



*State of Missouri*  
Office of  
Child Advocate for  
Children's Protection  
and Services

2007-2008

Annual Report

*State of Missouri*  
*Office of*  
*Child Advocate for Children's*  
*Protection and Services*  
*Annual Report 2007-2008*

*Investigate Complaints*

*Advocate for Abused and Neglected Children*

*Recommend Changes*

*Improve the Child Welfare System*

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State of Missouri  
**Office of Child Advocate  
for Children's Protection and Services**

**Jeremiah W. (Jay) Nixon**  
Governor

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**Steve Morrow**  
Child Advocate

January 23, 2009

The Honorable Jeremiah W. (Jay) Nixon  
Governor of the State of Missouri

The Honorable Laura Denvir Stith  
Chief Justice of the Missouri Supreme Court

Dear Honorable Governor Nixon and Honorable Chief Justice Stith:

I am pleased to present the 2007-2008 Annual Report of the Office of Child Advocate for Children's Protection and Services. The report covers a timeframe beginning September 1, 2007 and continuing through December 31, 2008.

As the Child Advocate for our State, I am mindful of the critical need for an independent review process on behalf of innocent children. I believe that children who may be vulnerable to abuse or neglect deserve our best efforts in protecting their safety and well-being.

I appreciate this opportunity to present the 2007-2008 Annual Report of the Office of Child Advocate for Children's Protection and Services. Thank you for your commitment to the children of Missouri.

Respectfully submitted by:

A handwritten signature in black ink that reads "Steve Morrow".

Steve Morrow

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## History

The Office of Child Welfare Ombudsman was established in 2002. The first Ombudsman for the office was appointed in 2003. In 2004, during the 92nd General Assembly, House Bill 1453 was passed and the Child Welfare Reform Bill was signed into law. The statute changed the name of the office to the Office of Child Advocate for Children's Protection and Services. (See Appendix A for statute language.) Steve Morrow was named Missouri Child Advocate in 2006 for a term that runs through December 7, 2010. Since its inception, the Office of Child Advocate for Children's Protection and Services has responded to contacts involving a total of 2,331 children.

## Operation of the Office

### Staff

The Office of Child Advocate for Children's Protection and Services is directed by the Missouri Child Advocate who is appointed by the Governor and Chief Justice of the Supreme Court, with the advice and consent of the Senate. Other staff positions include a Manager of Field Operations, a Manager of Policy & Program Development and an Office Manager.

OCA staff:  
Steve Morrow, Missouri Child Advocate  
Liz Beasley, Manager of Policy & Program Development  
Courtney Davis, Manager of Field Operations  
Carolyn Swanigan, Office Manager

### Budget

The Office of Child Advocate for Children's Protection and Services is funded through state general revenue funds and federal funds distributed through the Department of Social Services. The 2007-08 core budget appropriation was \$307,016 (\$171,090 state general revenue and \$135,926 federal).

## Role of the Office

The Office of Child Advocate for Children's Protection and Services operates apart from the Department of Social Services/Children's Division, the Department of Mental Health, and the Juvenile Court. Functioning under the administrative purview of the Office of Administration, the Office of Child Advocate for Children's Protection and Services is able to offer an independent voice to help ensure the safety of children.

### What Does the Office of Child Advocate Do?

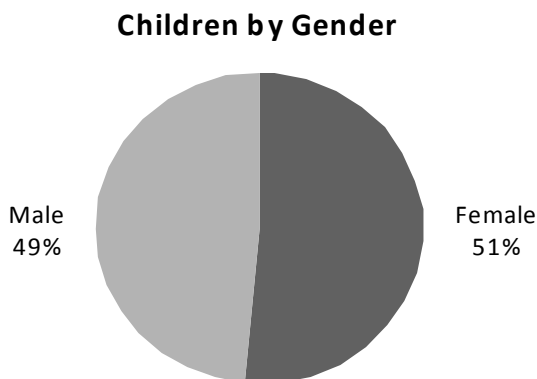
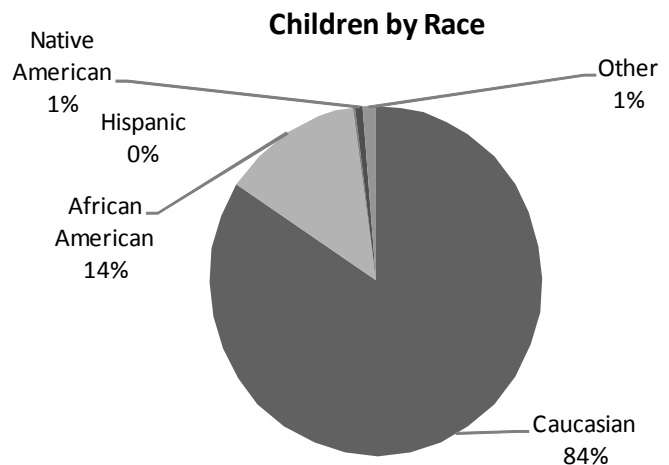
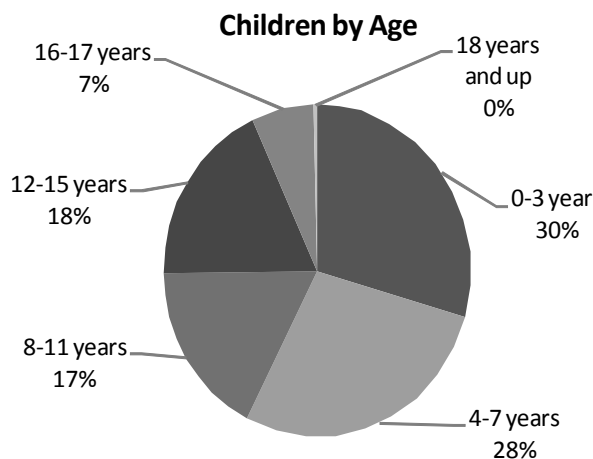
- ◆ Receives and hears complaints from family members and other citizens regarding disputed decisions, actions, or inactions relevant to reported instances of child abuse or neglect.
- ◆ Conducts independent investigations, noting perceived policy/procedure errors and practice issues when appropriate.

