



COMMENTS OF THE FAMILY DEFENSE CENTER ON DRAFT DCFS STRATEGIC PLAN

Executive Summary

The Family Defense Center applauds DCFS's effort in creating a strategic plan to help guide proposed reforms to the Department, as well as the outreach to stakeholders to seek comments. Our main concern with the DCFS Strategic Plan Draft is that **the Plan only addresses DCFS's role as a foster care provider** and fails to address much-needed reforms in how DCFS conducts the child abuse and neglect investigations that can result in serious consequences for children and families, extended family members, and people who work with children. Investigations can be very traumatic and most investigations are unfounded, but can leave lasting impacts that color the interactions of children and families and service providers with DCFS. Where investigations result in the removal of children from their families, even for a short period, the impact is profound.

We are also very concerned that **DCFS-involved families and family advocacy organizations appear to have been left out of the process when creating this Plan**. We believe that **DCFS should prepare a companion Strategic Plan** that deals with its role as the lead child abuse and neglect investigator in Illinois and the service delivery it provides for children and families when the children are not wards of DCFS. In our discussion below, we suggest areas we believe DCFS needs to address in this companion plan, and in some cases propose solutions. We also provide our comments on the strategic plan itself. For very detailed comments and questions, we provide an appendix with detailed responses to various parts of the plan.

Our specific strategic suggestions, elaborated in the discussion and appendix of these comments, include the following:

- Expand the DCFS Legal Department to better respond to and resolve issues arising in investigations and intact services cases—the vast majority of the cases actually handled by DCFS each year. In many instances, the intervention of a Department lawyer well-versed in the legal powers and obligations of the Department could stop violations of clients' rights as soon as they start and help to avoid the lengthy and expensive litigation of these violations, as well as minimizing the harm done to families.
- Reframe investigations to make neglect investigations less punitive and more effective at improving family and child outcomes, with tolerance for ordinary parenting mistakes and identification of needs and provision of appropriate services when necessary. DCFS should start by renewing the Differential Response Program and ensuring that service plans are tailored to



individual families and do not require unnecessary and burdensome services, as well as fully implementing the safety plan reforms agreed to in our most recent settlements with the Department.

- End the practice of “forced custody relinquishment,” and provide appropriate health services to children and families who need them without requiring parents to give up custody of their children.

- Tackle the serious racial, gender, and disability biases in DCFS abuse and neglect investigations that have to be addressed at every level in a serious manner, not simply with humility, as suggested in the Plan.

- DCFS should change its approach to domestic violence from punishing the victims by finding them guilty of child neglect to providing referrals and necessary services to keep the whole family safe. We are disappointed that some of the very important work on these issues that the Department is undertaking is not highlighted in this report and we encourage the Department to work closely with the domestic violence advocacy community.

Comments

A. The Family Defense Center Supports Several Key Areas of the Plan, But Is Troubled By The Lack of Family Input and Consideration of the Importance of Family-Based Reforms, Including Investigation and Family Services Reforms

The Family Defense Center is pleased to be able to provide comments on the DCFS Strategic Plan Draft (“the Plan”). The Plan represents extensive work and discussion, with significant input from a number of sources. The idea of preparing such a Plan for a governmental agency is worthy in and of itself, and solicitation of comments with an opportunity for discussion of the Plan at a Summit meeting in October is an excellent way to promote some of the policy directions in the Plan.

We support a number of the key initiatives that are outlined in the Plan. Specifically, we generally support the increased efforts to move children from institutional care to more family-based care, the efforts to focus on meaningful positive outcomes for youth in care relating to education and self-support, and the effort to provide front-line staff with tools to enter data from the field. All of these areas, which are central to the Plan and have been presented as key areas for improvement of DCFS operations, are areas that we agree should be supported and will move the Illinois child welfare system in a positive direction.

In addition, we support much of the language in the Plan that speaks to DCFS’s commitment to focus on family strengths, to work collaboratively with community groups and stakeholders, to work across agency boundaries, and to increase dollars available for service delivery based on identified client and community needs. While much of the language of the Plan is aspirational, the aspiration to be a strengths-based and community-centered agency is a positive one and helps to frame the understanding of the needs of children and families in positive ways. This language, even if it seems merely rhetorical at times, is preferable to demonizing families and children who have intense needs, endorsing a punitive approach to child welfare practices, or divorcing children’s needs and interests from those of their families—all unfortunate trends that we have seen from DCFS in the past. There is a long history in Illinois and nationally that pits the “best interests of children” *against* the best interests of families and vilifies parents, to the benefit of neither children nor families. The Plan, by contrast, wisely recognizes that the interests of children cannot be divorced from the interests of their parents, extended families, and communities.

