

**Child Protective Services
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Management Audit Committee

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GLOSSARY

List of Acronyms

AHA	American Humane Association
ASFA	Adoption and Safe Families Act of 1997
CA/N	Child Abuse or Neglect
CPS	Child Protective Services
CPT	Child Protection Team
CWLA	Child Welfare League of America
DFS	Department of Family Services
GAO	Governmental Accounting Office
NCSL	National Conference of State Legislatures
POWER (TANF)	Temporary Assistance for Needy Families
SAV	Staff Assistance Visits
WYCAPS	Wyoming Children's Assistance and Protection System

EXECUTIVE SUMMARY

Child Protective Services

CHAPTER 1: Background

The Legislature has charged the Department of Family Services (DFS) with administering statutes enacted to investigate allegations of child abuse and neglect (CA/N), and to provide protective services when necessary. Child Protective Services (CPS) within DFS is organized as a state-administered system with field offices implementing the processes necessary to protect children from abuse and neglect and provide them with services. When field offices receive reports of CA/N, caseworkers must verify that the reports meet legal definitions for investigation, investigate reports meeting statutory definitions of CA/N, and provide case management and services when abuse or neglect is substantiated.

We found DFS child protection workers generally to be hard working, dedicated, and concerned about children. However, DFS could benefit from additional state-level evaluation of both the CPS program and management issues affecting the program. Our recommendations will help DFS ensure that its goals for abused and neglected children can be accomplished in all cases.

CHAPTER 2: Evaluating the CPS Program

While field offices understand individual CPS decisions, DFS has not systematically evaluated the cumulative impact of CPS strategies on program effectiveness. Ad hoc studies and local monitoring have been the main avenues of evaluation. State-level understanding of the aggregate impact of local CPS decisions is needed to understand both how the program works in its entirety and to better apply limited resources. Without this understanding, there can be no assurance that children are best served under current conditions.

DFS needs to recognize that data analysis is a critical component in providing effective CPS and develop a plan for systematically looking at program outcomes and the effects of administrative processes on those programs. Data collection and protecting children are not mutually exclusive; rather, the collection and use of data in decisionmaking should enable the agency to better protect children.

Recommendation: DFS should implement an institutional research function to evaluate both program and administrative effectiveness.

CHAPTER 3: Intake, Investigation, Ongoing Services Procedures

Our analysis of CPS processes revealed potential problems with CPS intake, investigation, and ongoing service procedures. Historically, DFS has not systematically evaluated CPS procedures to identify potential operational shortcomings. Although DFS needs to rely on caseworker judgment and supervision to monitor the appropriateness of individual decisions, the state office also needs to assure these procedures are being carried out as intended, to determine compliance with requirements, and to examine the quality of services provided.

Overall lack of documentation at critical points of procedure, and variations among field offices in what is documented, raise questions about consistency and internal safeguards associated with how DFS provides child protective services. Since DFS does not regularly monitor and evaluate these procedures, the state office cannot assess the overall effectiveness of methods used by local offices. Without monitoring and evaluating intake, investigation, and case management procedures, DFS cannot make informed decisions about how or when to modify policies and strategies.

Recommendation: DFS should monitor and evaluate CPS intake, investigation, and ongoing service procedures at the state level.

CHAPTER 4: DFS Policies

DFS policies for CPS practice vary in their specificity. For example, DFS has written little policy regarding how often and under what circumstances caseworkers should see children who are receiving ongoing services. There are no policy expectations that caseworkers see children receiving services who remain in their homes, often with the persons who abused or neglected them.

Agency officials have intentionally written some DFS policies without specificity to allow flexibility and judgment to guide caseworkers who provide CPS, and to allow field offices to tailor practices to fit community standards. We believe the agency has preserved this flexibility at the expense of providing adequate guidance to workers or conveying internal practice expectations for CPS.

Policies are important in the decision-laden CPS process because they provide structure in the stressful environment in which caseworkers function, and reduce the probability of making serious mistakes. Further, well-defined practice expectations established through policy provide a means to hold caseworkers accountable for their CPS decisions.

Maintaining broad policies for CPS practice is particularly a concern because of the conditions DFS faces in providing CPS throughout the state. These conditions include high caseworker turnover and caseloads in some offices, a small percentage of caseworkers with social work backgrounds, difficulties in providing ongoing training, and the sharing of supervision among field offices.

Recommendation: DFS should develop more specific policies to establish agency CPS practice expectations.

CHAPTER 5: Caseworker Turnover

Professionals recognize on-the-job experience to be a key factor in providing good social work. In FY99, 33 percent of DFS caseworkers left the agency. Turnover affected two-thirds of field offices. As of August 1999, 40 percent of DFS field office caseworkers had less than two years experience.

Turnover has a negative effect on children, on families, on caseworkers, and on the agency. Loss of a caseworker means loss of continuity in cases, loss of experience necessary for quality outcomes, loss of good judgment, loss of understanding of community networks and an increased workload for remaining caseworkers and supervisors. High turnover leads many caseworkers to believe that they are just doing crisis management rather than providing quality intervention, and this in turn contributes to burnout and higher turnover. The agency's efforts so far have not resulted in a reduction of turnover or in the creation of a plan to decrease the rate of departure.

Recommendation: DFS should assess the causes of high turnover and develop a plan of action.

CHAPTER 6: Counting and Measuring Workload

Historically, DFS has reported that workloads are too high. But we found DFS does not have a meaningful way of counting or measuring workload. Because workloads are a major factor affecting the quality of CPS, DFS needs reliable information about workload trends.

In addition, DFS does not have a standard for or definition of manageable workload. The 25 cases per caseworker set as its standard for reasonable workload in 1986 was based on a conservative guess at what might be an attainable workload, not on a staffing study that considered the specific tasks and responsibilities of caseworkers. Furthermore, the load and nature of casework has changed significantly since 1986 when the current workload was established. DFS needs to develop workload standards using a methodology specific to the tasks and activities expected of caseworkers.

The CPS function could be strengthened by accurate reporting of workloads, measured against standards that are meaningful for the different types of field offices in Wyoming.

Recommendation: DFS should develop a workload methodology and an updated workload standard.

CHAPTER 7: CPS Supervision

The nature of CPS work demands that many casework actions and decisions be made in consultation with a supervisor. While supervision is key to the CPS process, we noted several factors that strain the ability of DFS's 19 social work supervisors to perform the function. For example, because smaller field offices share supervisors, many CPS caseworkers do not have on-site supervision available to them at all times. In addition, high turnover, on-the-job training of new workers, the agency's minimal use of policies, high caseloads and the need for some supervisors to carry caseloads increase pressures on supervisors.

Our survey of caseworkers indicated that supervision may not occur when or as often as the agency expects. For example, just half of the caseworkers responding to our survey indicated they obtained supervisory review as they monitor CPS cases. We found that DFS does not have adequate system assurances that caseworkers obtain adequate supervision, such as policies that incorporate supervisory responsibilities or specialized supervisory training. Given current trends, DFS will likely continue to rely upon its supervisors to train and supervise caseworkers who have little experience and no formal social work training.

Recommendation: DFS should strengthen its supervisory structure.

CHAPTER 8: Training

Ongoing training in the CPS field is essential to ensure that caseworkers have the specialized skills and knowledge necessary to provide quality CPS services. Due to high turnover among caseworkers, DFS has needed to focus most of its training resources on training new workers. Despite agency efforts to enhance training opportunities beyond that provided for new workers, more tenured caseworkers do not believe their needs for ongoing training are being met. Only 15 percent of caseworkers reported receiving regular training beyond the core curriculum. DFS has not instituted advanced training requirements for its caseworkers to maintain CPS certification.

DFS has hesitated to identify training funds in field operations budgets, believing the Legislature would target such funds for cuts. Yet, by doing so, it may be undermining the agency's professed emphasis on training. National criteria stressing the importance of ongoing training for CPS workers combined with the agency's relatively inexperienced caseworker staff provide strong justification for the agency enhancing its training program.

Recommendation: DFS should assess how to enhance ongoing CPS training.

CHAPTER 9: Conclusion

DFS officials have a strong intuitive sense that the state's CPS program is providing safety and support for Wyoming children and families. Our research neither proved nor disproved that belief, only that the agency has not systematically collected and analyzed information to verify its internal perception. DFS monitoring procedures are inadequate to determine effectiveness of programs except in case-by-case review.

During our evaluation the agency stressed its emphasis on keeping caseworkers and resources focused on protecting children and helping families. This goal is not at odds with strategic data collection and analysis. An agency-wide commitment to rigorous data collection and analysis at the state level would allow DFS to more strategically focus its CPS efforts and enable DFS to provide the field with the analytical support and training to make individual caseworkers more effective.

INTRODUCTION

Scope and Methodology

A. Scope

W.S. 28-8-107(b) authorizes the Legislative Service Office to conduct program evaluations, performance audits, and analyses of policy alternatives. Generally, the purpose of such research is to provide a base of knowledge from which policymakers can make informed decisions.

In May 1999, in response to a legislator's request, the Management Audit Committee directed staff to undertake a review of child protective services (CPS) within the Department of Family Services (DFS). Our research centered around the following questions:

- What procedures has DFS established to receive and screen reports of child abuse and neglect and to investigate them?
- How does DFS provide services to victims and their families and what are the outcomes?
- To what extent does DFS monitor and supervise child protective services as carried out at the local level?
- How well is DFS adhering to its own as well as national standards?
- What kinds of evaluation does DFS do to ensure high quality and uniform CPS statewide?
- What procedures has DFS established to ensure there are internal safeguards for the CPS system?
- Are there management issues pertaining to CPS that affect program quality?

We limited our evaluation to reviewing these aspects of DFS' responsibilities for child protection. Our evaluation did not include a review of the larger child welfare system, the agency's responsibility for prevention of child abuse and neglect, or the effectiveness of service providers. We did not include the Wyoming Risk Assessment Model or the Central Registry of Child Protection Cases in the scope of our study. We also did not look at the Wind River Indian Reservation, which provides separate social services, because it is currently undergoing organizational change.

B. Methodology

This evaluation was conducted according to statutory requirements and professional standards and methods for governmental audits. The research was conducted from May through August 1999.

In order to compile basic information about child protective services, we reviewed relevant statutes, statutory history, annual reports, budget documents, strategic plans, rules, policies, training manuals, and other internal documents. We reviewed a considerable body of professional literature about child protective services.

We visited seven local field offices; the offices were of all sizes and at least one was located in each of the four DFS regions. We conducted extensive interviews with field office managers and CPS staff, regional managers, state office officials and staff, and other individuals familiar with CPS.

To gather information specific to how CPS is carried out in Wyoming, we submitted a data request to DFS and worked with the agency to analyze and interpret the data they provided. Using electronic means, we reviewed a random sample of 100 CPS incidents to gain an understanding of CPS procedures. However, we did not review the corresponding hard-copy files for these incidents, nor did we review the quality of DFS' decisionmaking. We mailed surveys to all DFS caseworkers, supervisors, and managers to gain a broad understanding of their perspectives and to gather certain system data. We received a 78 percent survey response from caseworkers and an 84 percent response from supervisors and managers.

C. Acknowledgments

The Legislative Service Office expresses appreciation to those who assisted in this research, especially to the Department of Family Services and its personnel throughout the state. We also thank the many other government and nonprofit sector individuals who contributed their expertise.

CHAPTER 1: Background

In the United States, societal awareness of the abuse and neglect of children began to emerge late in the 19th century. However, child physical abuse did not receive widespread attention in this country until a 1962 medical journal article discussed patterns of suspicious injuries in children. Within four years, all 50 states had passed laws requiring certain professionals to report cases of suspected child maltreatment. These laws were intended to protect children because they are a particularly vulnerable portion of the population.

As reporting increased, states developed systems to support their child protection responsibilities, and a number of federal laws (see Appendix A) were enacted that have guided the development of states' child protection systems. The primary responsibility for responding to cases of child maltreatment rests with state agencies. States must comply with federal child abuse and neglect guidelines to receive federal funds. However, beyond that, states have some autonomy in how services are provided to abused and neglected children and their families.

Wyoming's CPS Law and Rules

Wyoming's comprehensive Child Protective Services Act was enacted in 1977, and remains substantively intact in current statute. The purpose of the child protection statutes, W.S. 14-3-201 through W.S. 14-3-215 (see Appendix B), is generally to protect the best interest of children, to protect them from abuse or neglect which jeopardizes their health and welfare, and to provide protective services when necessary. Further,

statutes declare the state's purpose as stabilizing the home environment and preserving family life when possible.

The Legislature has charged the state's child protective agency, the Department of Family Services (DFS), with administering these statutes. To achieve the goals in law, DFS has identified child protective services (CPS) as one of its core responsibilities. However, laws actually direct DFS field or regional offices to implement the processes necessary to protect children from abuse and neglect, and provide them with services (see Appendix C for a description of typical stages in the handling of CPS cases). Further, Wyoming law requires all persons who know or have reasonable cause to believe or suspect that a child has been abused or neglected to report that information to the child protective agency or local law enforcement.

Receiving and Investigating Child Abuse and Neglect Reports

Nationally, the number of cases of suspected maltreatment of children has increased greatly from 1962 to the present. Experts attribute this growth to two major factors: there is greater awareness now of abuse as a social problem than there was over 30 years ago, and the definitions of maltreatment have been expanded.

In Wyoming, statistics about suspected maltreatment have been collected by various methodologies over time, and thus are not always comparable. However, based on data we compiled from various DFS sources, it appears that between 1986 and 1998, reports of maltreatment of children in Wyoming have increased by about 40 percent.

Intake Process. When a DFS field office receives a report of suspected child abuse or neglect (CA/N), agency personnel must verify whether the report meets the legal definition of CA/N. The agency process of screening reports at this stage is known as "intake."

If the report meets the statutory definition of CA/N, DFS will accept the report for further investigation. If the report does not fall within the scope of CPS, the report is rejected and not investigated. In FY99, DFS received 5,469 reports of CA/N. After comparing the reports with criteria for acceptance in statute and rules, DFS accepted two-thirds of the reports for further investigation.

Investigation Process. Reports of CA/N that DFS is required to investigate are defined generally in statute, but DFS rules further define categories of maltreatment to be investigated. DFS is mandated to investigate: physical abuse; nutritional deprivation; medical care neglect; intentional drugging or poisoning; sexual abuse; psychological abuse and neglect; emotional abuse; lack of supervision; negligent treatment; withholding needed medical treatment from handicapped infants; and abandonment.

We compiled information on reports investigated by DFS in FY99 and found the most common type of abuse investigated was negligent treatment; the next most common was physical abuse. Allegations can range from a child reportedly left alone in a car for a few minutes, to a report of multi-generational physical and sexual abuse in a family. Figure 1 shows the types of maltreatment investigated by DFS in FY99.

**Figure 1: Maltreatment Types Investigated by DFS
FY99**

Source: LSO analysis of WYCAPS data.

By law, DFS field offices must initiate an investigation of every report verified as meeting the rule definitions of CA/N within 24 hours of notification. CPS rules require even more immediate investigation for certain types of reports, such as complaints involving serious physical harm and cases involving young children left alone.

Agency personnel must conduct thorough investigations to determine if there is credible evidence that abuse or neglect occurred, and if the child is at risk. If these two conditions are met, a caseworker then takes action to protect the child from further abuse or neglect. However, DFS has no unilateral authority to remove children from their families. Only a physician or law enforcement officer can take temporary protective custody of a child.