- ◆ Advocates for the child (or children) by directing pertinent questions to appropriate officials and addressing related concerns as necessary.
- ◆ Offers recommendations when appropriate, including case specific recommendations and systemic recommendations for improving the system.
- ◆ Provides education (regarding the child welfare system) for complainants and other citizens.
- ◆ Submits Annual Report to the Governor, the Chief Justice of the Missouri Supreme Court, and others.
- ◆ Per RSMo 210.145.15, receives referrals of unsubstantiated reports from the children’s division upon request of the reporter.

## Receiving, Investigating and Concluding Complaints

### Receiving Complaints

From September 1, 2007 through December 31, 2008, the Office of Child Advocate for Children’s Protection and Services received 513 complaints/contacts including registered concerns from 229 new complainants and 58 unsubstantiated reviews involving 521 children. The 2006-2007 Annual Report cited 339 complaints/contacts from 145 new complainants involving 228 children.



“The victim is harmed not just by the cruelty of the oppressor (perpetrator), but by the silence of the bystander.”  
Elie Wiesel

2007—2008 Contacts Received	
174	Information and Referrals
229	New Cases
29	Reopened Cases
58	Unsubstantiated Reviews
23	Unable to Contact
<b>513</b>	<b>Total Number of Contacts</b>

Caseload is determined by the composite number of complaints/contacts received by the Office of Child Advocate for Children’s Protection and Services and is categorized according to (1) Information and Referrals, (2) New Cases, (3) Reopened cases, (4) Unsubstantiated Reviews, and (5) Unable to Contact (due to phone numbers no longer in service, etc.)

### Investigating Complaints

Upon the receipt of a complaint, the Office of Child Advocate for Children’s Protection and

Services proceeds to determine the appropriate level of investigation. Possible levels of investigation include:

- 1) No investigation needed
- 2) Gather information and interact as necessary with involved parties
- 3) Request and review the Children’s Division case file
- 4) Conduct on-site investigation

Investigations involving reviews of unsubstantiated reports are generally handled by the Child Advocate. New cases and reopened cases are typically assigned to an investigator according to the geographic location of the case.

### Concluding Complaints

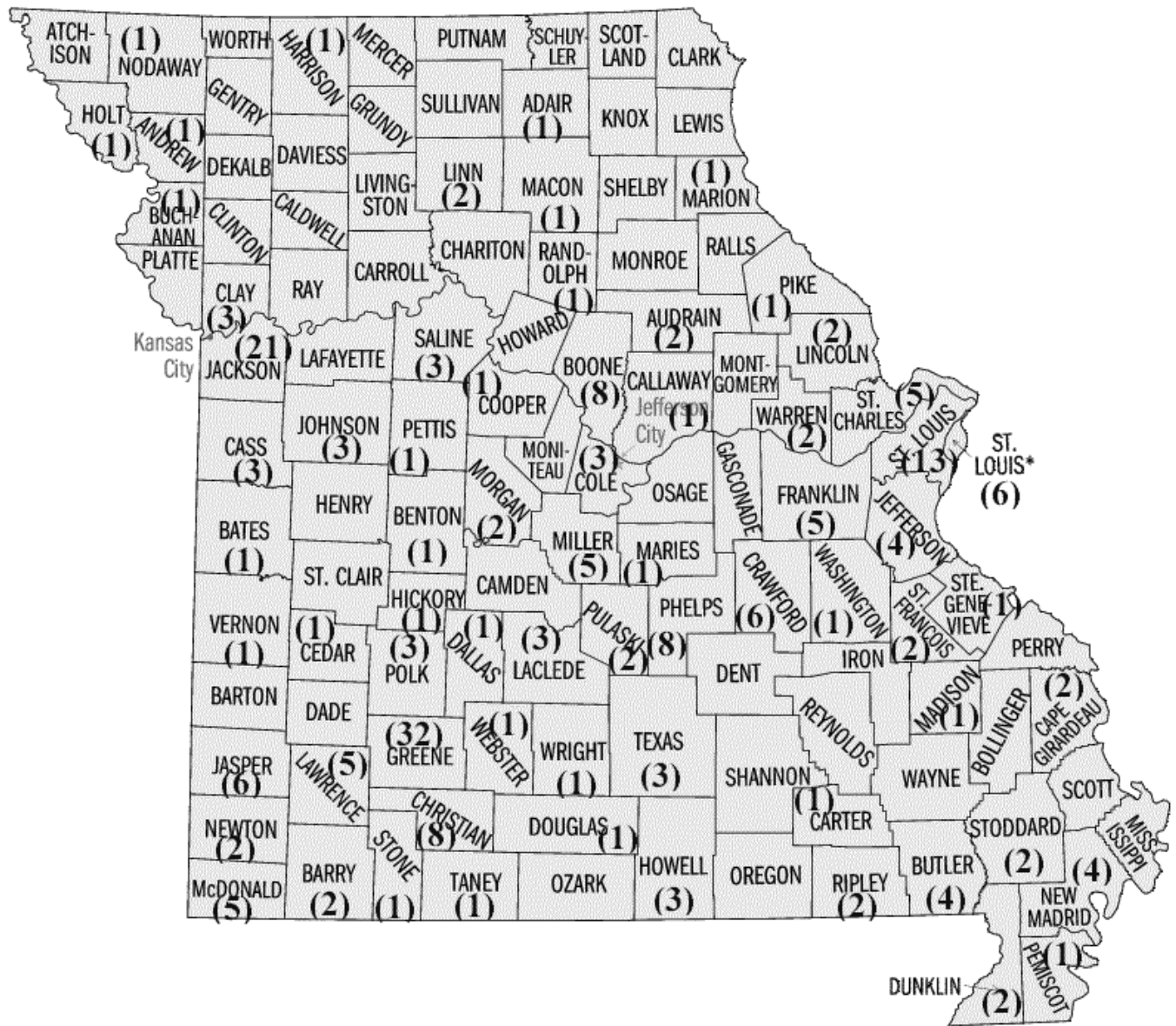
It is the goal of the Office of Child Advocate for Children’s Protection and Services to conduct investigations within a 30 day time period. Extenuating circumstances may occasionally extend the investigation in certain instances. Possible conclusions may involve:

