



National Association of Public
Child Welfare Administrators

an affiliate of the American Public Human Services Association

How States are Implementing the Fostering Connections Act

New Jersey's At-Risk Children

As of March 2009, there were 8,783 children in New Jersey in out-of-home care. Of those children, 3,133 were with kin and 4,333 were with "resource families" (foster care). In addition, 1,106 children were in group or residential facilities, and 211 older youth were engaged in an independent living program.¹

New Jersey has seen a decrease in caseloads from a high of 12,006 in 2005 to a low of 8,783 in 2009. The state attributes this shift to greater investment in prevention programs, expediency coordination with the courts, and an increased adoption rate. In addition, New Jersey has placed greater emphasis on permanency planning for youth and has focused on providing services to families in order to avoid the necessity of state care.²

New Jersey's Budget Landscape

New Jersey's budget for fiscal year 2009 is \$32.87 billion with a budget gap of \$600 million from state FY 2008. This is the largest absolute reduction in state history. Governor Corzine insists that the budget cut is in line with efforts to establish long-term fiscal responsibility.³

In relation to New Jersey's Child and Family Services Department, FY 2009 budget total was \$1,085,850,000. The Governor's FY 2010 budget allows for a continuance in existing services and programs. There is no need for a service reduction even though the department's budget was decreased by \$9,668,530. Although New Jersey is in a similar situation to other states with wide scale budget cuts required of all state agencies and departments, child welfare is a priority.⁴

The CFS department does have a furlough program because of the budgetary restrictions. However, there is a caseload standard that needs to be maintained. The state does not have a hiring freeze, and the attrition rate is low. New Jersey continues to hire the case workers needed to maintain caseload standards.⁵

P.L. 110-351 State Options

New Jersey plans to implement the new Guardianship Assistance Program, though the state already has a Kinship Legal Guardianship (KLG) program. New Jersey currently uses state dollars to fund KLG. Through this state program, New Jersey licenses homes prior to the kinship/guardianship being finalized. There are some policy changes that need to be made in order for KLG to comply with the Guardianship Assistance Program such as the issue of licensing six months prior to finalization, some changes in language, and shifts in the state's SACWIS system. New Jersey is in the process of making the adjustments. Since the state already pays for the KLG program with state dollars, the child welfare agency does not expect a large fiscal impact other than possible federal supplements.⁶

New Jersey currently extends foster care services to its clients through age 21. There are currently 1,920 youth over the age of 18 receiving services. Though after age 18, the service continuation is voluntary for these older youth, the state does not close foster care cases at 18 unless the client specifically requests the state to do so. Overall, the majority of youth choose to leave the system at age 18. The state uses state dollars if the child is in school or has special needs. Though New Jersey expects that using federal money for this program would have a positive fiscal impact, the state is still deliberating on this issue. The state is also continuing discussions over the federal option to assist eligible youth who exit care to guardianship or adoption after age 16.⁷

New Jersey's Tribes

New Jersey does not have any federally recognized tribes. The state does occasionally care for tribal children, but such an occurrence is fairly uncommon.⁸

P.L. 110-351 Mandatory Provisions

New Jersey did ask for a delay in the educational stability requirement of the mandatory provisions. For each of the other areas, the state already has many of the requirements in place. New Jersey does anticipate fiscal impact around educational stability, licensing, and the additional workload on IV-E staff. Overall, however, the state feels prepared for implementation of the mandatory provisions.⁹

Regarding the mandatory provision on relative notification, the state already has a 30-day requirement in place. New Jersey attempts to contact relatives in person, and if that is unattainable, the state sends a letter. New Jersey operates under a broad definition of “relative” as it includes any potential caregiver identified by the child’s birth parents as a “relative.” In many cases, New Jersey’s Kinship Navigator Program places greater precedent on the family-identified party than on biological relatives when reaching out to him/her as a possible guardian.¹⁰

The educational stability provision has proven to be slightly challenging for New Jersey. The state’s child welfare division is working closely with New Jersey’s Department of Education and Office of Child Advocates in coordinating to best approach this new requirement. In any case, it appears that efforts to comply with this provision will require legislative changes. Currently, it is the foster parents’ school district that is responsible for the education of the child. There are a couple of programs in place to keep kids in the same school if their foster home is located within the same school district; however, there is not a program which extends across the state. New Jersey is participating in a work group with stakeholders and state agency representatives to look at the issue of educational consistency for children in foster care.¹¹