By rule, caseworkers have 60 days to investigate a report of CA/N, but are allowed a 30-day extension in certain circumstances, such as when law enforcement conducts the investigation. Upon completion of the investigation, DFS staff make a determination as to whether the child was abused or neglected. This determination is based on whether or not the information gathered during the investigation constitutes credible evidence to "substantiate" the report. If the investigation did not reveal that CA/N occurred, the report is "unsubstantiated." Unless the family requests services, DFS will close the case and no longer be involved with the family.

Of the 3,688 reports accepted for investigation in FY99, DFS investigated 4,444 allegations associated with those reports.¹ Of these allegations, DFS substantiated 1,533 of them (33 percent). Substantiated cases are classified as either low risk, moderate risk, or high risk. This risk classification relates to DFS' assessment of likely future danger to the child.

Information from substantiated reports where DFS finds there is moderate or high risk of the maltreatment recurring are placed on the Wyoming Central Registry of Child Protection Cases and maintained indefinitely. The Central Registry is a legislatively mandated system used to identify perpetrators in an effort to better protect children.

Once the investigation is completed, the case may be closed by DFS unless the family voluntarily accepts services or if services are ordered by the court. In those cases, DFS provides ongoing services.

¹ Reports of maltreatment may involve more than one child and/or may involve more than one allegation of maltreatment. For example, one report may contain four allegations involving two siblings who are alleged to have been both physically abused and sexually abused.

Providing Ongoing CPS Services

After a CPS investigation, the help DFS can provide to a family to eliminate child maltreatment is referred to as "ongoing services." A DFS caseworker begins to provide ongoing services by assessing the family's strengths and weaknesses and, with client input, formulating a case plan with specific goals and tasks designed to help the child and family. Case plans are to have one of five overall goals: family preservation, family reunification, adoption, independent living, or other permanent living arrangement.

Case Management Services. Case management is the primary responsibility of caseworkers, and the mechanism through which DFS can also offer clients a range of more specific CPS services to help correct the problems that caused the abuse or neglect. Case management entails the caseworker developing a case plan, keeping all involved in service provision apprised of relevant information, filing mandated reports, and calling case conferences.

Direct and Contracted Services. In addition to case management, DFS caseworkers can provide other services to children and families to help correct the problems at the root of child maltreatment. These services can be provided directly by DFS or by contracting for services with local providers. Caseworkers determine the mixture of direct and contracted services based on their own strengths, workload, availability of services in the community, and availability of funds.

Some examples of direct services which DFS would typically provide to clients are: parenting classes, home-monitoring visits, transportation, and supervised parent/child visits. Caseworkers sometimes use the assistance of 40 three-quarter time family assistance workers (FAWs) in providing direct services to clients.

A caseworker can also arrange for services, such as mental health counseling or foster care placement, to be contracted for with local providers. Contract services are paid for through a combination of client resources, DFS resources, and community or federal funding. However, a full range of contract services is not always available in every community. A report on CPS from the National Conference of State Legislatures (NCSL) says, "There is a general consensus that appropriate, effective, accessible and affordable services to troubled families are not consistently available in all communities." The lack of community-based services may be a more pressing issue for smaller communities in rural Wyoming.

Who Gets Services? Most allegations of child maltreatment do not result in the provision of ongoing services to the involved family. In FY99, 19 percent of allegations investigated by DFS resulted in contract services being provided, while 81 percent received no contract services. See Appendix D for detail. There are valid reasons why a family may not receive services. For example, the caseworker may have concluded the incident was a one-time, low-risk occurrence.

In FY99, 1,302 children received contract services through the CPS program. Of these 1,302 children, 328 remained in the home and received contract services, and 974 children were in out-of-home placement. Figure 2 on the next page gives detail about the children in placement in FY99.

**Figure 2: CPS Children By Types of Placement
FY99**

ASFA Requirements. The Adoption and Safe Families Act of 1997 (ASFA) is a recent federal law requiring state CPS agencies to initiate termination of parental rights based on a child's length of stay in out-of-home placement. Unless there is a compelling reason for an exception, DFS must seek to terminate parental rights and establish permanent living situations for children who have been in placement for 15 of the most recent 22 months. ASFA is still being phased in and DFS estimates permanency has been achieved for 280 children since ASFA requirements took effect in 1998.

Case Closure. During ongoing services, the caseworker monitors the child and family's progress during services and adjusts the case plan to reflect changing circumstances. DFS can close a case under a number of circumstances, from safely reunifying the child and family, to termination of parental rights and finding an adoptive family.

Local and State-Level Organization

DFS is organized as a state-administered system which sets rules and policies at the state level, while allowing some local flexibility in the provision of services. This structure evolved from an earlier county-based system under which local boards hired county managers and counties assessed mill levies in partial support of welfare and social services. Subsequently, these functions were folded into a division of the Department of Health and Social Services. Still later, with the 1991 reorganization of state government, it became a separate department.

CPS Funding. Since CPS is one of many functions that DFS personnel at the local and state levels perform, DFS has not budgeted separately for the CPS program. However, agency estimates based on the FY99-00 biennial budget indicate CPS annual costs are approximately \$11.7 million, or 14.5 percent of the total DFS budget. Included are expenditures for the field office personnel who provide CPS services, the state-level staff who support CPS services, CPS training, and a proportion of DFS administrative costs, such as financial services.

A large portion of CPS costs are contracted services arranged for by the agency as treatment for victims and perpetrators of CA/N. DFS estimates that during the current biennium, approximately 35 percent of CPS costs, or \$4.1 million annually, will go for contracted services. This amount covers out-of-home placements in foster care, residential treatment, and other settings, as well as the costs of community-based services such as counseling.

State Office Organization. At the state level, DFS' efforts in CPS are centered within the Children and Family Services Program in the Programs and Policy Division. This division also oversees 28 other welfare programs, including POWER (TANF), Food Stamps, Medicaid eligibility, and others.

With a staff of six, the Children and Family Services Program writes policy, interprets federal guidelines concerning CPS, and provides technical CPS training. Further, the staff is available for consultation with field office personnel. The program is also responsible for other child welfare matters such as adoption and foster care and the Interstate Compact on Placement of Children. Another division at the state office, the Field Operations Division, is responsible for program delivery, working directly with regional managers and the field offices.

Local Organization. DFS staff are state employees who work out of 29 field offices (not including the Wind River Reservation) and small satellite offices (which are not staffed full-time) throughout the state. DFS has clustered the field offices into four regions, each with a regional manager acting as liaison between local offices and the state office. The regions are large; for example, Region 2 includes the towns of Afton and Lovell, which are nearly 300 miles apart.

Because of the state's geographic size and dispersed population, DFS staff in many areas must travel to provide regular services to smaller communities. Each county has at least one DFS office, yet field office

managers, casework supervisors, and caseworkers often have responsibility for more than one office. Region 1 has ten office locations but only three field office managers.

One-third of the DFS offices may be considered very small, as they have only one or two caseworkers. The two largest DFS offices, Natrona County and Laramie County, have 18 and 17 caseworkers respectively. The remaining "medium-sized" offices range from 3 to 12 caseworkers. In FY99, DFS had 125 caseworker positions and 19 supervisor positions.

In Natrona and Laramie Counties, and some of the medium-sized offices, caseworkers and supervisors specialize in providing CPS. In the remaining offices, caseworkers do generic social work, carrying mixed caseloads that include juvenile probation, adult protective services, and youth and family services. Based on agency-reported figures, CPS cases grew 14 percent between FY95 and FY 98, and in FY98, represented 44 percent of all cases handled by DFS caseworkers. See Appendix E for detail.

Because of differences among offices in staffing size and specialization, it is difficult to describe a typical DFS field office. Nevertheless, all DFS caseworkers must handle CPS work during the course of their work: some are CPS specialists, some carry a generic caseload that includes CPS, and others must be prepared to do CPS when performing on-call rotation. However, DFS social service caseworkers are not involved in providing economic assistance services: a separate group of workers and supervisors handle those programs.

Conflicting Pressures on the CPS System

An effective child protection system does not rely solely on the efforts of one child protection agency. Rather, many individuals and agencies, including reporters of maltreatment, teachers, mental health agencies, county attorneys, the courts, law enforcement agencies, and providers of support services have a role in ensuring the safety of children. Increasingly, experts are pointing out the importance of the community in helping government identify and treat child abuse and neglect.

The state has long acknowledged the importance of community collaboration in CPS. Since 1977, statutes (W.S. 14-3-212) have provided for the establishment of child protection teams (CPTs) within communities. These teams involve representatives from county and district attorney offices and school districts, as well as other relevant professions. DFS field offices each determine how to use CPTs. By statute, they may assist and coordinate with DFS, the field offices, and all local agencies dealing with child welfare. DFS also has a state-level advisory group that makes policy recommendations, and develops and monitors a comprehensive agency plan to protect children.

However, interjecting varying community standards and expectations into CPS through formal CPTs or other means, also complicates what is already a complex undertaking. Balancing government's responsibility to protect children with the inherent rights of parents to raise their children is perhaps the most challenging consideration. Not surprisingly, a recent NCSL publication on CPS states that child protection is one of the most controversial functions of state government.

Philosophically, some maintain that child protection agencies are too intrusive into families' lives and they destroy parent-child bonds. Others express outrage that the agencies are not intrusive enough, and that leaving a child in a home with unfit parents puts the child at

further risk of harm. Similarly, caseworkers face the inherent conflict of needing to protect children from abuse and neglect, while often trying to reunite them with the parents who once abused them.

In addition, CPS work can be complicated, technical, sometimes adversarial, and often high pressure. Caseworkers need to make decisions about a child's safety based on a relatively brief encounter. They need to have skills to enable them to work with the child alone, with the child's parent(s), and the entire family. As well, they must understand and use a wide array of legal and social work concepts, and interact with professionals from a variety of fields, such as law enforcement, the courts, and the medical community.

System Facing Strains

Because legislators were interested in finding out more about the child protection practices of DFS and the outcomes of those practices, this study was requested. Given the complex nature of child protection and the challenges Wyoming's system must balance, such accountability is critical.

However, Wyoming's system may be stretched to its limits. The system lacks safeguards that ensure children are best-served under current conditions. Its numerous challenges include high caseworker turnover, high caseloads in some areas, supervisors who must split their time between offices, and limited ongoing training opportunities for workers with disparate educational backgrounds.

These challenges may alarm the public and elected officials who want assurances that DFS is making appropriate decisions. However, given historical data collection limitations, DFS has not been able to systematically track how such challenges impact the agency's ability to provide CPS. While the state office has conducted some ad hoc studies of Wyoming's CPS system and relies on local offices for an understanding of individual CPS success and failures, DFS needs additional assurances that the system is working as intended. Such assurance can come from methodically tracking and evaluating aggregate data about CPS.

Although we identified problems with the CPS system, we also found DFS child protection workers generally to be hard-working, dedicated, and concerned about children. Our recommendations are intended to help DFS ensure that its goals for abused and neglected children can be accomplished in all cases.

CHAPTER 2: Evaluating the CPS Program

Chapter Summary. Wyoming's CPS system makes important decisions about whether and how government should intervene in families' lives to protect the interests of children. As important as these decisions are, most are made with limited public scrutiny, since DFS tracks and analyzes little aggregate information about the CPS program. Although field offices understand individual CPS decisions, this awareness at the local level does not provide a cumulative understanding of the overall effectiveness of the program.

DFS needs to more systematically track and analyze aggregate information about the CPS program. Although individual social worker judgment and supervision are critical factors when making decisions in CPS incidents, the agency needs more information about the cumulative impacts of those individual decisions. With the implementation of an electronic case management system in the past year, DFS is now well-positioned to begin

rigorous data collection and analysis. Systematic evaluation of data can lead to better understanding of what is working well in current CPS provision and where changes are needed to more fully protect children.

More Information Needed About Program Impact and Administrative Effectiveness

National child protection experts and standards stress the importance of evaluating both CPS program and administrative effectiveness. According to *Child Welfare*, a publication of the Child Welfare League of America (CWLA), "Evaluation research should have two discrete tracks. The first would emphasize outcomes, examining effectiveness and efficiency. The second would deal with management and planning."

We found that DFS needs to more systematically analyze both program impact and administrative effectiveness in providing CPS. While DFS conducts occasional ad hoc studies and prepares some basic information on the CPS program, primarily for federal reporting requirements, DFS needs to develop additional information about CPS program activity and management and collect such information more consistently over time.

As will be discussed in later chapters in this report, we found several areas where DFS could benefit from additional state-level evaluation of both the CPS program and management issues affecting the program:

- Chapter 3 discusses the need for DFS to track and analyze aggregate information about CPS: basic program statistics, variations in the program, compliance with CPS requirements, and program results.
- Chapter 4 explains that DFS may wish to set additional standards of practice for some areas of CPS, to better evaluate the quality and consistency of cumulative CPS services in the state.
- Chapter 5 recommends that DFS analyze the causes of caseworker turnover and how caseworker turnover impacts program outcomes.
- Chapter 6 recommends that DFS develop a consistent means of measuring workload, tracking variations in workloads, and evaluating how those variations affect the delivery of CPS.
- Chapter 7 explains that DFS should develop more structured ways of monitoring whether supervision is taking place at the desired levels.
- Chapter 8 recommends DFS evaluate current training opportunities to determine where training needs to be enhanced and if current training enables caseworkers and supervisors to provide CPS effectively.

Electronic Case Management. DFS recently created an electronic case management system that provides raw data about the CPS work being done in the field, as well as casework for other social service programs. In June of 1998, DFS began using this automated system, known as the Wyoming Children's Assistance and Protection System (WYCAPS), which has enabled the agency to begin baseline measurement of CPS activities.

Prior to WYCAPS, the agency was not able to collect CPS information consistently over time. Historical data limitations have allowed little trend analysis because the information that is available is not comparable year-to-year. Statistics about CPS were often based on

different methodologies that varied according to reporting needs. Now, WYCAPS positions the agency to conduct more systematic analysis of CPS. WYCAPS was developed in response to federal requirements that certain reports be produced electronically, and its development was funded by a 75-percent federal match. The system was designed with both standardized and ad hoc reporting capability. According to one DFS official, the standardized reports are "there if anybody wants them."

Although data is being collected in WYCAPS, we found indications that it may not be fully used both at the state office and in the field. DFS needs to explicitly charge specific personnel to routinely analyze these reports, because officials throughout the agency believe there is a need for more information about CPS processes and outcomes. As one DFS official said, "Information that is produced on CPS isn't produced with any continuity We need good baseline statistical reporting."

DFS Cannot Evaluate the Cumulative Impact of its CPS Strategies

DFS needs to more systematically evaluate its data to better understand how well the CPS program is functioning and how administrative matters, such as turnover and caseload, affect the program. Much of the data we needed to evaluate CPS was not available in report form from DFS, so we compiled information from raw WYCAPS data for all CPS incidents opened in FY99. For information that could not be downloaded from WYCAPS, we electronically reviewed 100 randomly selected substantiated CPS incidents opened in FY99. DFS keeps its records pertaining to individual cases in hard-copy and electronic form, so some of the information we wished to obtain may not have been present in the electronic files we reviewed. See Appendix F for methodology about the file review.

When we asked for agency reaction to the information we prepared about CPS, DFS officials were often surprised at what we had found. Several DFS officials were not aware of either aggregate statistics about the program, such as the number of reports investigated, or the frequency with which caseworkers were meeting CPS procedures, such as having in-person contact with the victim during the investigation.