- 1) No perceived policy/procedure error(s) noted
- 2) Perceived policy/procedure error(s) noted
- 3) Perceived practice issue(s) identified
- 4) Case recommendation(s) offered for improving services to the child, children or families.

In completing the complaint process, the Office of Child Advocate for Children’s Protection and Services may incorporate one or more of the following procedures:

- 1) Oral communication
- 2) Written communication
- 3) Written narrative account
- 4) Written summary statement

# Location of Complaints





## Promoting the Office

Per section 37.710.1 RSMo, the Office of Child Advocate for Children’s Protection and Services is authorized “to take whatever steps are appropriate to see that persons are made aware of the services of the Child Advocate’s office, its purpose, and how it can be contacted.” Between September 1, 2007 and December 31, 2008, awareness and visibility of the office was increased as a result of:

- 1) Distribution of Annual Report
- 2) Distribution of office brochure
- 3) Availability of office website
- 4) Exhibits at Professional Conferences
  - ◆ Child Advocacy Day at the State Capitol
  - ◆ Parents as Teachers Conference
  - ◆ KidsFirst Conference
  - ◆ Domestic and Sexual Violence Conference, Missouri Office of Prosecuting Services
  - ◆ Missouri School Counselor Association
  - ◆ Coordinated School Health Conference
- 5) Southwest Missouri Regional Panel Discussion on Child Protection Issues, sponsored by the Office of Child Advocate, hosted by Missouri State University

## Complaint Types and Sources—New Cases

Child Safety _____	74 calls
◆ Failure to protect child from parental abuse	
◆ Failure to address safety concerns involving child in foster care or other substitute care	
◆ Failure to address safety concerns involving child being returned to parental care	
◆ Failure to provide appropriate services to child at risk of harming self or others	
Family Separation and Reunification _____	82 calls
◆ Unnecessary removal of child from parental care	
◆ Failure to provide appropriate contact between child and family	
◆ Failure to reunite families despite parental compliance with court-ordered services	
◆ Failure to place child with relatives	
◆ Inappropriate termination of parental rights	
Dependent Child Health, Well-Being, Permanency _____	42 calls
◆ Inappropriate change of child's foster or other substitute placement	
◆ Inadequate development or implementation of plan to transition child to new placement	
◆ Failure to provide child with appropriate services	
◆ Unreasonable delay or opposition to adoption	
Other _____	31 calls

## Types of New Complaints

Complaints to the Office of Child Advocate for Children’s Protection and Services generally fall into one of three main categories: 1) child safety 2) family separation and reunification, and 3) dependent child health, well-being, and permanency. These categories involve the following issues:

## Sources of New Complaints

Most of the complaints received by the Office of Child Advocate for Children’s Protection and Services are from biological parents of children in state care or custody. The majority of parents call to express dissatisfaction over policy, procedure, or certain practices with which they disagree. Specific concerns may revolve around placement, visitation, safety, communication and other related matters. Grandparents are the second highest source of complaints. These calls usually involve grandparents wanting placement of grandchildren that have been removed from their parent’s home or grandparents who are concerned about the safety of their

Caller Relationship	No.	Caller Relationship	No.
Biological Parent	102	Law Enforcement	1
CASA/GAL	2	Legal Guardian	2
Child	2	Other Attorney	3
Community Professional or Service Provider	11	Other Relative	26
Foster Parent	15	Other Relationship	12
Grandparent	49	Step-Parent	4
		Total:	229

grandchildren living with a parent or other caretaker.

Foster parents also call the Office of Child Advocate for Children’s Protection and Services with concerns. In certain cases, the Office of Child Advocate for Children’s Protection and Services has helped to facilitate more direct communication among the parties involved and a better understanding of the issues.

## Policy/Procedure Concerns and Practice Issues

Investigations by the Office of Child Advocate for Children’s Protection and Services may or may not result in identified policy/procedure concerns or practice issues. From September 1, 2007 to December 31, 2008, the following policy/procedure concerns and practice issues were noted:

- ◆ Three investigations were not completed within the established policy timeframe of 30-45 days.
- ◆ Failure to properly notify parent of protective custody hearing.
- ◆ Children not seen within timeframe for Level II investigation - unable to complete 2 attempted home visits in first 24 hours and failure to follow up to locate family.
- ◆ Child not seen within 1 to 3 hours as required in Level I investigation.

