to allow you to review the reports prior to the court hearing?	-	1	1	9	24	1
2. where you received a FCRB report in time for the dependency hearing did you consider any information in the FCRB reports when making a decision?	-	6	3	5	10	12
3. was the information in the FCRB reports <i>current</i> ?	-	1	2	14	17	2
4. was the information in the FCRB reports <i>complete</i> ?	-	1	5	4	24	2
5. was the information in the FCRB reports <i>accurate</i> ?	-	-	1	7	26	2

Appendix (cont'd)

6. Your comments are important to us. In your opinion, what can FCRB do to improve the timeliness, completeness, and accuracy of its reports?

There were 25 responses to this question.

7. Below are the main components of a typical FCRB report. Please rank in order of usefulness from 1 to 5 the following components of the FCRB report (1 being the most useful and 5 being the least useful):

- Background information ("Review/Child Information")
- 10 standard questions about the case ("Findings")
- Statements from the interested parties ("According To")
- FCRB Observations and Concerns ("Observations/Concerns")
- FCRB recommendations ("Review Board Recommendations")

8. Consider the section of the report that you ranked #1 (most useful). Why do you believe this section of the report is the most useful?

There were 34 responses to this question.

9. Consider the section of the report that you ranked #5 (least useful). Why do you believe this section of the report is the least useful?

There were 34 responses to this question.

10. Are there any steps that FCRB can take to improve the usefulness of its reports?

There were 21 responses with suggestions.

<i>Thinking about only your dependency cases in the last 2 years, in about what percent of cases:</i>	0%	1-25%	26-50%	51-75%	76-99%	100%
11. would you describe the FCRB report recommendations as reasonable?	-	-	-	6	28	2
12. did you make a decision that incorporated any of the recommendations in the FCRB reports? If you are not sure, please estimate.	-	6	4	9	17	-

13. What steps can FCRB take to make its recommendations more helpful to you when you make your decisions?

There were 14 valid responses to this question.

<i>Thinking about only your dependency cases in the last 2 years, in about what percent of cases:</i>	0%	1-25%	26-50%	51-75%	76-99%	100%
14. did the FCRB reports have recommendations that <i>differed</i> from the case plan? For example, the FCRB recommended adoption for the child, but the case plan specified that the child should be returned to his/her family.	1	29	5	-	1	-

Appendix (concl'd)

<p>15. Please consider cases for which the FCRB report recommendations differed from the case plan. In your opinion, were those recommendations generally appropriate? Please explain or give examples.</p> <p>There were 30 responses to this question.</p>						
<p><i>Thinking about only your dependency cases in the last 2 years, in about what percent of cases:</i></p>						
	0%	1-25%	26-50%	51-75%	76-99%	100%
<p>16. did the FCRB reports identify <i>additional</i> recommendations that were not part of the case plan? For example, the FCRB recommended that the child receive counseling services that were <i>not</i> specified in the child's case plan.</p>	-	25	7	3	1	
<p>17. Please consider the cases for which the FCRB reports identified additional recommendations that were not in the case plan. In your opinion, were those recommendations generally appropriate?</p> <p>There were 30 responses to this question.</p>						
<p>18. In your opinion, what can FCRB do to improve the quality and effectiveness of its recommendations?</p> <p>There were 19 responses to this question.</p> <p style="text-align: center;">-</p>						
<p><i>Thinking about only your dependency cases in the last 2 years, in about what percent of cases:</i></p>						
	0%	1-25%	26-50%	51-75%	76-99%	100%
<p>19. do you believe had service gaps? For example, substance abuse treatment was not adequately available.</p>	1	-	24	8	3	-
<p>20. When service gaps were evident, in about how many cases did FCRB accurately identify the service gaps?</p>	1	8	11	6	10	-
<p>21. In your opinion, what steps can FCRB take to ensure its reports accurately identify service gaps?</p> <p>There were 15 valid responses to this question.</p>						
<p>22. In your opinion, what value – if any – does FCRB add to the foster care review process? Please explain.</p> <p>There were 31 responses to this question.</p>						
<p>23. Do you have any additional comments or suggestions regarding the FCRB that you would like us to consider?</p> <p>There were 11 valid responses to this question.</p>						

AGENCY RESPONSE

September 15, 2005

Ms. Debra K. Davenport, Auditor General
Office of the Auditor General
2910 North 44th Street, Suite 410
Phoenix, Arizona 85018

Dear Ms. Davenport:

Enclosed you will find our response to the recommendations found in your second draft of the performance audit completed on the Foster Care Review Board Program.