It goes without saying that DCFS has an obligation to be an adequate parent to the youth who are committed to its care. It is also clear that DCFS has historically done a poor job, at least when ultimate outcomes are measured as to the well-being and success of its wards. The ACES study shows youth in foster care graduate to homelessness and prison at unacceptable rates. The *Tribune* series from 2014 documenting chaotic and sometimes dangerous conditions for youth in residential care has only highlighted what many long-time child and family advocates have long known: children should be raised by families, preferably their own families, whenever possible, and if that is not possible, less restrictive and more family-like settings for children and youth are

always preferable. Putting youth in congregate care settings with other youth who have serious mental health and behavioral issues can exacerbate trauma for these young people, setting the stage for lifelong problems rather than a firm foundation for adult life. We agree with the choice DCFS has made in its Plan to prioritize youth in this form of care, though we also make recommendations to end “forced custody relinquishment” and increase family-based services for these youth. (See p. 5 of these recommendations.)

We approach other aspects of the Plan with cautious and tentative endorsement, viewing them as potentially good ideas that may or may not work in practice. For example, the proposal for experiential learning and the child welfare “home” as a training ground could be very helpful in reorienting staff to working more constructively with children and families. But without seeing the actual curriculum or the plan for how this program will operate in practice, we are concerned that this new model could reinforce bad habits or incorrect ideas in DCFS practices rather than promote more positive and skillful work with children and families. Nevertheless, because we support innovation, we believe that this approach holds promise.

We believe that there are critical omissions from the Plan. First, there is a disconnect between the laudatory language of the plan and the reality of DCFS operations as experienced by families. The Plan’s mission statement is one we readily endorse. The notion that DCFS should bring stakeholders together is laudatory; the goal of giving families hope is aspirational. The vision of moving towards a “family-centered, strengths based practice and trauma informed approach where the needs of children and families always come first” is a wonderful platform from which to drive systemic change. The problem with all of this, however, is there is nearly a 180-degree disconnect between these values and the practices that DCFS actually applies on a daily basis. What we see at FDC is not an agency that values trust, compassion, accountability, responsiveness, relationships, respect, and empathy, but an agency that values “safety” only. Safety may not be safety for children—it may be safety from public criticism by DCFS employees or contractual agents (who make up a very substantial percentage of the child welfare workers in Illinois) whose power is threatened by any challenge or change. In saying this, we do not mean to criticize the current DCFS leadership but only to suggest that making change first requires that there be a more thorough assessment of how DCFS is doing currently and what the real problems of the agency are. Change will be hard, but it will be even harder if the Plan does not take into account the depth of the current dysfunction of DCFS operations, especially in critical areas that are not addressed in the Plan at all, such as investigations, in-home services, and private agency operations.

We believe that the Plan prioritizes the needs of children in state care appropriately, but effectively ignores the important challenges of how to fulfill the essential DCFS mission of protecting, preserving, and strengthening families. In other words, while the Plan gives appropriate lip service to the importance of family for children, there is no plan to implement that vision operationally, or to reckon with the endemic anti-family approach that has historically plagued DCFS. Indeed, we agree with the statement at the end of the Plan that DCFS needs to “listen to families,” but this Plan is not the result of doing so: family voices were left out of the focus groups and family advocates were not included in the development of the Plan. Even major initiatives that DCFS is currently undertaking that have positive promise for families are not mentioned,

including its developing collaboration with domestic violence advocates and its recent agreements to put into place more protections to insure that families are not unnecessarily separated. Since these major initiatives are not discussed, they are also not integrated with other strategies in the Plan. To be sure, there is language about supporting and strengthening families, but the Plan fails to address large areas of DCFS operations and functions that affect family life and ultimately can lead or contribute to the problems that youth in care face when their families of origin are not adequately supported.