With more comprehensive information about the CPS program, DFS would be better able to evaluate the impact of CPS strategies, and could more effectively advocate for resources to support the program. While there is a general sense that DFS is helping children, the agency needs to verify this assumption with data to more fully ensure that the CPS program operates to protect children in the most effective manner and that resources have been best deployed.

DFS was able to provide us with one outcome measure, in the form of a 5-year maltreatment recurrence rate of 17.5 percent. This means that for the 5,334 victims of child maltreatment during the period FY93 through FY99, 933 children were known by DFS to have had another instance of maltreatment. Since this information can be used to gauge the success of CPS interventions, DFS needs to track it over time to determine if recurrence is increasing, decreasing, or steady. DFS officials report that they plan to use this information for baseline statistical analysis.

Data Analysis is a Critical Component in Providing Effective CPS

Since 1977, the Legislature has required DFS to develop and analyze statistical information to regularly evaluate the effectiveness of existing CPS laws and programs. W.S. 14-3-213(b) (iii) requires

evaluation using the information gathered through the central registry. Although it is not clear how this requirement fits with the agency's data collection capabilities in WYCAPS, the Legislature clearly intended DFS to periodically evaluate the effectiveness of CPS provision in the state.

Professional standards also advocate the use of data to improve CPS. CWLA, a nationally recognized organization dedicated to improving practices in child welfare services, sets standards of excellence to guide social work practice. CWLA standards require an agency to maintain a management information system that contains information sufficient to allow an evaluation of program and administrative effectiveness. CWLA standards require information be used to improve service delivery, evaluate program effectiveness, and to advocate for sufficient staff and fiscal resources.

Importance of Documentation. Documentation of CPS activities is a critical principle in this field, serving as an essential link in demonstrating the effectiveness of CPS strategies. The American Humane Association (AHA), a leading national organization in child protection issues, devotes an entire chapter in its casework handbook to the importance of documentation, noting that almost everything known about CPS work being done is based on information provided by the caseworker. AHA adds that "information is the key ingredient of an accountable system."

Ad Hoc Studies and Local Monitoring Have Been The Main Avenues of Evaluation

We found that DFS has not dedicated resources to institutional research to consistently track and evaluate CPS data. According to agency officials, DFS employed a statistician at one time, but as resources were cut, the position was eliminated. Currently, one consultant in the Programs and Policy Division splits time between adult protection responsibilities and institutional research. As a result, the agency has had to rely on occasional studies of elements of the system and on local understanding of individual CPS cases to provide assurances that the system works as intended.

Although several DFS officials see a need for an institutional research function for the agency, they do not believe DFS has the resources to support such a position. Further, some officials told us that if additional resources were identified, those resources would be best directed to funding casework positions in the field.

We also found some indications that the state office may believe that the combination of ad hoc evaluation, coupled with local monitoring of individual CPS cases, provides sufficient understanding of the CPS program. For example, when we asked how many children were in ongoing services in FY99, one state official said, "It is more important for local managers to know who is in services than for us to know." While we agree that local offices should have a day-to-day understanding of the children they are serving, it is important that the state not rely exclusively on local monitoring to determine whether or not the program is working as intended. A systemwide understanding is needed.

In 1996, the DFS director initiated an internal review mechanism, known as Staff Assistance Visits (SAV), to evaluate field office activities. The SAV process is an important quality assurance mechanism for the state office, providing a significant foundation to furnish DFS with information to fully evaluate CPS. However, SAVs have not been used to

provide a comprehensive evaluation of CPS. Rather, they briefly touch upon many agency programs operating in the field. DFS reviews only a limited number of CPS cases in individual offices. Further, DFS does not use the information from the SAVs to assess the cumulative impact of the CPS program statewide.

Transition to WYCAPS. Prior to the development of WYCAPS, the agency did not have a reliable mechanism to track much of the data necessary to evaluate the CPS program. DFS is not unique in this regard. Professional literature and experts in the field note that the systematic analysis of CPS data is at a relatively early stage. With the development of WYCAPS, DFS is in a position to be a leader in leveraging electronic casework data to make informed decisions about CPS.

It appears that to this point, WYCAPS has been used primarily to meet federal reporting requirements and to manage contracts. Several officials noted that the agency is now poised to use the information in the system to evaluate the effectiveness of CPS. However, the ability to use this information is limited by the extent to which caseworkers are using WYCAPS as their principal case management system.

Our case file review revealed a great deal of variation in the extent to which caseworkers documented their work in WYCAPS. Absent complete documentation of CPS activities in WYCAPS, we were unable to determine if caseworkers carried out CPS according to DFS requirements and simply were not documenting their efforts, or if caseworkers were not meeting CPS requirements.

It is not clear that there is a high-level commitment to mandating WYCAPS as the primary case management system for CPS, given the level of documentation by some caseworkers using WYCAPS. We believe this is due at least in part to the recent transition to WYCAPS, and a desire on the part of DFS administrators not to overwhelm caseworkers with the additional data entry burden WYCAPS entails.

Recommendation: DFS should implement an institutional research function to evaluate both program and administrative effectiveness.

DFS should implement an institutional research function to evaluate the effectiveness of the CPS program. Research is needed both to evaluate outcomes of the CPS program, and to review how administrative processes affect program delivery. An institutional research function could use both WYCAPS data, provided casework is documented in the system by caseworkers, as well as the SAV process, to ensure CPS strategies are appropriate.

We believe the resources currently dedicated to providing CPS can be better leveraged through consistent and rigorous analysis of DFS data to inform decisionmaking. Data collection and protecting children are not mutually exclusive; rather, the collection and use of data in decisionmaking should enable the agency to better protect children. DFS should make institutional research a higher priority and should reallocate resources internally to fund such a function in order to demonstrate program performance and advocate for needed resources to the Legislature. Data analysis can also be used at the state level to modify CPS strategies at the local level.

CHAPTER 3: Intake, Investigation, and Ongoing Services Procedures

Chapter Summary. We found some of the agency's procedures for CPS intake, investigation, and ongoing services may not be working as DFS intends, but DFS has not systematically evaluated CPS at the state level to identify potential operational shortcomings. The ability to evaluate systemwide how caseworkers are carrying out intakes, investigations, and service delivery could help DFS change course when necessary, and provide internal assurances that children are being protected.

The findings in this chapter raise questions about consistency and internal safeguards associated with how DFS provides child protective services. However, the questions we present should not be construed to be a criticism of current CPS provision. Rather, such questions highlight the need to better understand both how the agency provides CPS overall and whether changes are needed to current processes. Although DFS needs to rely on caseworker judgment and supervision to monitor the appropriateness of individual decisions made at these three stages, the agency also should be analyzing the cumulative impacts of individual intake, investigation, and service decisions.

Concerns About CPS Highlight the Need to Analyze Procedures

As noted in Chapter 2, DFS has not historically tracked much of the data we needed to independently evaluate CPS. So, we used a variety of methods to look at the continuum of CPS services in order to determine both compliance with requirements and also aspects of the quality of services provided, including aggregate information from WYCAPS and the selected information from the WYCAPS file review. We compared this data to information we developed on workload and other office characteristics to identify trends. In addition, we asked questions about the CPS process in our survey to caseworkers and supervisors.

Analysis of these varied sources of information gave us concerns about intake, investigation, case management, and risk assessment procedures; affirming the need for state-level evaluation of CPS processes. Potential shortcomings we identified are discussed below.

Concerns About Intake Procedures

At the state level, DFS does not routinely track and analyze information about how CPS intake is carried out locally. We identified some areas where intake procedures may not be working as DFS intends.

Variation in Rejection Rates. We found that small and medium-sized offices and offices with lower caseloads were more likely to accept reports for investigation than were large offices and offices with higher caseloads. In FY99, large offices investigated a little over one-half of the reports they received, while small and medium offices investigated more than two-thirds of all reports received. See Appendix G for detail. Further, offices with higher caseloads investigated 61 percent of the total reports received, while offices with lower caseloads investigated 74 percent of all reports received. See Appendix H for detail.

In and of itself, variation does not indicate problems with local field office rejection procedures. However, these trends should be analyzed to ensure that reports are appropriately rejected throughout the state.

Reasons for Rejected Reports. We found that one-third of CA/N reports received were rejected at intake in FY99. Because DFS has only limited data available about reports rejected at intake, a cumulative understanding of this population has not emerged. DFS state officials

said they believe the reasons reports are rejected can be understood at the local level.

Analysis at the state level of the reasons reports are rejected could be a critical feedback component in providing CPS. The intake process is an especially sensitive phase of CPS because when a report of CA/N is rejected, the child receives no protection from the state.

Other Staff Collecting Intake Information. In our surveys, we asked if staff other than caseworkers collect intake information for CPS. Forty-two percent of managers, supervisors, and caseworkers said yes, and many of them said this occurs occasionally to regularly. They reported that supervisors, administrative staff, economic assistance workers, and others are conducting intakes.

Respondents may have been indicating that other staff sometimes collect basic information and then pass that information on to a caseworker who conducts the actual intake interview. Nevertheless, the responses highlight the need for the DFS state office to more thoroughly track and analyze local intake procedures to ensure they are carried out as intended.

Compliance and Concerns With Investigation Procedures

We found that DFS does not monitor field office compliance with some of its investigation requirements and does not evaluate local investigation procedures systemwide. We found that the agency is meeting mandated investigation timelines, but we also identified some potential shortcomings in other DFS investigation procedures.

Offices Meeting Timelines. DFS does track the average time to initiate and complete investigations for federal reporting requirements. We found that local offices are meeting the mandated timelines for intake and investigation. DFS caseworkers in FY99 initiated investigations within the 24-hour statutory requirement, averaging less than nine hours per incident to initiate.

We found that the agency is also meeting its timelines to conduct investigations. Local offices are, on average, completing investigations well within the 60-day investigation timeline established in rule. In FY99, the office average to complete an investigation for a substantiated finding was 29 days, while for an unsubstantiated finding, the average was 25 days.

Variation in Substantiation Rates. We found that small offices were slightly more likely to substantiate reports after investigation than were large offices. In small offices, about 44 percent of investigated allegations were substantiated, while only 30 percent were substantiated in large offices. See Appendix I for detail.

Again, this variation may be coincidental, but the agency should track and analyze variation rates among offices to ensure that investigation decisions have been appropriately made.

Reasons Reports are not Substantiated. We found that of the 4,444 allegations investigated, more than half were not substantiated after investigation in FY99. However, DFS does not evaluate the reasons that these reports are unsubstantiated. Evaluation could help determine if there are any shortcomings in investigation procedures that contribute to the high proportion of unsubstantiated reports.

Compliance With Investigation Requirements. DFS does not track and monitor compliance with all mandated investigation requirements. So, as part of our WYCAPS file review, we looked for evidence of compliance with investigation requirements. Although a review of only 100 files is not comprehensive, it appears caseworkers either are not always documenting that they have met investigation requirements, or they are not always complying with some investigation requirements.

DFS rules require either agency personnel or law enforcement to have direct in-person contact with the alleged victim and perpetrator within seven calendar days after the investigation starts. However, in 20 of the files we reviewed in WYCAPS, we found no indication that either the child or the perpetrator had been seen in person by DFS. Law enforcement assisted in 7 of these investigations, so it is possible law enforcement personnel made contact with the child and the perpetrator in lieu of DFS.

In another 10 files, we found indications that the perpetrator was seen in person by DFS during the investigation, but there was no documentation that the child was seen in person. Law enforcement assisted DFS in 6 of these investigations, but it is unknown if they made contact with the child.

In 60 of the incidents we reviewed, caseworkers documented that both the child and the perpetrator were seen in person during the course of the investigation. DFS rules state that investigations normally should start by making in-person contact with the child alleged to have been abused or neglected. Further, rules say the perpetrator should not be present during the initial interview. However, we were unable to determine whether or not the child was seen before the perpetrator in about half (27) of these incidents because the time of the interview was not documented in WYCAPS.

One DFS state official emphasized the importance of direct contact with the victim during the investigation, stating, "You never don't see that child ... I would consider it not a good investigation if the caseworker had not seen the child."

Concerns About Case Management Procedures During Ongoing Services

DFS does not evaluate at the state level how case management services are provided and how effective the outcomes are. Our review raised concerns about the comprehensiveness of WYCAPS data, how frequently caseworkers have contact with children, and the rate of service provision in different-sized field offices.

Not Known How Many Receive Ongoing Services. The count of children and families receiving only direct services from DFS is unknown. This is because direct services (where DFS is not paying outside providers such as counselors or foster parents) are paid for through the administrative funding in each DFS field office, and are not specifically tracked in WYCAPS.

Children receiving direct services are included in WYCAPS, but DFS cannot identify them as a group for aggregate data analysis purposes. While local offices likely have a working knowledge of these children, systemwide, DFS does not have a complete picture of the children and families to whom they provide direct ongoing services. Furthermore, DFS officials reported that WYCAPS could not produce a tally of children who are in DFS legal custody but placed in the home, since caseworkers are not required to put the information into the system.

In addition, caseworkers do not appear to be consistently indicating in WYCAPS that they have established a case plan. Without this information, the WYCAPS system does not provide complete information about the children in ongoing services. For example, WYCAPS had a total of 492 case plans indicated in the system for FY99; however, 1,302 children were receiving contract services and still others were receiving only direct services. At a minimum, this would indicate an average of 2.6 children addressed on every case plan. This does not seem likely because, according to census figures, there is an average of 1.1 children per Wyoming family.

Caseworker Contact with Child. It is important for caseworkers to see the child during ongoing services in order to make professional judgments about the safety of the child and the effectiveness of the service intervention. Our survey of supervisors, and managers revealed 21 percent of respondents have low confidence that caseworkers are making an adequate number of contacts with children during ongoing services.

Our file review also raised doubts that children are being seen by caseworkers during ongoing services. Because caseworker contacts with children could not be aggregated from WYCAPS, we looked for this information during our case file review. Of the 100 substantiated incidents we reviewed, documentation in WYCAPS showed services were delivered in 32 incidents.

It would be incorrect to develop conclusions about the entire population from a sample of 32 incidents. However, what we learned may point to a larger problem. In 17 of the 32 incidents, it was not documented in WYCAPS that the caseworker saw the child. Eleven of the 17 children not seen were living at home and six were in out-of-home placement.

Variation in the Rate of Contract Service Provision. We found the proportion of investigated allegations that receive contract services varies by size of field office. Small and medium offices provided contract services to 20 and 21 percent of investigated allegations, respectively in FY99. Large offices provided contract services to 15 percent of investigated allegations. Refer to Appendix D for detail on all field offices. While variation in the rate of contract service provision does not necessarily indicate a problem, it is something DFS officials may wish to analyze more thoroughly.

Reasons Services are not Provided. We found that 72 percent of substantiated allegations did not receive contract services in FY99. Some state office personnel we contacted were unaware that nearly three-quarters of substantiated allegations do not result in contract service provision.

DFS has not systematically examined the reasons so many substantiated allegations do not receive services. So, we used our case file review to analyze reasons services are not provided. No services were provided in 65 of the 100 files we reviewed. The family declined services in 17 cases; in 27 cases, the child was determined to be safe; and in the other 21 cases, no reason was documented in WYCAPS.