- ◆ Paper work not properly completed regarding residential care for special needs child.
- ◆ Supervisor acknowledged that the case worker was not familiar with Children's Division policy regarding home visits during Family Centered Services cases and, therefore, did not make home visits with child/parent.
- ◆ Regular face-to-face meetings were not conducted twice per month between the worker and the children and their placement provider(s).
- ◆ Information regarding medical records was withheld from mother by worker.
- ◆ Incorrect spelling of child's name resulted in child being assigned two Departmental Client Numbers (DCN) and subsequent difficulty in locating hotline.
- ◆ Child was returned home after preponderance of evidence finding against parents resulting in further abuse or neglect—review determined that the decision to return the child was not in the child's best interest (child was removed and parental rights were later terminated).
- ◆ Foster child's background information was not clearly communicated by Children's Division worker to foster parent.
- ◆ A safety plan addressing the original hotline concern was not put in place.
- ◆ Delay in securing a doctor appointment for a child in alternative care.
- ◆ Children's Division staff unavailable and unable to arrange for parent visitation with children during holiday season.
- ◆ Hotline concluded as harassment, but later determined by Circuit Manager that harassment guidelines were not met.
- ◆ Home visits, including visits between separated siblings were not arranged.
- ◆ Worker failed to properly consult with supervisors regarding decision that led to communication issue for involved parties.
- ◆ Continuity of services affected by multiple changes in multi-disciplinary team members.
- ◆ The guardian ad litem failed to conduct regular face-to-face meetings with the child (GAL standard 3.0 Faithful Performance of Duties).
- ◆ After case was closed, supervisor indicated that opportunities had existed for further staff assessment of child's situation.
- ◆ County worker completing investigation did not assign and enter Departmental Client Numbers for the individuals involved in a report.
- ◆ Failure to file hotline report in a timely manner.
- ◆ Position documented by juvenile officer prior to the completion of investigation.

- ◆ On separate occasions two children were each assigned two Departmental Client Numbers.
- ◆ Children's Division investigator miscommunicated with reporter regarding whether the reporter was entitled to receive information pertaining to the outcome of an investigation.
- ◆ Children's Division investigator did not interview all household members as a part of the family assessment.
- ◆ Therapist was not instructed by Children's Division to fill out proper forms.
- ◆ Foster parent not provided with important case information.
- ◆ Worker did not present proper form for approval to move forward with adoption staffing.
- ◆ Several children remained in residential care environment for an over-extended period of time, resulting in the stoppage of Medicaid payments while the child continued to reside in care.
- ◆ Children's Division official stated to a complainant that a hotline was unnecessary due to prior awareness of the incident.
- ◆ Guardianship payments did not occur for three months due to a delay by another state in returning the approved home study to Missouri.
- ◆ Child abuse and neglect background check information for childcare provider was not retained in Children's Division file.
- ◆ Communication did not take place between the worker and the mother before child was placed into residential care.
- ◆ Lack of communication on the part of appropriate county Children's Division officials in relation to the foster family working with the biological family.
- ◆ Multidisciplinary Team members not properly notified of Family Support Team meeting.
- ◆ Failure to provide Family Centered Services in a timely manner.
- ◆ Significant case management decisions made solely by Children's Division without consultation of Family Support Team.
- ◆ Lack of communication between Multidisciplinary Team members and involved counties.
- ◆ Failure to follow-up with a mandated reporter subsequent to a hotline report.

## Case Specific Recommendations

Recommended that notification of Protective Custody hearings be provided in writing as per statute.

Recommended that parent/child visitation be arranged as soon as possible to make up for a missed visit through no fault of the children or the parent.

Recommended that Program Manager discuss identified problems with caseworker and supervisor.

Recommended that time requirements be followed in completing a case.

Recommended changes in caseworkers and that rationale for changes be noted.

Recommended that guardian ad litem meet directly with child.

Recommended that adoption staffing take place prior to the termination of parental rights so that visitation could begin with adoptive resource.

Recommended improved communication between foster parents and parents regarding scheduled visits and other appointments.

Recommended that investigator interview child's neighbor to whom the child had made an initial disclosure of abuse.

Recommended improved communication across county lines when dealing with particular cases.

Recommended that an attorney continue to be involved in case.

Recommended that visit be allowed for a grandmother.

Recommended that home study for a parent be completed.

Recommended that interstate visits take place if Interstate Compact on the Placement of Children (ICPC) completed and approval received from court.

Recommended that case managers remain in place for children.

Recommended that county in Missouri contact out-of-state county regarding child who made allegations after being hospitalized in Missouri.

Recommended that all mandated reporters make hotline calls even if the Children's Division is perceived to be aware of a particular case.

Recommended that parental preference be considered in the residential care placement of a child.

Recommended a change in placement.

Recommended that the Children's Division obtain the phone number of a parent.

Recommended that guardian ad litem's plan be followed for gradual unsupervised visits, and that supervisor of visits be available if needed.

Recommended that guardian ad litem's recommendation for the termination of parental rights be followed.

Recommended that children not be removed from their home (where abuse had not occurred) and placed in foster care.

Recommended increased emphasis for Family Centered Services in certain instances.

Recommended that new hotline report be filed as a result of an unsubstantiated review.

Recommended Child Advocacy Center interview for children.

Recommended better oversight by supervisory staff to ensure that investigations are completed.

Recommended that disclosing the names of contacts (as well as the name of the reporter) should be avoided.

Recommended that two formerly incarcerated parents be required to participate in random drug testing in the immediate future following Family Support Team meeting.

Recommended that (should reunification occur) home studies be completed on two formerly incarcerated parents to determine adequacy of living environments for children.

Recommended that Reactive Attachment Disorder training be required for two formerly incarcerated parents.

Recommended that confirmation of scheduled parent-child visits be provided 24 hours in advance, and that foster parents be notified promptly of any change to the scheduled visits.

Recommended that parent-child visits be supervised by the children's therapist or by a parent aide.

Recommended that the children's behavior be monitored as a factor to consider in whether the continuation of visitation is in the best interest of the children.

Recommended consideration of a possible bonding assessment for children.

Recommended that phone calls be returned to involved parties in a timely manner.

