



A day after mismanagement charges, DCF seeks end of court oversight

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Accused of gross mismanagement one day, the state Department of Children and Families responded the next by asking a judge to end 18 years of court oversight, citing "monumental and sustained improvements."

"The timing is nothing short of astonishing," said Sarah Eagan, who has closely followed the case as the director of the (Center for Children's Advocacy's) Child Abuse Project in Hartford.

U.S. District Judge Christopher F. Droney is being asked to reconcile two wildly divergent views of DCF articulated in a 24-hour period. Is it the mismanaged agency denounced Monday by an advocacy group, Children's Rights? Or the paragon of self-improvement effusively praised Tuesday by Gov. M. Jodi Rell?

"Working together, we have utterly transformed the way the state cares for children and families in crisis," Rell said. "These are no cosmetic fixes - they are changes that run through the very bedrock of the agency." In a motion filed by the state's private counsel, Carmody & Torrance of Waterbury, the Rell administration says that DCF has dramatically improved since coming under court supervision.

The motion came one day after Children's Rights notified the state that DCF is so badly managed that it is in contempt of previous court orders. One possible solution raised by the group was wholesale removal of the agency's management now, rather than wait for Rell to leave office in January.

A DCF spokesman, Gary Kleeblatt, said lawyers for the state have been working on the 74-page court motion "for weeks, if not months."

Children's Rights said the agency's decision to file the motion is evidence of its incompetence. "I guess the administration is saying if you fail long enough it should be excused," said Ira Lustbader, the associate director of Children's Rights. The state says it has tripled funding for DCF and accomplished a two-thirds reduction in social-worker caseloads and a 31 percent decrease in children in state care.

"We have amply demonstrated Connecticut's lasting commitment to improved training, care and services. It is now time to end the costly oversight process and return management of DCF to the state," Rell said. Susan I. Hamilton, the commissioner, was hired as a social worker in the 1990s to lower caseloads in response to the class-action court case, known by its representative lead plaintiff, "Juan F." "After two decades, it is time to recognize the monumental and sustained improvements in our child welfare system," Hamilton said.

Lustbader and others said the agency has made progress, just not nearly enough. The court monitor recently found the agency failing more than half the time to meet the basic needs of children under its care. The agency can rightly claim credit for some of the improvements cited in its court papers, but it is ignoring its failure to meet important benchmarks that DCF itself helped establish with the court monitor, Lustbader said.

"It's that existing plan and its most important measures they are in gross non-compliance with," he said. "This leadership needs to put their energy into meeting that obligation without trying to run away from it."

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DCF said it has tripled its number of foster homes from 990 in 1989 to 3,347 in 2009. Children's Rights said the agency had agreed to recruit 850 new foster and adoptive families by June 2010, but it has found only 145 over the past two years.

The number of children placed in institutions actually has increased, according to the court monitor.

DCF still keeps more than 230 children age 12 and younger in temporary facilities, group homes and institutions. "For little kids, they are not appropriate," Eagan said.

Included in the deficit mitigation plan approved Tuesday in the House was \$7 million in cuts to DCF's budget, but it was not immediately clear if any of the cuts would affect the ability to find new foster homes and reduce the number of young children in institutions.

Earlier, legislators expressed displeasure at the motion to end oversight, saying it comes at a time when lawmakers are struggling to get more data about how children fare under the care of the state.

"I'm a little bit stunned," said Rep. Diana S. Urban, D-North Stonington, co-chairwoman of the Select Committee on Children.

"I'm expecting that the judge is going to view it as just silliness," said Rep. Gail K. Hamm, D-East Hampton, a lawyer who works on child-protection issues.

Rep. Toni E. Walker, D-New Haven, said she DCF's motion disappointed her as an expression of surrender: "The impression I have is DCF is saying this is as good as we can do."