Evaluating the reasons why services are not provided would help DFS to understand this population and what changes in procedures may be needed. For example, as noted above, a large number of substantiated incidents received no services because the family refused DFS' offer of services. As explained in Chapter 1, DFS has no enforcement authority to mandate

families accept services. If a family refuses services, DFS must decide whether to refer the case to the judicial system. An evaluation of the number of families who refuse services may indicate a greater need for DFS to engage the judicial system in mandating that families accept services.

Risk Assessment Not Used As Policy Requires

DFS has developed the Wyoming Risk Assessment Model for caseworkers to be used to make determinations about the risk factors facing a child. Risk assessment is important because it is a structured way for caseworkers to analyze the safety of a child and if service interventions are working. DFS policy requires a risk assessment be conducted throughout the life of the case, including substantiation and case closure.

It appears caseworkers record the risk assessment in WYCAPS more at substantiation than at case closure. A risk assessment had been documented at substantiation in 76 of the 100 incidents we reviewed, while in 24, it had not. Of the 100 incidents, 66 were closed at the time of our review, yet only 16 of those had documented that a risk assessment had been conducted at substantiation and closure, as policy requires.

Further, caseworkers do not appear to be using the risk assessment at other points in the life of an incident, as policy requires. In 86 of the 100 incidents, there was no evidence in WYCAPS that any risk assessment was conducted at points other than substantiation or closure. However, policy allows a model other than the Wyoming Model to be used at other points, so caseworkers may not be documenting the use of other models in WYCAPS.

DFS Can Do More to Ensure CPS Procedures are the Most Effective

Based on the data we compiled about how CPS is being provided, we have some concerns about current CPS procedures. Since DFS does not monitor and evaluate these procedures, the state office cannot assess the overall effectiveness of the methods used by local offices. One agency official summarized the consequence of not evaluating CPS, stating, "We don't provide the quality of services that we have the ability to provide, or perhaps we are misdirecting our resources."

DFS should more systematically evaluate how it provides CPS, to provide an additional safeguard for internal operations. Although the judgment of individual social workers and supervisors is essential to assure the quality and effectiveness of CPS provision for each child, the public needs more assurances that the system fully protects children overall through the cumulative evaluation of individual decisions.

State Office Leaves Monitoring of CPS to Local Field Offices

As noted in the previous chapter, DFS relies on individual offices to ensure that CPS is conducted appropriately in each incident, but there is a need for the agency to more fully monitor the cumulative impact of individual decisions.

We found that the state has relied on case-by-case decisions made at the local field office level, to ensure that intake, investigation, and service decisions have been made appropriately. While local offices should evaluate the effectiveness of CPS for each family, the state office needs to provide more direction to the field by more fully

analyzing aggregate outcomes for the state as a whole. Both types of analysis are critical in providing effective CPS. A state-level understanding of the aggregate impact of local CPS decisions is needed to understand both how the program works in its entirety and to better apply limited resources.

Recommendation: DFS should monitor and evaluate CPS intake, investigation, and ongoing service procedures at the state level.

Based on our initial analysis of the state's CPS system, we believe the program would be strengthened by more ongoing evaluation. Ideally, DFS should monitor and evaluate intake, investigation, and case management procedures and results at the state level and modify policies and strategies accordingly. While working toward this, the agency could strategically target some areas of concern for state-level evaluation. The goal is for the agency to have the necessary analysis to make informed decisions about needed changes in these areas. The Legislature also needs to have an understanding of the program-level impact of local CPS decisions to draw informed conclusions about how well CPS is provided.

CHAPTER 4: DFS Policies

Chapter Summary. DFS policies for CPS practice vary in their specificity, depending upon the aspect of the process they cover. In two important areas, intake and during the provision of ongoing services, we saw a need for additional policy to provide caseworkers with guidance or standards. Well-developed policies are necessary because they assist caseworkers in delivering services and in CPS decisionmaking.

Agency officials have intentionally written some DFS policies without specificity because they want to allow flexibility and judgment to guide how caseworkers provide CPS. However, given that DFS faces conditions of high caseworker turnover, a small percentage of caseworkers with social work degrees, difficulties providing ongoing CPS training, and the sharing of supervision among field offices, we believe the agency needs to augment its use of policies.

Written Guidance Is Important To CPS Caseworkers

Consultants in the state office of DFS write policies to clarify CPS requirements in federal law, state statute, and rule, and also to convey best social work standards of practice in CPS. Caseworkers we interviewed often mentioned the need to refer to policies, rules, and statute in their work. DFS officials said less experienced workers rely more on written guidance than do those with experience.

However, written guidance in the form of policies for all aspects of CPS is not always available. A majority of caseworkers and supervisors answering our survey indicated that certain CPS practices are matters of custom rather than formal policies or rules. Some expressed the desire for more specific policies.

Guidance through written policies and procedures is critical to the CPS process. A recent national study of CPS by the General Accounting Office (GAO) stated that "policies and procedures provide structure in the stressful environment in which caseworkers function, and reduce the probability of making serious mistakes."

CPS Policies Need More Specificity

The agency's minimal and general policies are more of a concern in some aspects of the CPS process than others. We identified the following two areas as needing additional policy guidance.

More Policy for Ongoing Services Needed. Policies for providing services to children who are the victims of substantiated CA/N, and who are receiving ongoing services in placement or at home, are very general. Current policies tell caseworkers only to follow, monitor, adjust, and evaluate the case plan when providing services, with no further explanation. DFS does not define these terms, leaving individual supervisors and managers the discretion to provide more specificity for the caseworkers they supervise. If they elect not to provide more definition, caseworker judgment alone prevails.

DFS has written little policy regarding how often and under what circumstances caseworkers should see children who are receiving ongoing services. What policy exists is somewhat more specific for children placed out of their homes than for those left in their homes. The policy regarding monitoring children in placement requires "minimum monthly contact in person *when possible* (emphasis added)." For children in their homes, however, there is no explicit expectation set in policy (or rules or statute) that caseworkers should see them, or how frequently.

The absence of specific policy directing caseworkers to see children who are receiving services, or directing how frequently to see them, did not seem appropriate to us. When children are in placement, DFS seemingly has more certainty that they are safe than when they remain with the persons who abused or neglected them. Without policy directing caseworkers to see children when they live at home, and how often, DFS lacks an important practice expectation to ensure children's safety. Also, it has no assurances that children and families are being monitored adequately statewide.

Standard Intake Procedures Needed. Although DFS rules include specific requirements for the intake process, there is little policy guiding caseworkers on how to conduct CPS intakes. DFS has not developed standardized intake procedures for use in the field offices. This stage of the CPS process is critical because it generates the information necessary for DFS caseworkers to determine whether or not to intervene to protect children.

Workers around the state are not given a standardized list of questions to ask during the intake interview to ensure all of the necessary information is obtained from the reporter. Absent an agency-approved list, many offices have developed their own checklists. The lack of a standardized intake process is a concern because our survey indicated that persons other than CPS-trained caseworkers are collecting basic intake information. Further, we were told that caseworkers with a variety of skill levels conduct CPS intake interviews. Without a list of standardized questions to cue workers to obtain specific information, the state lacks assurances that caseworkers in all locales are gathering the necessary information to accept or reject reports of maltreatment.

DFS Wants Policies To Allow Flexibility

DFS officials are reluctant to develop more prescriptive policies for CPS practices. They believe that prescriptive policies will inhibit caseworkers' use of social work judgment to appropriately respond to the variety of situations they face. It is not possible, they say, to have

policies or procedures that cover the vast array of circumstances involved in CPS. According to one agency official, "The very nature of the social work profession requires the exercise of creativity and flexibility." Officials also maintain that flexibility is necessary to meet the safety needs of children while balancing the rights of their parents.

DFS wants to allow latitude for field offices to interpret rules and tailor practices to fit individual community standards. The rules that tend to be interpreted differently are reportedly those dealing with the "lack of supervision" and "neglect" categories of CA/N. This means that the same set of circumstances may be seen by one field office as meeting the rule definition of CA/N, and by another as not. Field office managers told us that while they must follow rules and policies established at the state level, they have the flexibility to "put our own spin on it" and to "innovatively use our rules to meet local concerns."

Allowing flexibility in rule interpretation may be more pertinent to accommodating community standards than maintaining broad policies. Rules, according to the Attorney General's definition, are to implement law. Policies, on the other hand, direct the internal operation of an agency. This is a subtle distinction with CPS because policies and procedures that guide caseworkers in providing CPS also affect the public.

Nonetheless, our concern is that in being flexible to accommodate community standards, the agency has not developed policies adequate to guide workers or convey internal practice expectations for CPS.

National CPS Organizations Affirm The Importance of Policies

CWLA says that child protection agencies should develop policies that make legal and regulatory requirements operational, while still recognizing the need for professional judgment and flexibility. Policies should reflect good social work practice and assist staff in the delivery of services and decisionmaking. Further, policies should be based on desired outcomes for families and children, and reflect the realities of the resources available to the agency and the community. AHA notes that agencies should develop policies to ensure effective, uniform implementation of state child protection laws.

Professional sources also stress reliance on policies because they provide staff and community members with important information about the agency's practice expectations. An agency conveys its standards of practice through its policies and procedures. This is important because there are not clearly established professional norms and procedures for the conduct of CPS interventions. Without them, agency policies substitute for such accepted practices.

Accountability Depends Upon Policies

By leaving policies broad and general, DFS is relinquishing an opportunity to set professional practice expectations for its caseworkers. Well-defined expectations would set a standard for practice and would also be a means for holding caseworkers accountable. Policies provide staff with a clear statement of their roles and responsibilities. The agency avoids accountability for its workers and itself by leaving caseworkers to do what they or their managers consider best according to the circumstances they face.

Further, broad policies enable local field offices to develop their own standards of practice, either formally or informally. This means that children and families stand to receive different services from DFS caseworkers, depending upon where they live. We learned that many offices do this. For example, a manager in one office requires caseworkers to travel each month to personally observe children in out-of-town placements within 100 miles, while others allow telephone contact to suffice in similar cases. DFS policy officials are aware of these more specific policies, but are hesitant to prescribe similar ones for every county.

Maintaining broad policies for standards of practice is particularly a concern given the statewide conditions affecting the provision of CPS. As discussed in detail in the following chapters, DFS faces high turnover among its caseworkers and high caseloads in some of its field offices. Furthermore, the system places heavy reliance on supervisors to help caseworkers, although many supervisors divide their time between multiple offices and several employees.

Nor can the agency assume that caseworkers' professional social work backgrounds will guide their judgment, since most of them do not have social work degrees. While their range of professional backgrounds is not inappropriate, it does require the agency to supplement caseworkers' knowledge of social work principles. However, many caseworkers believe ongoing training is insufficient.

Recommendation: DFS should develop more specific policies to establish agency CPS practice expectations.

DFS should draw upon the expertise that resides both in the field and its state office to develop policies that establish standards of practice to guide caseworkers. These policies should more precisely establish the agency's expectations for the services caseworkers are to provide to its clients. Further, more specific policies would assist caseworkers, many of them with relatively little experience, with the decision-laden CPS process. With more specific policy guidance, DFS would be better able to evaluate the quality and consistency of CPS services in the state, providing caseworkers document pertinent case information.

However, DFS personnel bring forth a legitimate point that judgment based on specific circumstances should at times override policy. For this reason, we recommend that DFS develop the policies with the understanding that documented exceptions are permissible.

CHAPTER 5: Caseworker Turnover

Chapter Summary. A sudden jump in already high rates of turnover for DFS caseworkers occurred in FY99, when fully one-third of them left the agency. High turnover is having negative effects on the children and families served, as well as on DFS workers individually and the agency as a whole. However, the agency's efforts so far have not resulted in a reduction of turnover or in the creation of a plan to decrease the rate of departures.

Already High Turnover Spiked in FY99

For several years, there has been higher turnover among caseworkers than in state government as a whole: 21 percent for caseworkers, compared to about 14 percent for state government and about 16 percent for DFS as a

whole. Because of this outflow, the agency has had to place extra emphasis on recruiting and training new workers.

In FY99, caseworkers left DFS at an even higher rate than before, 33 percent. Turnover occurred in two-thirds of the field offices and in offices of all sizes. Furthermore, very high rates of turnover, 50 percent or more, occurred in half of the small and one-third of the medium-sized agencies. In some areas of the state, notably the greater Jackson area and a number of rural sites around the state, DFS says it has been difficult to get caseworkers to stay even a year or two.

Experience Is Critically Important for CPS Caseworkers

From our interviews with managers, supervisors, and caseworkers around the state, we learned that on-the-job experience is a key factor in helping workers make good judgment calls. We were told that new workers may come to the job with some academic training, but that college coursework alone does not prepare a person for complex tasks such as assessing the risk to an abused child.

Experience also builds confidence and prepares a caseworker to take on more difficult cases. As one supervisor explained, "You have to substantiate based on facts, but the level of risk to the child is all perception. You need good clinical skills and good judgment."

Many we interviewed said that understanding rules and policies plus developing good social worker judgment depends upon the individual, but that it probably takes a minimum of one to two years on the job. However, we found that as of August 1999, fully 40 percent of DFS field office caseworkers had less than two years experience.

The importance of maintaining a skilled staff to perform CPS work is widely acknowledged by such organizations as the CWLA and the American Public Human Services Association. As well, GAO has stated, "In CPS, where staff are sometimes dealing with life-and-death issues, the knowledge of and consistent application of appropriate policies and procedures are critical."

Turnover Has Negative Effects on Children, Families, and the Agency

Although hard to quantify, the consequences of a constantly shifting CPS workforce are serious. DFS supervisors and officials assured us that children are not put in danger since caseworkers and supervisors put in overtime to get CPS work done. However, we believe this is an untenable solution for the problem long-term, and is likely contributing to even more stress and burnout in the agency.

Effects on Children and Families. In our interviews with DFS staff around the state, we were told repeatedly that when caseworkers leave, there are problems with continuity in the cases. A child who has been abused or neglected may, as a result of the abuse, have problems bonding with others. Caseworkers see their link with the child and the family as being critical to improved outcomes for the child. When that link is disrupted by the disappearance of a familiar worker, the child has to start over with another caseworker and may lose trust.

Many in the field believe a caseworker's experience level is related to the quality of outcomes for children and families. One manager said, "When you watch a skilled worker engage a hard family and work it through to find a solid solution, that's where you see experience and training wrapped up in what we want. Inexperienced workers will not get

the kind of outcomes we want; veteran workers make it look easy, but it is not."

We did not attempt to measure the effects of high turnover on the quality of casework being conducted. Nevertheless, we concur with managers and supervisors who told us it is imperative that a worker has good judgment, since the safety of a child could depend on it. That good judgment is at least in part a product of real-life, on-the-job experience, which is difficult to develop in a workforce that is constantly churning.

Effects on the Agency. The negative effects of turnover on the agency itself are numerous. Caseworkers and supervisors told us when turnover is high in their office, they divide up a departing worker's cases to ensure there is no gap in services. This creates an immediate impact on their own responsibilities. Then, when a new worker is hired, caseworkers and supervisors are often jointly responsible for helping train and mentor the new person.

Workers also told us that with turnover, history and understanding of community dynamics are lost. Several said it takes time for a new worker to understand and develop the community networks necessary to carry out CPS effectively. Because it also takes consistency in personnel to build those relationships, much is lost with each caseworker's departure.

Caseworkers told us they felt as though they were just putting out fires, rather than doing a deeper level of social work where quality intervention would be possible. They described some offices as always being in a crisis mode, such that workers cannot develop a depth of understanding of the cases. One supervisor added that it is impossible for workers to believe they are doing a good job if they are carrying heavy caseloads, and this contributes to morale problems, burnout, and more turnover.