# Effectiveness Measurements

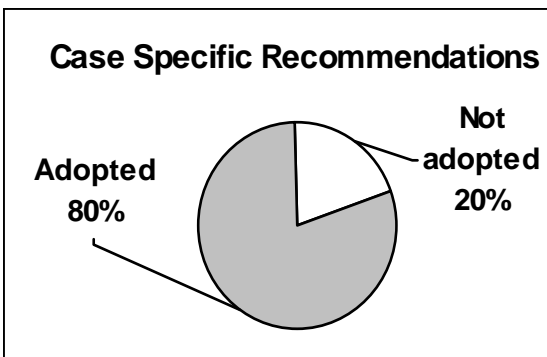
The Office of Child Advocate for Children’s Protection and Services has established measurement gauges to help ensure effectiveness in serving Missouri children/families. These include initial response time, time frame for completing new investigations, time allotment for completing unsubstantiated referrals, and the percentage of adopted recommendations that are case specific.

A timely initial response is of fundamental importance. A 90% goal has been set to contact the complainant within three business days of any new complaint.

Measurement	Goal	Met
Contact complainant within 3 business days after complaint received	90%	98.5%
Complete investigation within 30 days of receiving complaint	80%	96%
July 1, 2007—June 30, 2008		

Depending on the particular circumstances, the time period for actually completing the investigation of a complaint may vary. In 80% of new cases, the goal of the Office of Child Advocate for Children’s Protection and Services is to complete the investigation within thirty business days of receipt of the complaint. This goal, however, is considered fluid due to other potentially relevant factors. For example, cases involving the court system may be kept open beyond thirty days to sufficiently monitor the court process. In other instances, conducting a complete and thorough investigation may require an extended period of time.

Greater time may be necessary for completing full reviews of unsubstantiated hotline reports. The beginning date for investigating unsubstantiated reports coincides with the date of receipt of the complete case file.



Case specific recommendations are offered to various officials including children’s division officials, contracted agencies, guardians ad litem and juvenile officers. Recent trends indicate that approximately 26% of investigated cases result in policy/practice concerns and/or recommendations, and that approximately 80% of case specific recommendations are ultimately adopted.

## Recommendations for Improving the System

Per Chapter 37.715.4, RSMO, the Office of Child Advocate for Children’s Protection and Services is pleased to submit the following recommendations in conjunction with this annual report:

## I. Foster Care Training

The Office of Child Advocate for Children's Protection and Services recognizes the vital importance of training for foster parents.

### Recommendation:

It is recommended that sexual abuse training and training for reactive attachment disorder be incorporated as part of the regular curriculum for all foster parents, including regular in-service training.

## II. Community Resources for Foster Care

The Office of Child Advocate for Children's Protection and Services recognizes the value of community resources in promoting improved foster care.

### Recommendation:

It is recommended that partnerships be encouraged between businesses, universities, churches, and other local entities to support foster care efforts.

## III. Vital Information for Foster Parents

The Office of Child Advocate for Children's Protection and Services recognizes that foster parents must be privy to critical information pertaining to children under their care.

### Recommendation:

It is recommended that the foster parent be provided with a complete file regarding foster children under their care, and that a check list system be implemented by the Children's Division to ensure that critical information (including the foster child's diagnoses, prescribed medications, and special needs) is systematically imparted to foster parents in a timely manner.

## IV. Child Needs and Foster Home Levels

The Office of Child Advocate for Children's Protection and Services recognizes that foster homes are presently labeled according to behavioral, career, etc.

### Recommendation:

It is recommended that consideration be given to reassessing the current foster home leveling system to determine if the present system adequately focuses on the child's needs in direct relation to the placement of the child.

## V. Second and Third Hand Smoke Exposure

The Office of Child Advocate for Children's Protection and Services recognizes well-documented evidence regarding the dangers of second and third hand smoke exposure.



### Recommendation:

It is recommended that licensing agencies for child care entities review policies to ensure that children under their care are protected from second and third hand smoke.

## VI. Creative Approaches for Family Support Teams

The Office of Child Advocate for Children's Protection and Services recognizes that the Children's Division supports creative approaches to address the unique circumstances of each child.

### Recommendation:

It is recommended that each Family Support Team select a designated representative from the team to be responsible for coordinating possible out-of-the-box solutions and recommendations as may be necessary to help facilitate decisions in the best interest of the child(ren).

## VII. Children With Suicidal Tendencies

The Office of Child Advocate for Children's Protection and Services recognizes that the emotional well-being of children should not be overlooked with respect to their overall care and protection.

### Recommendation:

It is recommended that reports of suicidal attempts regarding children in state care should be brought to the attention of the appropriate Regional Director within 24 hours.

## VIII. Communication of Unsubstantiated Findings

The Office of Child Advocate for Children's Protection and Services recognizes that reporters of alleged child abuse or neglect are informed by letter of their right of referral to the Office of Child Advocate.

### Recommendation:

It is recommended that the P.O. address and toll-free phone number for the Office of Child Advocate be included in the letter notifying the reporter of an unsubstantiated finding.

## IX. Hospitalization of Children in Alternative Care

The Office of Child Advocate for Children's Protection and Services recognizes the existence of unique circumstances relevant to children in alternative care.

### Recommendation:

It is recommended that when a child in alternative care requires hospitalization for any reason, the child should be accompanied to the hospital by a responsible adult with whom the child is already familiar (including, but not limited to, the child's foster parent, caseworker, or counselor).

### X. Supervised Visitation Involving Children and Alleged Perpetrators

The Office of Child Advocate for Children's Protection and Services recognizes the rationale for supervised visitation.

### Recommendation:

It is recommended that agencies (contracted or otherwise) responsible for conducting supervised visits involving an alleged perpetrator, should be obliged to take steps to ensure that any and all visits are fully and directly supervised at all times during the course of each scheduled visit.