For example, while DCFS receives over 220,000 Hotline calls every year in recent years, opens investigations into about 80,000 families, and makes findings that children have been abused or neglected in nearly 40,000 of those cases, there is no mention in the Plan of the role of DCFS as the lead child abuse and neglect investigative arm of the State or how this investigative function is to be managed at the same time that community engagement is improved. The focus of the Plan on children in care does not reflect the fact that while there are tens of thousands of parents who are investigated and deemed guilty of child abuse or neglect each year, only 10% of children affected by these investigations are taken into state custody. This is not to suggest that more children should be taken from their parents, but to highlight that the needs of children in care cannot be the exclusive focus of DCFS's strategic plan, as DCFS intervenes in families in the investigations it conducts, sometimes separating families without taking formal protective custody, even when no formal legal process is initiated against the parents. In the Plan, there is little mention of family services, except to say that these services need to be community-based. There is effectively no discussion of the dissonance between individual families' needs for services and the one-size-fits-all service plans that DCFS provides almost by rote, despite the Plan's acknowledgment of mental health and substance abuse issues as critical contributors to the underlying reasons for children coming into the foster care system. We were especially disappointed to see that there is no consideration in the Plan of renewing the Differential Response Program, even though a legislatively sanctioned working group made detailed recommendations for the reinstatement of this largely-effective and well-liked program. By deflecting eligible Hotline calls into a service delivery system rather than the punitive investigations system, the Program moved DCFS from operating punitively to working collaboratively with families and community service providers.

The Plan contains no discussion of the realities of how families perceive DCFS; it presents far too rosy a picture and does not grapple with the reality of how far DCFS needs to go in order to reach its goals. We note that there is a media-driven aspect to the problems the report focuses on: it is hard for DCFS to ignore the media reports about children languishing in residential care, and much easier not to address the plight of families against whom unlawful intervention has occurred where there has been disproportionately little media attention. Even when there are federal court orders and Illinois Appellate Court rulings that require DCFS not to continue business as usual, there is no mention of this in the Plan. It appears specific steps to improve the treatment of families, including steps required by the federal court agreements to stop rampant removals of children from innocent families in keeping with constitutional requirements, have been left out. While we realize that it is challenging to address the needs of both families and children, DCFS is legally required to do exactly that.

We were particularly dismayed to read that families in which DCFS has intervened and family advocates were not among those surveyed in the focus groups that led to this Plan. The repeated reference to the focus groups as the starting point for this Plan tells the story of the critical omission of the family voice in its creation: this is a plan imposed on families and potentially more “business as usual” for families. Even the use of the words “birth parents” to refer to the families in which DCFS has intervened betrays the view that the families of origin for children in state care have the limited function of giving birth to the children but are not an important constituency whose voices need to be heard. No parent views himself or herself as just a “birth parent.” Even if the State provides multiple parents to a child, the family of origin remains a singularly important voice in the life of the child.

In addition, the Plan fails to prioritize reform initiatives that have been initiated through past and recent litigation besides the *B.H.* decree, which is referred to simply as “the consent decree” through the Plan. The *B.H.* decree’s focus is solely on children in care and not on families from whom children are removed. There are a host of other consent decrees that DCFS is required to follow. There are consent decrees involving homeless families (the *Norman* Consent Decree) and the duty to provide concrete services to them in place of family separation; the duty to provide services to pregnant and parenting wards (the *Hill v. Erickson* Consent Decree); and the duty to provide services to Spanish-speaking children and families (the *Burgos* Consent Decree). There are also major court orders that call for ongoing changes to the manner in which DCFS conducts investigations, including the *Dupuy* injunctive orders, which require DCFS to provide child care workers with additional procedural protections during investigations. We have brought numerous policy-based federal suits challenging the removal of children without probable cause and exigent circumstances as well as the coercive use of “safety plans” that create a shadow foster care system without due process of law. DCFS has committed to taking steps to comply with due process through these suits and to amend its policies that cause the separation of children and parents without recourse, but these major areas of DCFS direction are not reflected in the Plan. We would like to see more than lip service given to families’ rights and needs, and in the interest of working collaboratively with advocates, we suggest that that a second Plan for addressing the intervention and services for families be developed and then integrated with the current Plan.

A more searching discussion of the role of DCFS as a child welfare agency within a larger governmental structure and social system is also overdue, but that role is assumed rather than discussed in the Plan, unfortunately. Understanding and agreeing on that role is critical to moving DCFS in a more positive direction. Without honestly discussing when state intervention is necessary in the first place and whether families would be better off with an entirely different sort of service model, perhaps a model that does not separate child welfare services from welfare services, the Plan represents some missed opportunities to create a more fundamental and potentially more lasting change in the manner in which the child welfare system operates.