DFS Needs to Address Causes of High Turnover

Wyoming is not unique in experiencing high caseworker turnover. NCSL, which has found turnover to be a problem nationwide, suggests it is linked to such factors as heavy caseloads, inadequate compensation, lack of training, and the need to deal on a daily basis with clients' hostility. DFS officials agree there may be a variety of reasons for the FY99 jump in turnover. They particularly single out low pay and benefits that have not kept pace with other employers of social workers such as school districts, hospitals, and non-profit organizations.

To address the problem, the director said the agency has been able to reallocate some funds and, through position reclassifications and several rounds of adjustments, give pay raises to those who were most under-paid. Further, DFS has surveyed former employees to learn the reasons for their departures. Nevertheless, the director said, caseworkers continue to leave the agency.

Research conducted by the CWLA indicates that staff turnover tends to be greater in states in which workers do not have academic social work preparation for CPS, and lower in states that require an MSW. Our survey showed that most caseworkers and supervisors in Wyoming have neither an MSW nor a BSW, but rather, have a four-year degree in a closely related field such as psychology or education.

Our survey also asked current workers what factors they believe are causing or influencing high turnover. Managers and supervisors overwhelmingly (88 percent) replied that low salaries are a factor; nearly 60 percent of caseworkers said the same. For both groups, job stress was the second most often cited factor. DFS officials add that social work is a particularly demanding and stressful profession, and that turnover is natural. One official speculated that caseworkers may be lacking in professional self esteem, since they get little recognition from the agency, the public, or the Legislature for their work.

Recommendation: DFS should assess the causes of high turnover and develop a plan of action.

Retaining a professional and competent CPS staff is one of the most important responsibilities DFS has. Left unchecked, the current rate of caseworker departures is likely to further stress the personnel who remain and must continue to pick up the load. Not only will workers, supervisors, and managers continue to be overburdened, but also the quality of their responses to children and families may well decline.

DFS needs to systematically review the causes of worker dissatisfaction and the reasons for terminations, and create a strategy to change the trend. If the agency finds it has exhausted all remedies available to it using internal resources, it should bring the Legislature a request for any additional resources needed to bring turnover down to a less harmful level.

CHAPTER 6: Counting and Measuring Workload

Chapter Summary. Historically, DFS has reported to the Legislature that workloads are too high. Workloads are a major factor affecting the quality of CPS, yet DFS was unable to provide us with reliable information about workload trends. DFS does not compile or report annual workload figures, other than summary figures reported in biennial budget requests. We asked for the data supporting those summary figures, but DFS provided figures that do not match what has been reported.

DFS needs to analyze workload trends and identify the factors impacting workloads in order to more effectively advocate for resources. We believe the agency needs to develop a workload methodology to track and report annual trends. Additionally, DFS needs to conduct a staffing study to develop a meaningful standard against which actual workloads can be compared.

DFS Needs More Information About Workload Trends

DFS has set 25 cases per caseworker as its standard for reasonable workloads. DFS has reported to policymakers that caseloads are above the standard, and some officials in the state office told us in interviews that workloads are too high. One state official told us, "We are carrying way, way too many cases per social worker."

However, most regional managers were not in agreement. Three of the four regional managers reported to us that workloads in their regions overall, while not ideal, were presently manageable. These regional managers did indicate that isolated areas within their regions have workloads above what they would like to see. When we requested annual workload figures, DFS provided incomplete historical data that did not match the figures reported in budget

requests. Figure 3 compares the workload figures reported in budget requests and those supplied for this evaluation. DFS was unable to explain the discrepancies in these numbers and could not provide this information at the field office level. Thus, from the numbers DFS provided, we could not determine which offices have had the heaviest and lightest workloads, or where there have been large increases.

Figure 3: Variations in DFS-Reported Workload Statistics

	FY95 Cases	FY96 Cases	FY97 Cases	FY98 Cases	FY99 Incidents
Reported in Budget (actual staff)	33	34	34.2 (partial)	--	--
Reported to LSO (actual staff)	43.3	42.7	36.8	37.6	33.8
Reported to LSO (if fully staffed)	41.6	39.4	35.5	34.6	30.8 ¹

Source: DFS budget requests and LSO information request to DFS.

¹ For FY99, DFS reported annual average monthly incidents at full staffing was 30.8, but LSO found it to be 27. This may be because DFS counted a case/incident according to the number of days in a month it was open when providing LSO raw WYCAPS data.

Turnover Seriously Impacts Workload

Although DFS reported workloads to be high, our own analysis shows that if the agency had been fully staffed in FY99, the statewide average caseload would have met the standard in rule. Our analysis suggests that, in keeping workloads at a reasonable level, turnover and the number of vacant positions are key factors. Keeping workloads manageable appears, at present, to be dependent on keeping the current number of authorized positions filled. Absent reliable information, DFS is not able to determine what is influencing its workload, such as turnover, and respond effectively.

Because of discrepancies in DFS workload data, we prepared our own analysis. We used raw data from WYCAPS on workloads and combined it with full staffing data to compute workload figures for FY99. DFS used "case" as the unit of analysis for workload until FY99 when, in keeping with federal reporting needs, it switched to "incident." We did our analysis in terms of both. The agency is still transitioning, and at the time of this evaluation did not have official definitions for either incident or case. Figure 4 summarizes our findings; Appendix J has detail by field office.

This analysis does not mean the standard was actually met in all offices at all times, as we found some offices and regions were above 25 on average for the year. In fact, the standard would have been met for the state, on average, if the agency had maintained full staffing. However, turnover for the agency is quite high, and vacant positions have added to the workloads of remaining workers.

Figure 4: FY99 Workload Analysis

	Average Workload per
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Region	Worker/Month		
	All Incidents	CPS Incidents	All Cases
Region 1	26	13	25
Region 2	29	13	27
Region 3	32	10	30
Region 4	20	9	20
State	27	11	25

Source: LSO analysis of reported WYCAPS and personnel data.

² Assumes full staffing of 125 caseworkers.

Additionally, until DFS has reliable facts about workload trends at the field office level, it will be unable to analyze the factors impacting workloads or how workloads are affecting CPS outcomes. Higher workloads result in less time for caseworkers to spend with each family. If workloads are too high, it can be assumed that outcomes for families would not be as favorable. For example, it is possible that the offices with lower workloads are providing ongoing services to a higher percentage of allegations. There may be corresponding benefits to providing more services, but without facts about workload, DFS cannot correlate workloads with CPS actions or outcomes.

Meaningful Workload Methodology and Standard Are Needed

Counting Workload. DFS does not employ a methodology on which to base conclusions about workload trends. The state office tracks only monthly workload figures which are not useful in showing trends and, because they include duplication, cannot be added to produce annual figures. These monthly reports are based on an overly simplified method that counts every case/incident equally regardless of its complexity or the number of days it is open. Furthermore, the annual figures that have been produced lack the detail to show where changes in workload are occurring.

Personnel in field offices may be aware of workloads in their offices, since WYCAPS has an automated staffing report that managers may use. However, we believe the lack of definitions for case and incident could seriously affect the uniformity of counting workload at the field level. Therefore, each office or region could be tracking cases or incidents somewhat differently.

Managers have some ability to reallocate staff within their office or region, and appear to have done so on occasion. Field office and regional managers use an agency staffing model to analyze the workload in an office at a point-in-time. However, we do not believe this staffing model produces the annual workload data that would give DFS a comprehensive understanding of workload trends.

We recognize that methodologies for counting or quantifying social work are imperfect generalizations. The amount of work involved in two different cases could vary considerably, yet the cases would count equally in the workload figures. Some states use a weighting mechanism

to take case complexity into account, but Wyoming does not. Also, case or incident, which are common units of analysis, exclude much of the work caseworkers do, such as intakes that they reject for investigation. Nevertheless, it is important to attempt to quantify the work done by caseworkers in order to develop accurate and complete information for use in making management and policy decisions.

Measuring When Workload Is Too High. DFS' workload standard of 25 cases was established to indicate when workload levels grew too high. It does not appear that this standard, against which the actual workload is judged, is meaningful to the agency. According to DFS rules, field office managers should report to regional managers when local workloads exceed the standard. However, we found managers do not carry out this reporting. One DFS official said, "This type of reporting really does not happen because the agency cannot follow through on it."

The standard, which is case based, is of questionable value at present and needs to be updated. According to a state-level DFS official, when the standard was set in 1986, it was based on a conservative guess, not on a staffing study that considered the specific tasks and responsibilities of caseworkers. The standard was reportedly developed when the first CPS rules were written, and has not been changed since. We noted the standard in rule is written specifically for CPS cases, but the agency uses the standard for cases of all programs. The standard will become further obsolete as the agency continues its transition to incident-based reporting.

In addition, since 1986, the work of a caseworker has changed significantly. For example, in 1991, the responsibility for juvenile probation casework was transferred from the Department of Corrections to DFS. Also, caseworkers now need to be proficient at using WYCAPS as a case management system, which adds data entry to their daily responsibilities. Furthermore, federal requirements such as ASFA have changed the nature of their work.

CPS Agencies Should Establish Standards

CWLA guidelines for CPS workloads say the agency charged with responsibility for CPS should develop workload standards specific to the tasks and activities expected of caseworkers. CWLA has established national CPS standards to be used until an agency determines its own standard. CWLA intends these standards for agencies that exclusively focus on CPS. The national standard is well below DFS' standard: 12 investigations per month or 17 ongoing services cases per month.

Further, CWLA says that if caseworkers handle both investigations and ongoing services cases (as do many caseworkers in Wyoming), the standard is 4 investigations per month and 10 ongoing services cases. Given the different-sized field offices in Wyoming and the mixed caseloads many workers carry, the state's structure and standards for CPS work may be unique. DFS needs to base workload standards on an updated analysis of the work caseworkers do in the different settings around the state.

Recommendation: DFS should develop a workload methodology and an updated workload standard.

The CPS function could be strengthened by accurate reporting of workloads, measured against standards that are meaningful for the different types of field offices in Wyoming. DFS should develop and document an official methodology for the state office to use in tracking workload trends by field office, region, and the state as a whole. This

information should be reported to agency managers and to the Legislature on a regular basis. In addition, DFS should conduct a staffing study and use it as the basis for establishing a meaningful standard for workloads in the different-sized field offices.

As these are both technically challenging endeavors, we recommend DFS seek expertise and assistance from outside sources. We are aware of one group, the National Resource Center on Child Maltreatment in New Mexico, which offers a limited amount of free technical assistance to state CPS agencies. The agency may also need additional resources, beyond what can be obtained without cost, to implement this recommendation.

CHAPTER 7: CPS Supervision

Chapter Summary. In the field of CPS, supervisors have long been the primary source for developing knowledge and skills of caseworkers. Wyoming's system of CPS delivery depends heavily upon supervision. However, the availability of supervision varies depending upon field office location and the stresses high turnover and caseloads place on supervisors in some offices.

DFS has not implemented safeguards to assure adequate supervision of its CPS caseworkers through policy, training, or quality assurance reviews. The results of our surveys and case file review indicate that the expected level of supervision may not be occurring. We believe DFS needs to enhance the safeguards in its supervisory structure to assure adequate supervision for CPS caseworkers.

The Extent of CPS Caseworker Supervision Varies

Because smaller field offices share supervisors, some CPS caseworkers do not have on-site supervision available to them at all times. Currently, DFS has 19 social work supervisors working in 29 field offices (excluding the Wind River Reservation). Twenty of those offices share seven supervisors, causing the shared supervisors to travel between locations. Of the remaining field offices, six have one supervisor each, and only the two largest offices, Laramie County and Natrona County, have more than one supervisor (each has three). At the time of our study, one office was without a supervisor because it had been unable to fill the position, and the county manager temporarily assumed that role.

CPS is a large component of a supervisor's workload, regardless of the size of the office. Supervisors in Laramie County and Natrona County specialize in CPS intake and investigation, as well as covering adult protective services. Supervisors in small and many medium-sized offices are generic, working in all DFS social service programs, but even for them, supervising CPS is a major factor. Further, more than half said that supervising cases in other programs negatively affects their ability to supervise CPS at least somewhat.

DFS supervisors vary in the number of staff they supervise. Using staffing figures reported by the agency for FY99, we calculated that generic supervisors supervise an average of ten people, including social service caseworkers and FAWs. As well, at least eight of these supervisors must divide their time between different field offices. In contrast, offices with specialized supervisors have a ratio of one supervisor to six caseworkers and do not supervise caseworkers in more than one office.

In addition to supervising caseworkers and FAWs, some supervisors carry cases of their own. We found this is more likely to happen in small and medium-sized offices than in large offices, possibly because of turnover. We were told that some supervisors carry cases in order to keep current, even though most who do this acknowledged in our survey that it affects their ability to provide supervision.

Supervisors Are Key To CPS, But Are Stressed By Other Factors

DFS managers, both in the field and in the state office, told us that the quality of CPS in the state is dependent on supervision. We noted several factors that support this assertion. For example, in a field in which half the caseworkers have three years or less experience, supervisors have an average tenure of more than a decade. Also, from FY97 through FY99, turnover among supervisors was low, at 10.5 percent or less. With long tenure and low turnover, supervisors have provided a stable base of experience for CPS.

However, high turnover among caseworkers creates an increase in responsibility for supervisors. DFS requires that during the first year, new caseworkers can provide CPS only with close supervision. Also, as noted above, field office supervisors may need to absorb cases when positions are vacant. On-the-job training for new workers also often falls to supervisors. Finally, the agency's minimal use of policies and high caseloads in some offices (CPS system characteristics discussed in earlier chapters) also increase pressures on supervisors.

Caseworkers and supervisors alike see potential benefit in having more supervision. Most caseworkers responding to our survey indicated they believed they received sufficient supervision to conduct CPS. However, 68 percent felt that the quality of their CPS decisionmaking would be improved with more supervision. Roughly the same percentage of supervisors and managers responding to our survey also expressed this belief.

Supervision May Not Occur At The Level DFS Expects

Given the critical nature of CPS decisions, many casework actions and decisions need to be made in consultation between the supervisor and caseworker. We surveyed caseworkers to determine when they obtained supervisory review. Caseworkers responded as follows:

- 91 percent obtain supervisory review at intake
- 88 percent at investigation
- 61 percent at case planning
- 50 percent while monitoring a case
- 65 percent when terminating a case

Although these results indicate that caseworkers obtain supervisory review at critical junctures in CPS cases, they are not doing so at the level we understood the state office expects. DFS officials explained that the system in place, which requires supervisor signatures at most of the critical points we surveyed, serves as a standard of practice and ensures supervisory review. Thus, we expected to see closer to 100 percent of caseworkers saying they obtain supervisory review at these points.

Instead, caseworkers' survey responses suggest the system is not providing the assurance of supervisory review that DFS officials intend. Further, 28 percent of supervisor and manager survey respondents

indicated that caseworkers sometimes make major CPS decisions in isolation, and one-third of caseworker respondents agree.

In our examination of cases on WYCAPS, we looked for indications of supervisory review, but found no evidence of it in 65 of the 100 cases. Because WYCAPS is not configured to document supervisory review, it is possible that caseworkers were obtaining appropriate supervision but not documenting it.