### Response to Former Recommendation

The Office of Child Advocate for Children's Protection and Services is grateful for the following response from the Children's Division in relation to a former recommendation: INTER-COUNTY COMMUNICATION—The purpose of this practice point is to remind staff about the importance of communication between counties when working with the same family. At a minimum, contact between the two counties should be made on a monthly basis and at every Family Support Team Meeting. The intent of this contact should be to provide and receive updates regarding the family or child(ren). Staff should contact their supervisor when there are differing opinions between the counties regarding a family or child(ren). If the differences still cannot be worked out then the matter should be referred through the normal supervisory chain. Regional Directors are consulted through the levels of supervision when the issues are significant and cannot be resolved. Effective communication is essential to the success of ensuring the safety, health and well-being of every Missouri child. For further reference refer to the CWM: Direct Service Worker Duties, Out-of-Home Placement Support Activities—Section 4 Chapter 6 CWM, Out of Home Care. Issued: November 13, 2008.

## Acknowledgements

The Office of Child Advocate for Children's Protection and Services wishes to thank Governor Matt Blunt and the General Assembly for their support.

Appreciation is expressed to the Office of Administration for providing the Office of Child Advocate for Children's Protection and Services with support, guidance, and administrative structure. We offer our particular thanks to Commissioner Larry Schepker.

Both the Office of Child Advocate for Children's Protection and Services and the Department of Social Services/Children's Division endeavor to protect the children of Missouri from abuse and neglect. We, therefore, wish to acknowledge our gratitude to Department of Social Services Director Deborah Scott, former Children's Division Director Paula Neese, Acting Children's Division Director James Harrison, Designated Principal Assistant Celesta Hartgraves, and others serving at the central office, regional, district, and county levels.

# Appendix A

State of Missouri

## *Missouri Revised Statutes*

### Chapter 37

### Office of Administration

#### **Definitions.**

37.700. As used in sections 37.700 to 37.730, the following terms mean:

- (1) "Office", the office of the child advocate for children's protection and services within the office of administration, which shall include the child advocate and staff;
- (2) "Recipient", any child who is receiving child welfare services from the department of social services or its contractors, or services from the department of mental health.

#### **Office established--appointment of child advocate.**

37.705.

1. There is hereby established within the office of administration the "Office of Child Advocate for Children's Protection and Services", for the purpose of assuring that children receive adequate protection and care from services, programs offered by the department of social services, or the department of mental health, or the juvenile court. The child advocate shall report directly to the commissioner of the office of administration.
2. The office shall be administered by the child advocate, who shall be appointed jointly by the governor and the chief justice of the Missouri supreme court with the advice and consent of the senate. The child advocate shall hold office for a term of six years and shall continue to hold office until a successor has been duly appointed. The advocate shall act independently of the department of social services, the department of mental health, and the juvenile court in the performance of his or her duties. The office of administration shall provide administrative support and staff as deemed necessary.

#### **Access to information--authority of office--confidentiality of information.**

37.710.

1. The office shall have access to the following information:
  - (1) The names and physical location of all children in protective services, treatment, or other programs under the jurisdiction of the children's division, the department of mental health, and the juvenile court;
  - (2) All written reports of child abuse and neglect; and
  - (3) All current records required to be maintained pursuant to chapters 210 and 211, RSMo.
2. The office shall have the authority:
  - (1) To communicate privately by any means possible with any child under

- protective services and anyone working with the child, including the family, relatives, courts, employees of the department of social services and the department of mental health, and other persons or entities providing treatment and services;
- (2) To have access, including the right to inspect, copy and subpoena records held by the clerk of the juvenile or family court, juvenile officers, law enforcement agencies, institutions, public or private, and other agencies, or persons with whom a particular child has been either voluntarily or otherwise placed for care, or has received treatment within this state or in another state;
  - (3) To work in conjunction with juvenile officers and guardians ad litem;
  - (4) To file amicus curiae briefs on behalf of the interests of the parent or child;
  - (5) To initiate meetings with the department of social services, the department of mental health, the juvenile court, and juvenile officers;
  - (6) To take whatever steps are appropriate to see that persons are made aware of the services of the child advocate's office, its purpose, and how it can be contacted;
  - (7) To apply for and accept grants, gifts, and bequests of funds from other states, federal, and interstate agencies, and independent authorities, private firms, individuals, and foundations to carry out his or her duties and responsibilities. The funds shall be deposited in a dedicated account established within the office to permit moneys to be expended in accordance with the provisions of the grant or bequest; and
  - (8) Subject to appropriation, to establish as needed local panels on a regional or county basis to adequately and efficiently carry out the functions and duties of the office, and address complaints in a timely manner.
3. For any information obtained from a state agency or entity under sections 37.700 to 37.730, the office of child advocate shall be subject to the same disclosure restrictions and confidentiality requirements that apply to the state agency or entity providing such information to the office of child advocate. For information obtained directly by the office of child advocate under sections 37.700 to 37.730, the office of child advocate shall be subject to the same disclosure restrictions and confidentiality requirements that apply to the children's division regarding information obtained during a child abuse and neglect investigation resulting in an unsubstantiated report.

**Complaint procedures--annual report, contents.**

**37.715.**

1. The office shall establish and implement procedures for receiving, processing, responding to, and resolving complaints made by or on behalf of children who are recipients of the services of the departments of social services and mental health, and the juvenile court. Such procedures shall address complaints relating to the actions, inactions, or decisions of providers or their representatives, public or private child welfare agencies, social service agencies, or the courts which may adversely affect the health, safety, welfare, or rights of such recipient.
2. The office shall establish and implement procedures for the handling and, whenever possible, the resolution of complaints.