B. Specific Comments on Issue Areas Not Well Developed in the Plan, Including “Forced Custody Relinquishment,” Racial Disparities, Gender and Disability Discrimination, and Domestic Violence

In addition to the above general comments about the plan as a whole, we have an interest in a number of the specific areas discussed in the Plan which significantly impact our past, current, and future clients. For example, we work with families of psychiatrically hospitalized youth and are concerned about the treatment of these youth *and* their families. We are concerned that the Plan does not sufficiently address their actual needs nor end the barbaric policy of “forced custody relinquishment” under which families who have little or no support are forced to give up custody of their children in order to access care for them when they cannot be kept safe at home. We also have concerns and recommendations as to the very important issue of gross racial disproportionality in child removals, as well as deep concerns and experience working with families who face disability and gender-based discrimination by DCFS. Finally we are concerned about the absence of discussion in the plan of the critically important area of domestic violence, which is an area we have been working on with DCFS and with advocates for many years, and where strategic planning could both make a very substantial difference in the safety and stability of children in care and provide a model of effective community collaboration.

1. Forced Custody Relinquishment Should Be Addressed Head On and Ended, But Effective Services for Families are Necessary and the Role of DCFS as Substitute Caregiver When Parents Are Competent to Care for the Children Needs to be Clarified

Despite widespread national acknowledgement that forced custody relinquishment is a harmful and negative practice, it continues to occur in Illinois and in fact contributes to the residential care crisis that DCFS views as central to its Plan. Forced custody relinquishment occurs when parents are unable to take their children home from the hospital or care for their children at home due to their children’s severe mental and/ or behavioral health needs. These parents are forced to relinquish their parental rights to the state so that their children can get access to the services they need. Oftentimes, the children who enter DCFS care like this are placed in residential care. Parents who have been intimately involved in treating decisions throughout the child’s life and know the most about the child’s needs and conditions lose all rights to control decisions about their own children’s care.

The Juvenile Court Act and DCFS practice in this area must change to eliminate the complete disregard of the role of parents and their need for supportive services to bring children with severe behavioral and emotional needs home or back into the community. Yet, despite the Plan’s lengthy discussion of the needs of children in residential custody to be “stepped down,” there is no discussion of the problem of forced custody relinquishment which is at the heart of the severance of family and community ties for many of the youth who are now in residential care. Insuring parents have decision-making authority despite these placements and providing intensive in-home services is essential to achieve success in moving children from high intensity placements to therapeutic foster homes and community settings. We would like to see this thorny problem addressed in a genuine effort to support families, including adoptive families, with intensive services. As our experience demonstrates, however, the siloing of foster care cases from intact services and adoption cases makes it very challenging to access essential family services for the parent who is struggling to reunite her family in cases involving psychiatric hospitalizations, residential care, foster care, adoption, and juvenile care.

2. Racial Disproportionality Must Be Addressed with More than Cultural Competence and Humility

The Plan recognizes that there is extensive and pervasive racial disproportionality in the child welfare system. This disproportionate family intervention, longer stays in placement, and lack of services in disadvantaged communities and communities of color severely undermines any claim that DCFS has to being fair and impartial, and hurts DCFS's ability to work effectively in the communities that need supportive services the most. Yet the only language in the Plan for addressing this urgent problem is that DCFS should approach the issue by using "cultural competence and humility."

Given the pervasive disproportionate impacts of punitive anti-family practices on persons of color, more than cultural competence and humility are needed. The depth of the problem is evidenced dramatically in the *In re K.I.* petition which we filed with the Illinois Supreme Court a few weeks ago. In that case, a biracial mother from Peoria had her parental rights terminated for continuing to use marijuana in the absence of any evidence as to how marijuana use impaired her parenting. The rate of racial disproportionality in Peoria is 7.78 times higher for African Americans than other races, meaning that an African American child in Peoria county is 7.78 more likely than a child of other races to be the subject of a juvenile court removal petition. DCFS directly acted, acquiesced, or approval and participated in the decisions that led to the complete severance of the rights of this mother who had never abused or neglected her child and who had a strong bond to him. It will take more than humility and cultural understanding to fix the gross injustice at the heart of this case and others like it. Specific steps and a real plan are needed.

3. DCFS Should Become a Model of Fairness for Disabled Parents

In addition to not mentioning issues of disability other than in the context of residential care for children, the Plan does not address the pervasive mistreatment of families with children with disabilities and the concerns of disabled parents, including those with both mental and physical disabilities. In our experience, DCFS services and practices are not sensitive to or even minimally compliant with the rights spelled out in the Americans with Disabilities Act (ADA). DCFS investigators routinely misrepresent information about parents' disabilities and assume, without evidence, that the bare fact of a mental health diagnosis means danger for children. DCFS services sometimes fail to accommodate known disabilities of parents in clear violation of the ADA. We have had numerous cases that raise these concerns, including one case recently settled in federal court with a promise to develop a "Mental Health Policy" for investigations. Given that DCFS is well aware that it has committed to make major changes in its handling of investigations involving parents with mental illness, with an eye to improved case assessment and ADA compliance, DCFS should at least mention this important initiative in its Plan.