Again, we appreciate the cooperation of your staff throughout the performance audit process.

Sincerely,

David K. Byers, Administrative Director
Administrative Office of the Courts

Enclosure

cc: Shan Hayes, Performance Audit Manager
Bill Stanton, Division Director, DCSD
Caroline Lantt-Owens, Program Manager, FCRB

**Administrative Office of the Courts
Foster Care Review Board
Sunset Review Final Report
Response to Auditor General Recommendations**

Finding 1

1. FCRB should develop a comprehensive tracking system and monitor it to help ensure that its reports are submitted to the courts within 30 days from the review. At a minimum, the system should track the number of days that have elapsed from the review date and should clearly identify reports that are close to the 30-day deadline. To help further enhance the effectiveness of its reports, FCRB should also consider exploring the possibility of using its existing data to track the next upcoming court hearing for each case.

The finding of the Auditor General is agreed to and the audit recommendation will be implemented. The FCRB will review its Recommendation Report Tracking Systems, as well as its automated system to determine if there is a less cumbersome and more efficient tracking method that calculates the numbers of days that have elapsed from the review date. The program will also continue its efforts in synchronizing its reviews with court hearings.

2. To help ensure that local boards better identify service gaps, FCRB should:
 - a. Provide training to its volunteers regarding the identification and reporting of service gaps in the child welfare system. This training could include information about the types of services that are available locally and statewide, and instruction on using available resources, such as the case plans.

The finding of the Auditor General is agreed to and the audit recommendation will be implemented. Although many reports and documentations are used by the FCRB volunteers when reviewing a case and identifying service gaps, the case plan is perhaps one of the most essential resources for the FCRB. The essence of a FCRB volunteer's job is to identify service gaps and system problems and make appropriate recommendations based upon their findings. However, the FCRB is committed to providing volunteers with ongoing training and will expand its training dealing with identifying service gaps and system problems when its Finding 10 and subsequent Service Gaps and System Problems report is revised.

- b. Continue its efforts to obtain access to CPS' case management system to ensure that its staff can access case plans that are otherwise unavailable, and to help ensure that local boards better identify service gaps.

The finding of the Auditor General is agreed to and the audit recommendation will be implemented. It is the responsibility of CPS to provide information to the FCRB. The FCRB has provided several ways in which this information can be submitted (fax, email or hard copy). The FCRB has continued its efforts to obtain access to CPS's case management system and hopes to have this completed shortly. It is still unknown if this access will rectify the problem, but FCRB will continue exploring, with CPS, ways in which it can simplify the transfer of information so that CPS can more easily meet its responsibility.

3. FCRB should revise its service gap report and obtain input from other stakeholders, such as the Department of Health Services' Division of Behavioral Health Services, to help ensure that it encompasses relevant service gaps in the child welfare system, such as service gaps related to education.

The finding of the auditor general is agreed to and the audit recommendation will be implemented. The service gap report was created approximately one year ago with the intention of having the stakeholders and volunteer representatives reconvene to discuss possible needed modifications. The first meeting to address needed modifications was held in late August.

4. When reporting service gaps, FCRB should clearly differentiate between service gaps related to DES' failure to participate in the review process and actual service gaps related to children in out-of-home care, such as the availability of behavioral health services.

The finding of the auditor general is agreed to and will be implemented. The Governor's Action Plan for Child Welfare Reform called for the reporting of service gaps and system problems. The FCRB is committed to fulfilling this charge and will continue to modify its report to ensure a report that is as beneficial to stakeholders as possible.

Finding 2

1. FCRB should continue its efforts to ensure that volunteers meet training requirements, such as monitoring volunteer compliance and notifying volunteers who have not met the annual requirement.

The finding of the auditor general is agreed to and the audit recommendation will be implemented. The FCRB volunteers dedicate a great deal of time to the review

process. Not only do they dedicate one full day a month to serve on a board, but also spend many hours preparing and reading documents for the reviews.

The FCRB proposed specific procedures to support its enforcement of training requirements to the COJC (Committee on Juvenile Courts) in late 2003. The proposal was approved by the COJC and the FCRB began implementation of the procedures in 2004. The FCRB is committed to continuing these efforts, acknowledges and appreciates the time the volunteers already provide to the review process and is encouraged by the approximate 77% compliance rate in 2004.