3. The office shall have the authority to make the necessary inquiries and review relevant information and records as the office deems necessary.
4. The office may recommend to any state or local agency changes in the rules adopted or proposed by such state or local agency which adversely affect or may adversely affect the health, safety, welfare, or civil or human rights of any recipient. The office shall make recommendations on changes to any current policies and procedures. The office shall analyze and monitor the development and implementation of federal, state and local laws, regulations and policies with respect to services in the state and shall recommend to the department, courts, general assembly, and governor changes in such laws, regulations and policies deemed by the office to be appropriate.
5. The office shall inform recipients, their guardians or their families of their rights and entitlements under state and federal laws and regulations through the distribution of educational materials.
6. The office shall annually submit to the governor, the general assembly, and the Missouri supreme court a detailed report on the work of the office of the child advocate for children's protection and services. Such report shall include, but not be limited to, the number of complaints received by the office, the disposition of such complaints, the number of recipients involved in complaints, the state entities named in complaints and whether such complaints were found to be substantiated, and any recommendations for improving the delivery of services to reduce complaints or improving the function of the office of the child advocate for children's protection and services.

**Files may be disclosed at discretion of child advocate, exceptions--privileged information--penalty for disclosure of confidential material.**

37.725.

1. Any files maintained by the advocate program shall be disclosed only at the discretion of the child advocate; except that the identity of any complainant or recipient shall not be disclosed by the office unless:
  - (1) The complainant or recipient, or the complainant's or recipient's legal representative, consents in writing to such disclosure; or
  - (2) Such disclosure is required by court order.
2. Any statement or communication made by the office relevant to a complaint received by, proceedings before, or activities of the office and any complaint or information made or provided in good faith by any person shall be absolutely privileged and such person shall be immune from suit.
3. Any representative of the office conducting or participating in any examination of a complaint who knowingly and willfully discloses to any person other than the office, or those persons authorized by the office to receive it, the name of any witness examined or any information obtained or given during such examination is guilty of a class A misdemeanor. However, the office conducting or participating in any examination of a complaint shall disclose the final result of the examination with the consent of the recipient.
4. The office shall not be required to testify in any court with respect to matters held to be confidential in this section except as the court may deem necessary to

enforce the provisions of sections 37.700 to 37.730, or where otherwise required by court order.

**Immunity from liability, when.**

37.730.

1. Any employee or an unpaid volunteer of the office shall be treated as a representative of the office. No representative of the office shall be held liable for good faith performance of his or her official duties under the provisions of sections 37.700 to 37.730 and such representative shall be immune from suit for the good faith performance of such duties. Every representative of the office shall be considered a state employee under section 105.711, RSMo.
2. No reprisal or retaliatory action shall be taken against any recipient or employee of the departments or courts for any communication made or information given to the office. Any person who knowingly or willfully violates the provisions of this subsection is guilty of a class A misdemeanor.

(L. 2004 H.B. 1453)

# Appendix B

## Panel Discussion Event

On November 12, 2008, the Office of Child Advocate sponsored a panel discussion on child protection issues. The goals for this event were to assist in increasing visibility and public awareness of the Office of Child Advocate, and to provide a positive climate in an academic setting for identifying pertinent child protection issues. The event was hosted by Missouri State University. Panel members included:

- √ Ms. DeAnna Alonzo,  
President, Cole County Chapter of Midwest Foster Care and Adoption Association
- √ Ms. June Clark  
Foster Parent and Family Law Attorney
- √ Ms. Julie Donelon  
Director, Child Protection Center
- √ Mr. Pat Dougherty  
Advocacy Catholic Charities and former State Senator
- √ Ms. Kelli Farmer  
School of Social Work, Missouri State University
- √ Ms. Rene Howitt  
Author of Whose Best Interest?
- √ Ms. Micki Lane  
Former Forensic Interviewer, Child Advocacy Center, Inc.
- √ Ms. Linda McQuary  
Director, Child Advocacy Center, University of Missouri St. Louis
- √ Representative Shane Schoeller  
State Representative, District 139
- √ Ms. Vonda Wallace  
Circuit Manager, Greene County Children's Division
- √ Mr. Steve Morrow  
Panel Moderator, Office of Child Advocate

Others contributing to Panel Event:

- √ Ms. Elizabeth Craft  
Former CASA Volunteer
- √ Ms. Courtney Davis  
Office of Child Advocate
- √ Ms. Doris Elliot  
Counselor, Burrell Health
- √ Ms. Carolyn Swanigan  
Office of Child Advocate
- √ Ms. Liz Beasley  
Office of Child Advocate

Note: Results of the panel discussion are reflected in recommendations and other facets of this annual report.



# Appendix C

## Alliance for Children and Families 2008 National Conference

Representatives from the Office of Child Advocate attended the 2008 National Conference of the Alliance for Children and Families. The conference was held in Baltimore, MD and included cutting edge topics relevant to child welfare. Workshop tracks consisted of:

- √ Governance  
To explore the nuances of different types of governance
- √ Innovative Programs  
To highlight the benefits derived from creativity and to expand the impact of these innovations
- √ Leadership  
To reveal and explore knowledgeable solutions and strategic practices
- √ Management  
To offer insight into strategic alliances, staff development, organizational planning, and promising practices

# Appendix D

## Accumulative Accomplishments

While not exhaustive, the following list reflects significant developments in the Office of Child Advocate up to and including the timeframe of this Annual Report.