4. DCFS Must End Gender Bias and Address the Issue of Domestic Violence in a Manner that Supports the Ability of Non-Offending Parents to Raise their Children in Safety and Stability

FDC has operated a Mothers' Defense Project since 2009 and has been tracking gender-biased decisions by DCFS that appear in our cases. Specifically, we believe that DCFS rampantly

stigmatizes mothers who are not just more likely to be the caretakers of their children than fathers are, but may fall into another stigmatized category as well, including being a teen parent or being the victim of domestic violence. Out of the group of parents who have been charged with the vague child neglect allegation of “inadequate supervision,” mothers are dramatically overrepresented; for example, even decisions are made by both parents, only the mother is later blamed for neglect. Since many mothers work with children, these practices have a negative impact on mothers’ ability to support themselves and their families.

In the area of domestic violence, DCFS has a long history of “blaming the victim” even when the only “victim” in the family is the mother and the children are unharmed. In our experience, DCFS workers routinely make demands on mothers in domestic violence cases to get orders of protection that are not available to them, or to leave their abuser when it is unsafe for them to do so without meaningful support. It is disappointing that the Plan does not include recognition of the importance of supporting non-offending parents. The domestic violence services community should be a key partner in the DCFS reform effort that the Plan describes and the specific steps to implement reforms should be devised in collaboration with this community and incorporated into the overall Plan.

CONCLUSION: While there is considerable room for improvement and expansion of the scope of the Strategic Plan, and we consider it essential to hear the voice of affected families of origin in the process going forward, we support the process that DCFS has established to begin the sort of meaningful and inclusive process that has been set forth. We welcome the ability to have a dialogue with DCFS leadership and others in leadership and in the field who are all deeply affected by the direction DCFS takes in our community, our state and our society. Thank you for considering these comments.

Appendix: Additional Comments

In this final section of our comments, we raise questions and concerns about other aspects of the Strategic Plan for consideration. These comments track the pages in the Plan.

p. 3. We question the comment that child abuse and neglect are “rooted in mental health and substance abuse.” Frankly we do not fully understand what DCFS means by this, and the statement can be subject to misinterpretation. We caution against using a mental health or substance abuse diagnosis as a proxy for actual evidence of abuse or neglect.

p. 4. DCFS states that a policy moving away from foster care began in 1997, and it presents this change in legislation in a positive light. This is not accurate. The move away from foster care exclusively began with the landmark Adoption Assistance and Child Welfare Act of 1980. In many ways, the 1997 legislation eliminated family support and caused extraordinarily fast tracked adoptions, disempowering families all the more. Recognizing this negative history is crucial to addressing the harmful impacts that it has had on child welfare policy.

p. 10. The plan for “immersion sites” is interesting but requires care in implementation so that confidentiality is protected and parents receive truly integrated services.

p. 10. The Plan makes the important point that children need a healthy attachment to an adult, but fails to prioritize attachment to the family of origin over other non-relative adults. The use of “fictive kin” as a substitute for “families of origin” risks perpetuating the loss of crucial and irreplaceable family ties. We urge DCFS to be very careful in limiting its use of fictive kin to cases in which return to family genuinely is not an option. In light of the concerns discussed above as to racial disproportionality and inadequate family services and support, we are seriously concerned that the extension of fictive kin treatment to make foster parents permanent caregivers for children will be used to perpetuate the inequalities and unfairness of the current child welfare system.

p. 10. The Plan makes the important point that “safety” is not necessarily safe for children, meaning that physical safety from harm is not the only value and emotional stability is very important. It bears mentioning that DCFS often make incorrect decisions regarding what is “safe” when injuries occur that may have been accidental by labeling the cause “abuse” without any confirmation. (*See FDC Report, Medical Ethics Concerns in Physical Child Abuse Investigations*).

p. 10. The plan to eliminate toxic stress needs more detail. While this may be an important initiative, it is unclear what DCFS plans to do address it.

p. 10-11. The FTS Child Welfare model also is interesting but requires more details.