2. FCRB should establish a diversity plan to help ensure that its recruiting efforts are effective. The plan should include a clear policy statement that communicates the FCRB commitment to diversity and the most current demographic data for Arizona's major regions to help ensure that the recruiting efforts are appropriately targeted.

The finding of the auditor general is agreed to and the audit recommendation will be implemented. Utilizing the information provided in the auditor General's report, the FCRB will contact the states identified in the report to further discuss their diversity plans and will incorporate their ideas with the needs of Arizona to develop an effective diversity plan. It should be noted however, that although some states do have diversity plans in place, the demographics of their volunteers are similar to that of Arizona. It is difficult to recruit volunteers who come from lower income, minority households, due to their employment commitments. The type of volunteer commitment that is required to serve on a FCRB review board is usually best accommodated by a retired individual who has reliable transportation and no financial need to continue working past usual retirement age.

Sunset Factor Recommendations

1. The extent to which the FCRB has operated within the public interest.

The FCRB operates within the public interest by conducting citizen reviews of children in out-of-home care, but should improve compliance with requirements in two areas. FCRB reported that over 400 volunteers across the State conducted reviews of 7,931 children during 2004. The FCRB local boards provide information, observations, and recommendations to the juvenile court judges to help inform their decisions regarding children in out-of-home care.

However, FCRB should comply with a state law that requires it to notify the Joint Legislative Budget Committee of its retention of federal Title IV-E reimbursement monies that it receives for DES to cover costs associated with reviewing children in out-of-home care. A.R.S. §35-142.01 requires state budget

units to either deposit federal reimbursement monies in the State General Fund or notify JLBC of federal reimbursement monies. While FCRB is not required to deposit its federal reimbursements, it should notify JLBC about them. According to FCRB management, the annual budget request reflects Title IV-E monies. However, FCRB has not notified JLBC of its balance of \$1.2 million in unused Title IV-E monies it has accumulated since 1999. According to FCRB management, some of these monies have been set aside for automation projects. FCRB should provide annual written notification to JLBC regarding its retention of Title IV-E monies.

The finding of the auditor general is agreed to and the audit recommendation will be implemented. The Joint Legislative Budget Committee (JLBC) has been notified of the federal Title IV-E reimbursement monies historically within the Non-Appropriated Fund report and more recently in the Judicial Budget request. It was the understanding of this branch that the inclusion in the budget request of these non-appropriated reimbursement monies satisfied the state law requirement of notification to JLBC.

Performance Audit Division reports issued within the last 24 months

03-08	Arizona Department of Commerce	04-10	Arizona Department of Transportation, Motor Vehicle Division—Information Security and E-government Services
03-09	Department of Economic Security—Division of Children, Youth and Families, Child Protective Services—Caseloads and Training	04-11	Arizona Department of Transportation, Motor Vehicle Division—Sunset Factors
04-L1	Letter Report—Arizona Medical Board	04-12	Board of Examiners of Nursing Care Institution Administrators and Assisted Living Facility Managers
04-L2	Letter Report—Gila County Transportation Excise Tax	05-L1	Letter Report—Department of Health Services—Ultrasound Reviews
04-L3	Letter Report—Department of Economic Security—Population Estimates	05-01	Department of Economic Security—Division of Employment and Rehabilitation Services—Unemployment Insurance Program
04-01	Arizona Tourism and Sports Authority	05-02	Department of Administration—Financial Services Division
04-02	Department of Economic Security—Welfare Programs	05-03	Government Information Technology Agency (GITA) & Information Technology Authorization Committee (ITAC)
04-03	Behavioral Health Services' HB2003 Funding for Adults with Serious Mental Illness	05-04	Department of Economic Security—Information Security
04-04	Department of Emergency and Military Affairs and State Emergency Council	05-05	Department of Economic Security—Service Integration Initiative
04-05	Department of Environmental Quality—Water Quality Division	05-06	Department of Revenue—Audit Division
04-06	Department of Environmental Quality—Waste Programs Division	05-07	Department of Economic Security—Division of Developmental Disabilities
04-07	Department of Environmental Quality—Air Quality Division	05-08	Department of Economic Security—Sunset Factors
04-08	Department of Environmental Quality—Sunset Factors	05-09	Arizona State Retirement System
04-09	Arizona Department of Transportation, Motor Vehicle Division— State Revenue Collection Functions		

Future Performance Audit Division reports

Department of Administration—Information Services Division and Telecommunications Program Office

Department of Administration—Human Resources Division