1. Initiating regular quarterly meetings between the Office of Child Advocate for Children's Protection and Services and the five Regional Directors of the Children's Division - The meetings have enabled the Office of Child Advocate for Children's Protection and Services and the Children's Division to have more direct communication regarding particular cases as well as systemic matters. Children have been better served as a result of this regular interaction.
2. Educating the Public - The Child Advocate has increased efforts to educate the public concerning the child welfare system in Missouri. These efforts consist of speaking to groups such as civic organizations and victims of domestic violence.
3. Increasing OCA Awareness and Visibility - The Office of Child Advocate for Children's Protection and Services has worked to make more citizens aware of its existence and role. Most recently, in November of 2008, the Office of Child Advocate for Children's Protection and Services sponsored a Panel Discussion on Child Protection Issues. This constructive event was hosted by Missouri State University and was well attended. Another new Office of Child Advocate for Children's Protection and Services effort includes exhibiting at professional conferences, including the following:
  - √ Child Advocacy Day
  - √ Children's Trust Fund Conference
  - √ Sudden Infant Death Seminar
  - √ Missouri Juvenile Justice Association Conference
  - √ Domestic Violence Conference
  - √ Parents as Teachers Conference
  - √ KidsFirst Conference
  - √ Domestic & Sexual Violence Conference, Missouri Office of Prosecuting Services
  - √ Missouri School Counselor Association Conference
  - √ Coordinated School Health Conference

Additionally, The Child Advocate has presented at conferences for Juvenile Justice personnel, Court Appointed Special Advocates (CASA) and Foster Care providers.

4. Initiating Contact with Circuit Managers - The Office of Child Advocate for Children's Protection and Services took the initiative to contact all Circuit Managers from the Children's Division in an effort to be proactive rather than strictly reactive.

5. Beginning of the Year Staff Retreats - The Child Advocate, Office Manager, and investigators participate in a one-day retreat to discuss policy, procedure and best practices.
6. Effectiveness Measurement – Goals and Accomplishments - The Office of Child Advocate for Children’s Protection and Services has set and consistently achieved various goals in measuring effectiveness. (see page 15)
7. Case Specific Recommendations Added to Systemic Recommendations - In addition to systemic recommendations, the Office of Child Advocate for Children’s Protection and Services now tracks case specific recommendations. This practice was started in 2006-2007. Initial data indicated that 81% of Office of Child Advocate for Children’s Protection and Services recommendations were adopted while 19% of Office of Child Advocate for Children’s Protection and Services recommendations were not adopted.
8. Internship Program - The Office of Child Advocate for Children’s Protection and Services and Lincoln University worked together on an internship initiative for the Winter/Spring semesters of 2007 and 2008. The new program was successful for the Office of Child Advocate for Children’s Protection and Services as well as the student interns, and did not require state funding.
9. Direct Case Involvement - Since 2006, the Office of Child Advocate for Children’s Protection and Services has stepped up direct case involvement in addition to investigating policy and practice concerns. For example, by attending certain Family Support Team meetings, the Office of Child Advocate for Children’s Protection and Services has been able to be of greater assistance in making a positive difference for children.

The following list of notable accomplishments is not exhaustive. It is, however, representative of recent (2008) direct case involvement by the Office of Child Advocate for Children’s Protection and Services :

- √ Assisted a very apprehensive parent by ensuring that the Office of Child Advocate for Children’s Protection and Services would attend the next Family Support Team meeting in order to promote progress and stand by its recommendation that the children not be removed from the home (where abuse had not occurred) and placed in foster care. Previously, the parents had been in separate Family Support Team meetings for months, preventing a joint discussion of the outcome of their children’s case plan.
- √ Worked with several members of the family support team to quickly reach an agreement for the children in custody to be moved to trial home placement prior to the court date so they could begin school in the district their mother had lived in. This mother had complied with all Children’s Division recommendations.
- √ Assisted Children’s Division with finding names and contact information for a respite family that had previously worked with a child in residential care. With Office of Child Advocate for Children’s Protection and Services efforts and

many members of Children's Division working together this child had a very pleasant holiday visit.

- √ Researched to obtain a website shut down call number in order to protect a child from potentially becoming a victim of an internet predator. Also asked that call number be forwarded to other staff in the field.
- √ Helped open a hotline for investigation that was noted as a documented call because the caller did not give the full story to the investigative team when calling it in. This has resulted in positive services and drug treatment for this family.
- √ Collaborated with the Constituent Concerns team at Children's Division to open a new investigation for a family that was not properly interviewed during the investigation.
- √ Supported a child in foster care by attending her forensic interview to offer a familiar face during a very difficult process.
- √ Attended a Family Support Team meeting to help facilitate communication between involved parties.
- √ Initiated and helped facilitate a holiday visit for a child in alternative care.
- √ Assisted in the facilitation of a holiday visit between two young children and extended family.
- √ Worked with the Family Support Team to ensure that the voice of an older youth in alternative care was heard and connected this youth with a former foster child that had successfully aged out of the system.
- √ Attended a court hearing to support a child in alternative care that had to testify.
- √ Provided documentation to Children's Division supervisory staff that made it possible for a child's adoption staffing to move forward in a more timely manner.
- √ Gathered and presented information to Children's Division supervisory staff that led to significant changes in case management for the benefit of the children.
- √ Attended family support meeting in an effort to gather information and reassure caregivers that the current plan was in the best interest of the child.
- √ Assisted permissive reporters in understanding the process they must go through in order to receive notification of the outcome of investigations.
- √ Assisted the guardian/caregiver of several children with obtaining missed subsidy payments.
- √ Provided assistance to an out-of-state relative of a child (whose parent had passed away unexpectedly) to ensure that the child was taken care of properly during a difficult time.

- √ Provided support to a grandparent as she struggled with the difficult decision to no longer allow her adult child in her life in order to provide placement for her grandchildren.
- √ Met personally with children who had alleged abuse and misconduct in an institutional setting, and followed up with a detailed report. (The alleged perpetrator was later indicted.)
- √ Responded to a request by the Missouri Task Force on Children's Justice to conduct a special case review.

10. Recent Trends - During a three month period from September of 2008 through November of 2008, Office of Child Advocate for Children's Protection and Services new cases increased from the end of the previous three months by rates of 40% in the first month, 100% in the second month, and 53% in the third month. While these significant increases provided a major challenge for staff, the Office of Child Advocate for Children's Protection and Services was able to meet the challenge within the existing staff structure.