Supervision Critical to Quality CPS Services

All the sources to which we looked for standards on how CPS should be delivered stressed the importance of supervision. CWLA summarizes the prevailing opinion, stating that supervision by qualified and competent staff is critical to assure that caseworkers provide quality services, engage families from a helping perspective, and follow agency policies and procedures. Supervisors must have the competencies needed to provide case consultation and guidance to workers in decisionmaking, and to teach new skills to caseworkers.

The professional sources we consulted stressed the importance of objectivity in CPS decisionmaking. A National Center on Child Abuse and Neglect manual on supervision notes that supervisors, by design, are positioned a step back from the front line. This enables them to offer objectivity when CPS caseworkers involve them in making key decisions. There is general agreement that less-experienced caseworkers require greater guidance.

High-quality supervision also helps protect the agency against liability. The risk of state liability exists primarily from negligence, which can occur when a responsible party fails to follow prudent or accepted practice, and harm occurs as a result. Agency policies and procedures help establish accepted practices. It is the supervisor's responsibility to ensure that caseworkers understand and follow DFS policies and procedures, thereby reducing risk of civil liability.

More System Assurances Are Needed That Caseworkers Obtain Adequate Supervision

Although professional standards recommend incorporating supervisory responsibilities in agency policy manuals, we found little direction in DFS policy telling caseworkers when supervisors should be involved in CPS decisionmaking. DFS officials told us that the tenets of good social work practice prompt caseworkers to obtain their supervisors' advice at critical decision points, even if policy does not specifically tell them to do so. However, since most DFS caseworkers and supervisors do not have social work backgrounds, we believe DFS should not rely so heavily on common understanding of standard social work practices.

Further, the agency does not have a way to assess whether caseworkers in all field offices are receiving adequate supervision. As noted, WYCAPS does not capture supervisory review so that it can be assessed, or alert workers when it should be obtained. Officials said that SAVs, the agency's internal quality assurance review process, evaluate the adequacy of supervision. However, these reviews occur only every two years in each office, and focus upon a limited number of CPS incidents.

Finally, we learned that DFS provides little ongoing training for supervisors because it has been necessary to focus its training efforts upon new workers. Our interviews and surveys indicated that supervisory

support is a critical element in retaining caseworkers, but that caseworkers perceive varying levels of this support throughout the field offices. By not providing training specific to the needs of supervisors, or a supervisory manual, the agency is not fully maintaining this important aspect of CPS.

Recommendation: DFS should strengthen its supervisory structure.

Supervision is a key component of any CPS system, but perhaps even more critical in Wyoming because of high caseworker turnover and the added supervisor responsibilities that turnover creates. If current trends persist, the agency will continue to rely upon a cadre of tenured and experienced supervisors to supervise caseworkers with increasingly less experience and without social work backgrounds.

DFS needs to strengthen this critical element of CPS by outlining supervisory expectations in policy. It also needs to broaden its internal quality review process to evaluate whether supervision occurs in the field offices as specified. Further, DFS should incorporate documentation of supervisory review into WYCAPS so that it can determine if there is a correlation between supervision and positive or negative CPS outcomes.

CHAPTER 8: CPS Training

Chapter Summary. Because of high turnover among caseworkers, DFS has needed to focus most of its training resources on training new hires in CPS. Despite agency efforts to enhance training opportunities beyond the required core curriculum, more tenured caseworkers do not believe their needs for ongoing training are being met. Agency personnel question whether DFS is willing to support its professed training emphasis by identifying training resources at the field office level.

A CWLA standard is that a child protection agency should routinely provide both in-service training and continuing education opportunities. Training is necessary to ensure that staff members have the specialized skills and knowledge necessary to provide quality CPS services. To meet this standard, we believe the agency should assess how to improve its ongoing CPS training.

DFS Requires Training and Certification of CPS Caseworkers

DFS rules require the training and certification of CPS staff, meaning all agency social service caseworkers. DFS meets this requirement by offering a two-week core curriculum that all caseworkers must complete within their first six months. Caseworkers must pass a written exam based on this curriculum and complete a probationary year of service during which they cannot provide CPS on their own.

Certification is seen as strengthening staff credibility by ensuring that caseworkers demonstrate a basic mastery of the specialized CPS knowledge and skills. Certification may be particularly important in Wyoming where, for the most part, DFS personnel providing child welfare services have backgrounds in a variety of fields other than social work.

More Ongoing CPS Training Desired

In our interviews and surveys, DFS caseworkers, supervisors, and field managers told us that ongoing training is a weakness in the CPS system. This belief prevails even though the agency director has made it a priority to increase training opportunities. Agency rules state that

advanced training shall be offered to CPS workers at the department's discretion.

DFS is taking steps to offer training electronically, through computer based training (CBT). With CBT, caseworkers will work through training modules on computers in their own field offices. This addresses what the agency director saw as a training weakness due to the cost of transporting caseworkers to training. DFS officials believe CBT offers potential to address training gaps and as an additional core curriculum requirement for new workers.

DFS has also developed a training approach called "grid," in which state office personnel train regionally on specific issues in two-and-a-half day in-service sessions. A more traditional training format is used in the agency's annual social services conference, which includes some information on CPS.

Some Ongoing Training is Provided Locally. Some advanced training, as well as more in-depth initial training, occurs within the separate field offices and their communities, independently of the state office. Agency rules require field offices to provide on-the-job and in-service training for all field office CPS workers. Field office managers noted that DFS relies on line supervisors in each field office to train workers. However, local-level training varies, depending upon the opportunities available in different locales, as well as the resources, time, and inclinations of local supervisors. Also, while locally initiated training is necessary, we were told that it can result in caseworkers throughout the state performing CPS differently.

DFS Does Not Require Ongoing Training

According to CWLA, training is effective only when it is provided on a continuing basis. Although DFS officials and caseworkers agree that CPS workers need ongoing training to develop and enhance their CPS skills and knowledge, there are no advanced training requirements to maintain CPS certification. Further, we sensed some hesitancy within the agency to make additional demands, such as obtaining additional training, of tenured workers.

Comparing what we learned about available ongoing training with selected survey responses, we concluded that caseworkers may not be availing themselves of training opportunities. For example, a DFS official estimated that, between the agency's efforts and those provided locally, workers have two training opportunities available to them during a year. Yet, only 15 percent of the caseworker respondents reported receiving regular training beyond the core curriculum.

In addition, although 63 percent of supervisors and managers responded that they had the opportunity to request DFS to provide training in specific CPS areas, nearly half of them did not believe caseworkers in their offices had adequate CPS training. Even though most caseworkers responded that they have declined a training opportunity due to the pressures of their workloads, 80 percent of caseworkers and supervisors reported that staff can leave casework long enough to get training.

Most Agency Training Efforts Focus on New Caseworkers

As discussed in Chapter 5, DFS experienced 33-percent turnover among caseworkers in FY99. Over 40 percent of DFS caseworkers currently have less than two years of experience, and half have three years of experience or less.

Because of high turnover, agency officials said most formal training resources are focused on providing the core curriculum training for new hires. One DFS official described training 40 caseworkers in the core curriculum each year as "trying to keep our head above water." A field office supervisor lamented that the agency is "constantly starting with square one with training."

DFS Hesitates To Dedicate Training Funds

CWLA states that a child protection agency climate must be conducive to continual professional growth and development for all staff. Top DFS officials told us that the agency has been working to build CPS training and that it has improved over the last few years. Nonetheless, some field staff believe that the agency's approach to budgeting undermines its emphasis on training.

Local managers determine whether caseworkers are able to participate in training involving travel or other expenses, and they may be reluctant to commit the necessary funds. Since money for training personnel is included in the offices' overall support budgets, field office managers must balance training requests with other office needs. Both managers and caseworkers acknowledged that other needs often supersede training requests. However, agency managers expressed a hesitancy to identify training funds in field operations budgets, believing that the Legislature could target such funds for cuts.

Recommendation: DFS should assess how to enhance ongoing CPS training.

DFS should determine how to enhance its current ongoing training. Since caseworkers indicated a preference for training that does not require travel, we thought the agency's current CBT and grid approaches made sense. But, judging from the comments we received, these alone may not be sufficient.

The agency should also consistently convey the message that training is a priority. By mixing training funds in field office budgets with other operational needs, DFS may be weakening this message. Further, DFS should consider requiring ongoing training for continued CPS certification, and then should provide the training opportunities and in-service time necessary for caseworkers to obtain it.

National criteria stressing the importance of training for CPS workers combined with the agency's relatively inexperienced caseworker staff offer strong justification for CPS training. If the agency cannot identify internally the resources needed for training, it should seek them from the Legislature.

CHAPTER 9: Conclusion

Referring to child protective systems in general, a former head of the U.S. Advisory Board of Child Abuse and Neglect has said that the country has an episodic system that keeps no records of its successes or failures. Since no outcome data is collected, public accountability is impossible and there can be no culture of learning from mistakes.

In Wyoming, based on many years of collective experience, DFS officials have a strong intuitive sense that the state's CPS program is providing safety and support for Wyoming children and families, and that abused and neglected children are better off because of the agency's efforts. Our research neither proved nor disproved that belief. Simply put, we

found the agency has not systematically collected and analyzed information to verify its internal perception.

While not discounting the confidence DFS officials and managers place in the agency's CPS efforts, we believe perceptions do not suffice to convince external audiences of a program's value. One important audience for performance information is the Legislature, which makes critical policy and funding decisions that affect CPS.

During our evaluation, the agency stressed its emphasis on keeping caseworkers and resources focused on protecting children and helping families. We do not believe this goal is at odds with strategic data collection and analysis. Rather, an agency-wide commitment to rigorous data collection and analysis at the state level would allow DFS to more strategically focus its CPS efforts.

What is needed is a broader understanding of how Wyoming's CPS system is working overall. Our recommendations encourage the agency to protect children and help families by going on to develop an information system that includes longitudinal evaluation. We believe DFS is uniquely positioned to make strategic use of its year-old WYCAPS system in this manner.

Rather than viewing such a focus as directing limited resources away from the vulnerable population it seeks to protect, DFS should consider the value that structured introspection and data analysis add to the CPS process. This knowledge could inform internal administrative and policy decisions by cultivating a deeper understanding of trends over time. It could also provide a context in which to discuss with the Legislature the successes and challenges DFS faces in providing CPS.

[Agency Response](#)

APPENDIX A

Federal Legislation Impacting CPS

- ◆ ***Child Welfare Services Program, Title IV-B of the Social Security Act (1935)*** provides grants to states to support preventative and protective services to vulnerable children and their families. Initially, most funds went to foster care payments; since 1980, federal law has encouraged prevention of out-of-home placement.
- ◆ ***Foster care payments under the Aid to Dependent Children program, Title IV-A of the Social Security Act (1961)*** provide federal funds to help states make maintenance payments for children who are eligible for cash assistance and who live in foster care. Such payments go to foster parents to cover the costs of children's food, shelter, clothing, supervision, travel home for visits, and the like. In 1980, this program was transferred to a new Title IV-E of the Social Security Act.
- ◆ ***The Child Abuse Prevention and Treatment Act (CAPTA), Public Law 93-247 (1974)*** provides limited funding to states to prevent, identify, and treat child abuse and neglect. It created the National Center on Child Abuse and Neglect, developed standards for receiving and responding to reports of child maltreatment, and established a clearinghouse on the prevention and treatment of abuse and neglect. Changes in 1996 reinforced the act's emphasis on child safety.

- ◆ ***The Social Services Block Grant Title XX of the Social Security Act (1975)*** provides funds the states can use for social services to low-income individuals. A significant but unknown portion of these funds pays for services related to child protection, including prevention, treatment programs, and foster care and adoption services.
- ◆ ***The Indian Child Welfare Act, Public Law 95-608 (1978)*** strengthens the role played by tribal governments in determining the custody of Indian children, and specifies that preference should be given to placements with extended family, then to Indian foster homes. Grants allow tribes and Indian organizations to deliver preventive services were authorized, but have not been funded.
- ◆ ***The Adoption Assistance and Child Welfare Act, Public Law 96-272 (1980)*** requires states that seek to maximize federal funding to establish programs and make procedural reforms to serve children in their own homes, prevent out-of-home placement, and facilitate family reunification following placement. This act also transferred federal foster care funding to a new Title IV-E of the Social Security Act, and it provides funds to help states pay adoption expenses for children whose special needs make adoptions difficult.
- ◆ ***The Family Preservation and Support Initiative, Public Law 103-66 (1993)*** gives funds to the states for family preservation and support planning and services. The aim is to help communities build a system of family support services to assist vulnerable children and families prior to maltreatment, and family preservation services to help families suffering crises that may lead to the placement of their children in foster care.
- ◆ ***The Adoption and Safe Families Act, Public Law 105-89 (1997)*** reauthorizes and increases funding for the Family Preservation and Support program, while changing its name to "Promoting Safe and Stable Families." This law also requires states to move children in foster care more rapidly into permanent homes, by terminating parental rights more quickly and by encouraging adoptions.

Source: *The Future of Children*, Vol. 8, No. 1 - Spring 1998. Published by the Center for the Future of Children, The David and Lucile Packard Foundation.

APPENDIX B
Selected Wyoming Statutes

ARTICLE 2
CHILD PROTECTIVE SERVICES

14-3-201. Purpose.

The purpose of W.S. 14-3-201 through 14-3-215 is to protect the best interest of the child or a disabled adult, to further offer protective services when necessary in order to prevent any harm to the child or any other children living in the home or to a disabled adult, to protect children or disabled adults from abuse or neglect which jeopardize their health or welfare, to stabilize the home environment and to preserve family life whenever possible.

14-3-202. Definitions.

- (a) As used in W.S. 14-3-201 through 14-3-215:

(i) "A person responsible for a child's welfare" includes the child's parent, noncustodial parent, guardian, custodian, stepparent, foster parent or other person, institution or agency having the physical custody or control of the child;

(ii) "Abuse" with respect to a disabled adult means as defined under W.S. 35-20-102(a) (ii). "Abuse" with respect to a child means inflicting or causing physical or mental injury, harm or imminent danger to the physical or mental health or welfare of a child other than by accidental means, including abandonment, excessive or unreasonable corporal punishment, malnutrition or substantial risk thereof by reason of intentional or unintentional neglect, and the commission or allowing the commission of a sexual offense against a child as defined by law:

(A) "Mental injury" means an injury to the psychological capacity or emotional stability of a child as evidenced by an observable or substantial impairment in his ability to function within a normal range of performance and behavior with due regard to his culture;

(B) "Physical injury" means death or any harm to a child including but not limited to disfigurement, impairment of any bodily organ, skin bruising, bleeding, burns, fracture of any bone, subdural hematoma or substantial malnutrition;

(C) "Substantial risk" means a strong possibility as contrasted with a remote or insignificant possibility;

(D) "Imminent danger" includes threatened harm and means a statement, overt act, condition or status which represents an immediate and substantial risk of sexual abuse or physical or mental injury.