New Jersey meets all the requirements of the health oversight and coordination plan under the mandatory provisions. The state schedules both the initial screening and all follow-up health care. New Jersey meets the clients’ dental needs and mental health services. Nurses work with casework staff, side by side, to manage each client’s health care plan. All of these efforts are documented through SACWIS, and the services are administered through a contract with the University of Medicine and Dentistry to staff the Child Health Units. There is a CHU in each of the 47 local DYFS offices and their primary responsibility is to ensure foster children receive appropriate and timely health care. New Jersey’s Child and Family Services Department also coordinates with the Medicaid agency and the Department of Health.¹²

New Jersey’s efforts to maintain sibling connections have grown significantly in recent years. The state places a particular recruiting focus on foster care/adoptive families prepared to take siblings, and those strongly suited toward multiple children are recorded in the state system. Though the state has taken many great strides in this area through efforts like targeted family outreach, New Jersey continues improvement efforts.¹³

The state already operates a transition assistance program for youth in foster care. The efforts revolve around moving the child in to an independent living environment, and assistance is provided collaboratively. A caseworker, a private agency, and any individuals instrumental in the youth’s life assist the child in creating the transition plan. Medicaid is extended to age 21 if the child is in care on his/her 18th birthday.¹⁴

Family Connections Grants

New Jersey has not applied for a Family Connections Grant. The state already operates a Kinship Navigator Program out of the Department of Human Services (separate from the Department of Children and Families). New Jersey also utilizes Family Group Decision Making through a state program based on Family-Team Meetings. These meetings come from a family-focused model. The state does not have intensive family finding but does have several substance-abuse programs through a partnership with Addictive Services.¹⁵ The state operates four residential and two half-way house programs that allow mothers to remain with their children while receiving substance abuse services.

Opportunities and Challenges

Beyond the educational stability requirement, New Jersey expects few challenges from P.L. 110-351. Specifically, the state is concerned with the determination as to what truly is in the best interest of the child, coordination with local educational agencies, and accommodation of an additional workload.¹⁶

Overall, New Jersey expects its children to benefit from this policy shift but would appreciate federal grandfathering on some existing New Jersey practices. The state has several programs which operate with the same intent as those suggested by the federal government and, ultimately, hopes to see federal funding (or federal match dollars) to support such state efforts.¹⁷

One barrier is that without a federal match/funding, New Jersey has many children in its Kinship Legal Guardianship program that do not qualify under the new federal requirements. The state will soon be faced with the dilemma of what to do with these children, already in state care, without any financial support.¹⁸

Conclusion

Though the state faces barriers such as little affordable housing, lack of public transportation to services, low availability of child psychologists/social workers, and the absence of a domestic violence assistance program, New Jersey is hopeful that this Act, in conjunction with active state programs, can reduce the number of children in foster care. Already in the state, caseloads have decreased, permanency planning has created positive outcomes for youth, prevention efforts have saved the state time and money, and adoption numbers have increased. New Jersey is already in compliance with most of the Fostering Connections to Success and Increasing Adoptions Act and has begun taking steps to fill in any possible gaps.¹⁹

¹ New Jersey Department of Child and Family Services. <http://www.state.nj.us/dcf/home/childdata/dyfsdemo/>.

² Conference Call with New Jersey Department of Child and Family Services (NJDCF). July 30, 2009.

³ New Jersey Treasury Department. <http://www.state.nj.us/treasury/omb/publications/09citizensguide/pdf/citguide.pdf>. pg. 5.

⁴ Conference Call with New Jersey Department of Child and Family Services (NJDCF). July 30, 2009.

⁵ Ibid.

⁶ Ibid.

⁷ Ibid.

⁸ Ibid.

⁹ Ibid.

¹⁰ Ibid.

¹¹ Ibid.

¹² Ibid.

¹³ Ibid.

¹⁴ Ibid.

¹⁵ Ibid.

¹⁶ Ibid.

¹⁷ Ibid.

¹⁸ Ibid.

¹⁹ Ibid.

Note: Conference call attendees from NJDCF included Christine Mozes, Director of the Division of Youth and Family Services, Erin O’Leary, Director of Legal Affairs and Licensing, Robert Sabreen, Chief of Administration and Business Operations, Mary Helen Cervantes, Director of Communications and Legislation and Nancy Caruso, Legislative Liaison.