(iii) "Child" means any person under the age of eighteen (18);

(iv) "Child protective agency" means the field or regional offices of the department of family services;

(v) "Court proceedings" means child protective proceedings which have as their purpose the protection of a child through an adjudication of whether the child is abused or neglected, and the making of an appropriate order of disposition;

(vi) "Institutional child abuse and neglect" means situations of child abuse or neglect where a foster home or other public or private residential home, institution or agency is responsible for the child's welfare;

(vii) "Neglect" with respect to a disabled adult means as defined under W.S. 35-20-102(a) (xi). "Neglect" with respect to a child means a failure or refusal by those responsible for the child's welfare to provide adequate care, maintenance, supervision, education or medical, surgical or any other care necessary for the child's well being. Treatment given in good faith by spiritual means alone, through prayer, by a duly accredited practitioner in accordance with the tenets and practices of a recognized church or religious denomination is not child neglect for that reason alone;

(viii) "State agency" means the state department of family services;

(ix) "Subject of the report" means any child reported under W.S. 14-3-201 through 14-3-215 or the child's parent, guardian or other person responsible for the child's welfare, or any disabled adult reported under W.S. 35-20-101 through 35-20-109 or the disabled adult's caretaker;

(x) "Unfounded report" means any report made pursuant to W.S. 14-3-201 through 14-3-215 or 35-20-101 through 35-20-109 that is not supported by credible evidence;

(xi) "Substantiated report" means any report of child abuse or neglect pursuant to W.S. 14-3-201 through 14-3-215, or any report of abuse, neglect, exploitation or abandonment of a disabled adult under W.S. 35-20-101 through 35-20-109, that is determined upon investigation that credible evidence of the alleged abuse, neglect, exploitation or abandonment exists;

(xii) "Abandonment" with respect to a disabled adult means as defined under W.S. 35-20-102(a) (i);

(xiii) "Disabled adult" means any person defined under W.S. 35-20-102(a) (vi);

(xiv) "Exploitation" with respect to a disabled adult means as defined under W.S. 35-20-102(a) (ix).

14-3-203. Duties of state agency; on-call services.

(a) The state agency shall:

(i) Administer W.S. 14-3-201 through 14-3-215;

(ii) Be responsible for strengthening and improving state and community efforts toward the prevention, identification and treatment of child abuse and neglect in the state;

(iii) Refer any person or family seeking assistance in meeting child care responsibilities, whether or not the problem presented by the person or family is child abuse or neglect, to appropriate community resources, agencies, services or facilities; and

(iv) Assist with the diagnosis and referral for treatment of osteogenesis imperfecta and hemophilia.

(b) The state agency may contract for assistance in providing on-call services. The assistance may include screening protection calls, making appropriate referrals to law enforcement and the agency, and maintaining a record of calls and referrals. Contractors shall have training in child protection services.

14-3-204. Duties of local child protective agency.

(a) The local child protective agency shall:

(i) Prepare a plan for child protective services under guidelines prepared by the state agency, and provide services under the plan to prevent further child abuse or neglect. The plan shall be reviewed annually by both agencies;

(ii) Receive, investigate or arrange for investigation and coordinate investigation of all reports of known or suspected child abuse or neglect;

(iii) Within twenty-four (24) hours after notification of a suspected case of child abuse or neglect, initiate an investigation and verification of every report. A thorough investigation and report of child abuse or neglect shall be made in the manner and time prescribed by the state agency. If the child protective agency is denied reasonable access to a child by a parent or other persons and the agency deems that the best interest of the child so requires, it shall seek an appropriate court order by ex parte proceedings or other appropriate proceedings to see the child;

(iv) If the investigation discloses that abuse or neglect is present, initiate services with the family of the abused or neglected child to assist in resolving problems that lead to or caused the child abuse or neglect;

(v) Make reasonable efforts to contact the noncustodial parent of the child and inform the parent of substantiated abuse or neglect in high risk or moderate risk cases as determined pursuant to rules and regulations of the state agency and inform the parent of any proposed action to be taken;

(vi) Cooperate, coordinate and assist with the prosecution and law enforcement agencies; and

(vii) When the best interest of the child requires court action, contact the county and prosecuting attorney to initiate legal proceedings and assist the county and prosecuting attorney during the proceedings. If the county attorney elects not to bring court action the local child protective agency may petition the court for appointment of a guardian ad litem who shall act in the best interest of the child and who may petition the court to direct the county attorney to show cause why an action should not be commenced under W.S. 14-3-401 through 14-3-439.

14-3-205. Child abuse or neglect; persons required to report.

(a) Any person who knows or has reasonable cause to believe or suspect that a child has been abused or neglected or who observes any child being subjected to conditions or circumstances that would reasonably result in abuse or neglect, shall immediately report it to the child protective agency or local law enforcement agency or cause a report to be made.

(b) If a person reporting child abuse or neglect is a member of the staff of a medical or other public or private institution, school, facility or agency, he shall notify the person in charge or his designated agent as soon as possible, who is thereupon also responsible to make the report or cause the report to be made. Nothing in this subsection is intended to relieve individuals of their obligation to report on their own behalf unless a report has already been made or will be made.

14-3-206. Child abuse or neglect; written report; statewide reporting center; documentation; costs and admissibility thereof.

(a) Reports of child abuse or neglect or of suspected child abuse or neglect made to the local child protective agency or local law

enforcement agency shall be followed by a written report confirming or not confirming the facts reported. A written report may be dispensed with for good cause shown.

(b) The state agency may establish and maintain a statewide reporting center to receive reports of child abuse or neglect on a twenty-four (24) hour, seven (7) day week, toll free telephone number. Upon establishment of the service, all reports of child abuse or neglect may be made to the center which shall transfer the reports to the appropriate local child protective agency.

(c) Any person investigating, examining or treating suspected child abuse or neglect may document child abuse or neglect by having photographs taken or causing x-rays to be made of the areas of trauma visible on a child who is the subject of the report or who is subject to a report. The reasonable cost of the photographs or x-rays shall be reimbursed by the appropriate local child protective agency. All photographs, x-rays or copies thereof shall be sent to the local child protective agency, admissible as evidence in any civil proceeding relating to child abuse or neglect, and shall state:

(i) The name of the subject;

(ii) The name, address and telephone number of the person taking the photographs or x-rays; and

(iii) The date and place they were taken.

14-3-207. Abuse or neglect as suspected cause of death; coroner's investigation.

Any person who knows or has reasonable cause to suspect that a child has died as a result of child abuse or neglect shall report to the appropriate coroner. The coroner shall investigate the report and submit his findings in writing to the law enforcement agency, the appropriate district attorney and the local child protective agency.

14-3-208. Temporary protective custody; order; time limitation; remedial health care.

(a) When a physician treating a child or a medical staff member of a hospital in which a child is being treated has reasonable cause to believe there exists an imminent danger to the child's life or safety unless the child is taken into protective custody and there is not time to apply for a court order, the child may be taken into temporary protective custody without a warrant or court order and without the consent of the parents, guardians or others exercising temporary or permanent control over the child. Any person taking a child into temporary protective custody shall as soon as possible notify the appropriate local child protective agency. Upon notification, the local child protective agency shall initiate an investigation of the notification and make every reasonable effort to inform the parent or other person responsible for the child's welfare that the child has been taken into temporary protective custody.

(b) Any district court judge, district court commissioner or justice of the peace may issue a temporary protective custody order upon finding that a child's life or safety is in danger. That order may be requested by the state agency, the local child protective agency, a local law enforcement officer, an administrator of a hospital in which a child reasonably believed to have been abused or neglected is being

treated or any physician who reasonably believes a child has been abused or neglected, whether or not additional medical treatment is required, and that the child, by continuing in his place of residence or in the care and custody of the person responsible for his welfare, would be in imminent danger of his life or health. The local child protective agency shall be notified of the order.

(c) Temporary protective custody shall not exceed seventy-two (72) hours.

(d) When necessary for the best interest or welfare of a child, a court may order medical or nonmedical remedial health care notwithstanding the absence of a prior finding of child abuse or neglect.

14-3-209. Immunity from liability.

Any person, official, institution or agency participating in good faith in any act required or permitted by W.S. 14-3-201 through 14-3-215 is immune from any civil or criminal liability that might otherwise result by reason of the action. For the purpose of any civil or criminal proceeding, the good faith of any person, official or institution participating in any act permitted or required by W.S. 14-3-201 through 14-3-215 shall be presumed.

14-3-210. Admissibility of evidence constituting privileged communications.

(a) Evidence regarding a child in any judicial proceeding resulting from a report made pursuant to W.S. 14-3-201 through 14-3-215 shall not be excluded on the ground it constitutes a privileged communication:

(i) Between husband and wife;

(ii) Claimed under any provision of law other than W.S. 1-12-101(a) (i) and (ii); or

(iii) Claimed pursuant to W.S. 1-12-116.

14-3-211. Appointment of counsel for child and other parties.

(a) The court shall appoint counsel to represent any child in a court proceeding in which the child is alleged to be abused or neglected. Any attorney representing a child under this section shall also serve as the child's guardian ad litem unless a guardian ad litem has been appointed by the court. The attorney or guardian ad litem shall be charged with representation of the child's best interest.

(b) The court may appoint counsel for any party when necessary in the interest of justice.

14-3-212. Child protection teams; creation; composition; duties; records confidential.

(a) The state agency and the local child protective agency shall encourage and assist in the creation of multi-disciplinary child protection teams within the communities in the state.

(b) The local child protection team shall be composed of:

- (i) A member of the district attorney's office;
- (ii) A designated representative from the school district or districts within the area served by the team;
- (iii) Representatives from other relevant professions; and
- (iv) Temporary members selected for the needs of a particular case as determined by the team.

(c) The local child protection team may:

- (i) Assist and coordinate with the state agency, the local child protective agency and all available agencies and organizations dealing with children;
- (ii) Facilitate diagnosis and prognosis; and
- (iii) Provide an adequate treatment plan for the abused and neglected child and his family.

(d) All records and proceedings of the child protection teams are subject to W.S. 14-3-214.

14-3-213. Central registry of child and disabled adult protection cases; establishment; operation; amendment, expungement or removal of records; classification and expungement of reports; statement of person accused.

(a) The state agency shall establish and maintain within the statewide child protection center a central registry of child protection cases in accordance with W.S. 42-2-111 and of disabled adult protection cases under W.S. 35-20-101 through 35-20-109.

(b) Through the recording of reports, the central registry shall be operated to enable the center to:

(i) Immediately identify and locate prior reports of cases of child abuse or neglect and of abuse, neglect, exploitation or abandonment of a disabled adult to assist in the diagnosis of suspicious circumstances and the assessment of the needs of the child and his family or of the disabled adult and his caretaker as defined under W.S. 35-20-102(a) (iv);

(ii) Continuously monitor the current status of all pending child protection cases and disabled adult protection cases; and

(iii) Regularly evaluate the effectiveness of existing laws and programs through the development and analysis of statistical and other information.

(c) With the approval of the local child protective agency in the case of child protection cases, or the local police department or the sheriff's department in the case of disabled adult protection cases, upon good cause shown and upon notice to the subject of the report, the state agency may amend, expunge or remove any record from the central registry.

(d) All reports of child abuse or neglect contained within the central registry shall be classified in one (1) of the following categories:

- (i) "Under investigation";
- (ii) "Founded"; or
- (iii) "Closed."

(e) Within six (6) months any report classified as "under investigation" shall be reclassified as "founded" or "closed" depending upon the results of the investigation. Unfounded reports shall be expunged from the central registry.

(f) Any person named as a perpetrator of child abuse or neglect or of abuse, neglect, exploitation or abandonment of any disabled adult in any report maintained in the central registry which is classified as a substantiated report as defined in W.S. 14-3-202(a)(xi) shall have the right to have included in the report his statement concerning the incident giving rise to the report. Any person seeking to include a statement pursuant to this subsection shall provide the state agency with the statement. From and after July 1, 1994 for cases involving a child, and from and after July 1, 1995 for cases involving a disabled adult, the state agency shall provide notice to any person identified as a perpetrator of his right to submit his statement in any report maintained in the central registry.

14-3-214. Confidentiality of records; penalties; access to information; attendance of school officials at interviews; access to central registry records pertaining to child and disabled adult protection cases.

(a) All records concerning reports and investigations of child abuse or neglect are confidential except as provided by W.S. 14-3-201 through 14-3-215. Any person who willfully violates this subsection is guilty of a misdemeanor and upon conviction shall be fined not more than five hundred dollars (\$500.00) or imprisoned in the county jail not more than six (6) months, or both.

(b) Applications for access to records concerning child abuse or neglect contained in the state agency or local child protective agency shall be made in the manner and form prescribed by the state agency. Upon appropriate application, the state agency shall give access to any of the following persons or agencies for purposes directly related with the administration of W.S. 14-3-201 through 14-3-215:

- (i) A local child protective agency;
- (ii) A law enforcement agency, guardian ad litem, child protection team or the attorney representing the subject of the report;
- (iii) A physician or surgeon who is treating an abused or neglected child, the child's family or a child he reasonably suspects may have been abused or neglected;
- (iv) A person legally authorized to place a child in protective temporary custody when information in the report or record is required to determine whether to place the child in temporary protective custody;
- (v) A person responsible for the welfare of the child;
- (vi) A court or grand jury upon a showing that access to the records is necessary for the determination of an issue, in which

case access shall be limited to in camera inspection unless the court finds public disclosure is necessary; and

(vii) Court personnel who are investigating reported incidents of child abuse or neglect.

(c) A physician or person in charge of an institution, school, facility or agency making the report shall receive, upon written application to the state agency, a summary of the records concerning the subject of the report.

(d) Any person, agency or institution given access to information concerning the subject of the report shall not divulge or make public any information except as required for court proceedings.

(e) Nothing in W.S. 14-3-201 through 14-3-215 prohibits the attendance of any one (1) of the following at an interview conducted on school property by law enforcement or child protective agency personnel of a child suspected to be abused or neglected provided the person is not a subject of the allegation:

(i) The principal of the child's school or his designee; or

(ii) A child's teacher or, counselor, or specialist employed by the school or school district and assigned the duties of monitoring, reviewing or assisting in the child's welfare in cases of suspected child abuse or neglect.

(f) Upon appropriate application, the state agency shall provide to any chapter of a nationally recognized youth organization, child caring facility certified under W.S. 14-4-101 et seq., public or private school or state institution for employee or volunteer screening purposes a summary of records maintained under department of family services rules since December 31, 1986, concerning child abuse involving a named individual or confirm that no records exist. Upon appropriate application and for employee or volunteer screening purposes, the state agency shall provide to any individual, nursing home, adult care facility, service provider of adult workshop programs or home health care provider, residential programs or any service provider of programs in an institution or community-based program, or to any state institution, a record summary concerning abuse, neglect, exploitation or abandonment of a disabled adult involving a named individual or shall confirm that no record exists. The applicant shall submit a fee of five dollars (\$5.00) and proof satisfactory to the state agency that the prospective or current employee or volunteer whose records are being checked consents to the release of the information to the applicant. Central registry screening shall be limited to substantiated reports of child abuse and neglect or substantiated reports of abuse, neglect, exploitation or abandonment of a disabled adult, in which all opportunities for due process have been exhausted under the Wyoming Administrative Procedure Act including any appeal to the district court level. The applicant shall use the information received only for purposes of screening prospective employees and volunteers who may, through their employment or volunteer services, have unsupervised access to minors or disabled adults. Applicants, their employees or other agents shall not otherwise divulge or make public any information received under this section. The state agency shall notify any applicant receiving a report under this section that a prospective employee is under investigation, of the final disposition of that investigation or any appeal pending. The state agency shall notify any applicant receiving information under this subsection of any subsequent

reclassification of the information pursuant to W.S. 14-3-213(e). The state agency shall screen all prospective agency employees in conformity with the procedure provided under this subsection.

(g) There is created a program administration account within the earmarked revenue fund to be known as the "child and disabled adult abuse registry account". All fees collected under subsection (f) of this section shall be credited to this account.

14-3-215. Other laws not superseded.

No laws of this state are superseded by the provisions of W.S. 14-3-201 through 14-3-215.

APPENDIX C

Stages of CPS Decision Making and Casework

Intake

- ◆ Receive the report
- ◆ Explore appropriateness of the referral
- ◆ Decide whether to investigate
- ◆ Determine the urgency of response
- ◆ Assign the report to an investigator

Initial Assessment/Investigation

- ◆ Make contact with the child, family
- ◆ Assess the harm to the child and other children in the home
- ◆ Assess the risk for future harm
- ◆ Determine the evidence of abuse/neglect
- ◆ Provide emergency services
- ◆ Identify resources that could be tapped to protect the child while at home
- ◆ Decide on removal of the child
- ◆ Find an appropriate placement
- ◆ Involve law enforcement and courts, as indicated
- ◆ Decide whether to keep case open for continuing protective services or to refer to other services
- ◆ Provide feedback to parents and other relevant individuals
- ◆ Provide results of the assessment/ investigation to the state child welfare information system

Service Planning

- ◆ Specify changes needed to assure the child's safety
- ◆ If a child is in placement, decide on permanency goal and develop resources
- ◆ Explore the family's strengths and needs
- ◆ Identify the outcomes anticipated through services
- ◆ Determine what will be provided by whom, for how long, and with what frequency

- ◆ Establish dates for review
- ◆ Continue to review safety of child

Service Provision

- ◆ Contract for or coordinate services provided by other agencies
- ◆ Clearly communicate service goals
- ◆ Deliver selected services directly
- ◆ Prepare for court hearing, as needed
- ◆ Continue to review safety of child

Evaluating Progress

- ◆ Review progress with all service providers and court, if involved
- ◆ Obtain client perceptions of progress
- ◆ Determine which services in the plan are still needed, new referrals needed
- ◆ Continue to review safety of child

Case Closure

- ◆ With family, evaluate progress
- ◆ Assess continuing risks to the child
- ◆ Identify steps to be taken if protective issues re-emerge
- ◆ Decide whether to close the case
- ◆ Communicate decisions to all relevant agencies and persons
- ◆ Document rationale for closure

Source: *The Future of Children*, Vol. 8, No. 1 - Spring 1998. Published by the Center for the Future of Children, The David and Lucile Packard Foundation.

APPENDIX D

Allegations Receiving Contract Services in FY99

Office	Substantiated Allegations Receiving Contract Services	Unsubstantiated Allegations Receiving Contract Services	Total Allegations Investigated	Percent Receiving Services	Percent Not Receiving Services
Afton	3	1	37	11%	89%
Buffalo	1	11	23	52%	48%
Glenrock	2	2	45	9%	91%
Greybull/Lovell	17	8	136	18%	82%
Jackson	8	9	52	33%	67%
Kemmerer	7	6	53	25%	75%
Lusk	0	3	23	13%	87%
Lyman	5	2	94	7%	93%
Newcastle	4	13	23	74%	26%
Pinedale	3	3	15	40%	60%
Sundance	6	3	44	20%	80%
Thermopolis	8	10	54	33%	67%
Wheatland	8	2	73	14%	86%
Worland	4	6	92	11%	89%
Total Small Offices	76	79	764	20%	80%
Cody	18	17	102	34%	66%
Douglas	4	2	118	5%	95%
Evanston	13	18	278	11%	89%
Gillette	31	21	358	15%	85%
Lander	13	8	96	22%	78%
Laramie	13	12	64	39%	61%
Powell	12	10	29	76%	24%
Rawlins	24	18	218	19%	81%
Riverton	21	32	89	60%	40%
Rock Springs	37	34	507	14%	86%
Sheridan	25	37	188	33%	67%
Torrington	19	20	116	34%	66%
Total Medium Offices	230	229	2163	21%	79%
Casper	72	63	973	14%	86%
Cheyenne	54	39	544	17%	83%
Total Large Offices	126	102	1517	15%	85%
Total All Offices	432	410	4444	19%	81%

Source: LSO analysis of agency-provided WYCAPS for FY99. LSO has not independently audited agency data and collection methodologies.

APPENDIX E

Social Work Cases by Program FY95 through FY98

Source: Agency-reported data.

APPENDIX F

WYCAPS Sample Methodology

We conducted a randomly selected incident review of DFS' electronic case management system (WYCAPS) to obtain information about CPS that DFS was not able to download for all CPS files and to gain more qualitative information about CPS. We conducted the review in accordance with statutory confidentiality provisions governing program evaluations.

We elected to review files of substantiated incidents only. We made the decision not to review unsubstantiated incidents because we believed we would glean more information about service provision from substantiated incidents. There were 954 substantiated incidents in the WYCAPS system at the time of our review. We reviewed only incidents that had been reported to DFS as of June 1, 1998 (when WYCAPS became operational) and that were consequently substantiated by DFS. From the list of 954 substantiated incidents DFS provided, we randomly selected 100 to review. We selected a sample size of 100 based on the time we had available during the evaluation and, although not all results should be extrapolated to the population, we believe the sample was more than sufficient to gain an understanding of CPS casework and to raise some questions about the process.

We conducted our review on-line after meeting with DFS ITD staff to understand where relevant information was located in WYCAPS. An extraction sheet was used to capture information from the system. After LSO staff compiled the information, we cross-checked the extraction sheets against each other and against the original WYCAPS files to ensure that information had been uniformly extracted. After the information was entered into a spreadsheet for analysis, we spot-checked the data against both the extraction forms and the original WYCAPS files to ensure accuracy.

WYCAPS has only been operational for a year and the agency is still transitioning to the system. Therefore, the statistics compiled represent only the information that has been documented by caseworkers in WYCAPS. If the information was not documented in WYCAPS, we cannot conclude caseworkers did not conduct the work. Rather there are two possibilities: either the caseworkers did not conduct CPS in the manner prescribed; or the workers did not document their work in WYCAPS. Furthermore, if the information is not documented in WYCAPS, caseworkers may be documenting their decisions in a hard-copy file; however, we did not review hard-copy files to make this further determination.

Twenty different field offices were represented in the randomly selected sample. The nine offices not represented in the sample were: Glenrock, Lander, Buffalo, Kemmerer, Afton, Lusk, Wheatland, Pinedale, and Newcastle. The offices represented the most in the review were: Cheyenne (18), Casper (16), Rock Springs (10) and Gillette (10).

Many files had more than one sibling represented in the incident with more than one type of abuse alleged or substantiated. So, although we reviewed 100 incidents, this review represents more than 100 children. Also, many of the fields we reviewed total more than 100 because multiple answers may have applied to several files.

APPENDIX G
Intake Rates by Office Size for FY99

Office	Total Reports of CA/N Received by DFS	Rejected and not Investigated	Accepted for Investigation	Percent Accepted for Investigation
Afton	74	28	46	62%
Buffalo	37	8	29	78%
Glenrock ¹	0	NA (-30)	30	NA
Greybull/Lovell	90	16	74	82%
Jackson	61	27	34	56%
Kemmerer	49	4	45	92%
Lusk	32	4	28	88%
Lyman ²	45	NA (-8)	53	NA
Newcastle	42	13	29	69%
Pinedale	22	3	19	86%
Sundance	65	22	43	66%
Thermopolis	85	22	63	74%
Wheatland ³	68	NA (-9)	77	NA
Worland	70	15	55	79%
Total Small Offices	740	115	625	76%
Cody	115	30	85	74%
Douglas	182	62	120	66%
Evanston	306	57	249	81%
Gillette	303	33	270	89%
Lander	119	42	77	65%
Laramie	150	94	56	37%
Powell	59	24	35	59%
Rawlins	198	71	127	64%
Riverton	195	84	111	57%
Rock Springs	625	128	497	80%
Sheridan	241	67	174	72%
Torrington	129	21	108	84%
Total Medium Offices	2622	713	1909	73%
Casper	1274	516	758	59%
Cheyenne	833	437	396	48%
Total Large Offices	2107	953	1154	55%
Total All Offices	5469	1781	3688	67%

Source: LSO analysis of agency-provided WYCAPS data for FY99. LSO has not independently audited agency data and collection methodologies.

¹ Reports accepted for investigation exceed the total number of reports received in this office because it is a satellite office and reports of CA/N may be reported to the main office, but investigated in the satellite office. Therefore, the percentage of accepted reports has not been calculated.

² See Note 1 above.

³ The total number of reports accepted for investigation exceed the total number of reports received in Wheatland, because many reports investigated in FY99 were reported to the Torrington office, according to DFS.

APPENDIX H
Intake Rates by Caseload for FY99

Office	Average Caseload ¹	Total Reports of CA/N Received by DFS	Rejected and not Investigated	Accepted for Investigation	Percent Accepted for Investigation
Casper	33	1274	516	758	59%
Cheyenne	26	833	437	396	48%
Cody	28	115	30	85	74%
Gillette	28	303	33	270	89%
Kemmerer	26	49	4	45	92%
Newcastle	39	42	13	29	69%
Offices That Exceed DFS Standard		2616	1033	1583	61%
Afton	20	74	28	46	62%
Buffalo	17	37	8	29	78%
Douglas	22	182	62	120	66%
Evanston	21	306	57	249	81%
Glenrock ²	NA	0	NA (-30)	30	NA
Greybull/Lovell	22	90	16	74	82%
Jackson	21	61	27	34	56%
Lander	15	119	42	77	65%
Laramie	17	150	94	56	37%
Lusk	23	32	4	28	88%
Lyman ³	12	45	NA (-8)	53	NA
Pinedale	23	22	3	19	86%
Powell	23	59	24	35	59%
Riverton	20	195	84	111	57%
Rawlins	15	198	71	127	64%
Rock Springs	25	625	128	497	80%
Sheridan	24	241	67	174	72%
Sundance	12	65	22	43	66%
Thermopolis	25	85	22	63	74%
Torrington	24	129	21	108	84%
Wheatland ⁴	22	68	NA (-9)	77	NA

Worland	17	70	15	55	79%
Offices That Meet or are Below DFS Standard		2853	748	2105	74%
Total All Offices		5469	1781	3688	67%

Source: LSO analysis of agency-provided WYCAPS data for FY99. LSO has not independently audited agency data and collection methodologies.

¹ Average caseloads assume full staffing for FY99 and are based on LSO analysis of agency-provided data, summarized in Appendix J. Caseloads have been sorted by those that exceed DFS' standard in rule of 25 cases per worker.

² Reports accepted for investigation exceed the total number of reports received in this office because it is a satellite office and reports of CA/N may be reported to the main office, but investigated in the satellite office. Therefore, the percentage of accepted reports has not been calculated.

³ See Note 2 above.

⁴ The total number of reports accepted for investigation exceed the total number of reports received in Wheatland, because many reports investigated in FY99 were reported to the Torrington office, according to DFS.

**APPENDIX I
Investigation Findings by Office Size FY99**

Office	Reports Accepted for Investigation	Allegations Associated with Accepted Reports ¹	Substantiated	Unsubstantiated	Pending	Percent Substantiated
Afton	46	37	22	15	0	59%
Buffalo	29	23	6	13	4	26%
Glenrock	30	45	27	17	1	60%
Greybull/Lovell	74	136	52	82	2	38%
Jackson	34	52	23	19	10	44%
Kemmerer	45	53	17	36	0	32%
Lusk	28	23	5	18	0	22%
Lyman	53	94	34	48	12	36%
Newcastle	29	23	10	11	2	43%
Pinedale	19	15	12	3	0	80%
Sundance	43	44	11	32	1	25%
Thermopolis	63	54	20	34	0	37%
Wheatland	77	73	20	53	0	27%
Worland	55	92	41	46	5	45%
Total Small Offices	625	764	300	427	37	39%

Cody	85	102	45	54	3	44%
Douglas	120	118	38	68	12	32%
Evanston	249	278	98	180	0	35%
Gillette	270	358	122	225	11	34%
Lander	77	96	49	45	2	51%
Laramie	56	64	22	39	3	34%
Powell	35	29	7	18	4	24%
Rawlins	127	218	89	110	19	41%
Riverton	111	89	39	46	4	44%
Rock Springs	497	507	136	364	7	27%
Sheridan	174	188	94	82	12	50%
Torrington	108	116	33	68	15	28%
Total Medium Offices	1909	2163	772	1299	92	36%
Casper	758	973	235	707	31	24%
Cheyenne	396	544	226	312	6	42%
Total Large Offices	1154	1517	461	1019	37	30%
Total All Offices	3688	4444	1533	2745	166	34%

Source: LSO analysis of agency-provided WYCAPS data for FY99. LSO has not independently audited agency data and collection methodologies.

¹ According to DFS, the number of allegations may not equal the number of reports accepted for investigation for several reasons. Some reports may involve more than one child and/or may involve more than one allegation of maltreatment. The allegations associated with other reports may still be under investigation and may not have a finding at the time of our data analysis. The allegations and findings of other reports may not have been documented in WYCAPS at the time of our review. Finally, offices may be rejecting reports after they were accepted for investigation if further information reveals an investigation was not needed.

APPENDIX J
FY99 Workload with Full Staffing Assumed

Office	Open/Ongoing			Avg Incidents per Wkr/Mth		Avg Cases per Wkr/Mth
	All Incidents	CPS Incidents	Cases	All	CPS	All
Gillette	2,522	1,333	2,320	30	16	28
Douglas	759	314	775	21	9	22
Glenrock	300	172	290	NA	NA	NA
Sundance	328	156	299	14	7	12
Torrington	1,285	622	1,162	27	13	24
Buffalo	455	276	416	19	12	17
Lusk	272	57	270	23	5	23
Wheatland	517	236	522	22	10	22
Guernsey	11	3	11	NA	NA	NA
Sheridan	1,847	840	1,744	26	12	24

Newcastle	508	212	472	42	18	39
Region 1 Total	8,804	4,221	8,281	26	13	25
Greybull/Lovell	574	233	530	24	10	22
Lander	762	274	704	16	6	15
Riverton	1,650	713	1,447	23	10	20
Reservation	1,312	1,039	1,210	NA	NA	NA
Reservation	881	639	846	NA	NA	NA
Thermopolis	657	307	593	27	13	25
Afton	480	109	477	20	5	20
Cody	1,389	468	1,326	29	10	28
Powell	862	291	811	24	8	23
Pinedale	279	98	282	23	8	24
Jackson	815	268	750	23	7	21
Worland	641	192	619	18	5	17
Region 2 Total	10,302	4,631	9,595	29	13	27
Cheyenne	5,529	1,656	5,244	27	8	26
Casper	7,847	2,734	7,189	36	13	33
Region 3 Total	13,376	4,390	12,433	32	10	30
Laramie	1,514	422	1,468	18	5	17
Rawlins	1,111	620	1,111	15	9	15
Kemmerer	304	158	316	25	13	26
Rock Springs	3,232	1,462	3,307	24	11	25
Evanston	1,217	467	1,282	20	8	21
Lyman	321	181	298	13	8	12
Region 4 Total	7,699	3,310	7,782	20	9	20
State Total	40,181	16,552	38,091	27	11	25

Source: LSO analysis of DFS personnel and WYCAPS data. LSO has not independently audited agency data and collection methodologies.

Note: DFS counted an incident/case according to the number of days in a month it was open when providing LSO raw WYCAPS data.

¹ Open/Ongoing means an incident/case is counted for every month in which it is open.