p. 11. The supervisory practice model is unclear as well. Supervisors who do not model thorough and appropriate investigations should be replaced; otherwise DCFS will continue to be unable to conform practice in the field to the goals of the Plan.

p. 12. We support the idea of the summit in October but we are concerned that the Family-centered plan cannot be properly prepared in this timeframe. We believe focus groups for families and family advocates need to precede a summit, along with consideration of these comments.

p. 12. There is no specificity about the legislative and policy changes needed to implement the plan. Policy changes that are required by FDC litigation should be incorporated into the plan.

p. 12. The idea of coaching and mentoring is good, but we are unclear who the coaches and mentors will be and who is being mentored.

p. 12. The Medicaid waiver sounds promising, especially if this increases the availability of in-home mental health services and substance abuse inpatient and outpatient services. It is unclear from the Plan how this waiver will operate, however. It is also unclear if these untreated children will be forced to receive services in order to meet return home goals or if the services will be offered but discretionary. We would hope that the Plan would also lay out a service delivery model for the services that the waiver will cover.

P. 17. We support Goal 2 as to recruiting foster parents, but these parents must be treated as persons with rights under *Dupuy* and not subject to the rampant and often-times retaliatory removal of children practice that has caused many placement disruptions.

p. 18. We are strong supporters of crisis nurseries and family advocacy centers. Use of crisis nurseries should be expanded in tandem with new policies eliminating safety plans where there is no emergency and where an alternative such as these nurseries could address the need. Amending safety plan policies and practices has been a centerpiece of our advocacy and we would like to see a Plan that incorporates and integrates these initiatives into the overall strategy for DCFS reform.

p. 18. The foster parent co-parenting concept is also one we endorse but must be supported with highly professional case management.

p. 18. A rapid response team for residential care seems like a good idea.

p. 19. We are unclear on what “return on investment funding” is as envisioned by this Plan.

p. 21. The strengths-based approach, as mentioned above, is one that we wholeheartedly endorse. However, the basic tool DCFS uses in assessments of family safety and strengths (CERAP) is anti-family, uses allegations in place of evidence, and has a history of disregarding family strengths and mitigation. Indeed, the current instructions specifically state that actions by a family should not be considered as mitigating risks if those actions were suggested by DCFS. This highly biased, anti-family document which relies on suspicion and not evidence must be replaced. This is one of the “standardized tools” (see p. 13) that is not working and leads to very bad decision-making about child removal.

p. 21. We do not understand what the “Adventures in CQI” means and we hope DCFS elaborates on that in future Plan documents. We also don’t know what the Eckerd Rapid Safety Feedback is or what the “readiness assessment” is. At p. 23 we are also unclear as to what a IB3 waiver is. And at p. 26, we don’t know what Mindshare CFSR is, what the Director’s 26 Metrics are, or what the 360 Degree view is.

p. 23. We view the idea of Baby Court with some concern. We do not understand what this Court would do and why it is needed/beneficial. If it is based on the Michigan model, we would want more evidence of how and why it works and how it will translate to the Illinois system.

p. 22. This page includes a sentence that our comments embody. It states there needs to be a workforce that “pursues work with families differently.” We completely agree, but this will take a different strategic Plan than this one.

p. 23. The goal of locating missing youth needs to be accompanied by addressing why youth go missing.

p. 23. There is only a brief discussion of the connection to “high quality child care.” In our practice, we could not find childcare referrals as available supportive resources for families who have been targeted in “inadequate supervision” investigations. In addition, DCFS’s licensing division for day care has been very compliance-driven and is often rigid and punitive. We support moving the licensing function for day care out of DCFS, as we believe there is an unduly punitive approach to day care practiced at DCFS. Day care owners are vulnerable to allegations of abuse and neglect. Without a more evenhanded approach to this population of important service providers, we fear that we will continue to see unwarranted harassment.

p. 24. It is unclear why there is a goal of increasing guardianships or what the specifics of the goal are.

p. 24. While we support the goal of increasing supports for trafficked youth, we suggest that support for trafficked mothers is also important and should be integrated with the services for youth.

p. 25. We support PSAs on safety and parenting. For example, one on appropriate use of corporal punishment may help to address a large portion of abuse/ neglect allegations against otherwise loving and capable parents. We caution, however, against the use of PSAs as an attempt to establish a standard of neglect through public knowledge. We believe that there needs to be a clear standard for not punishing parents who make reasonable parenting decisions as to when their children can be alone. We also do not support equating failure to follow what DCFS considers “safe sleep” practices with child neglect when there are reasonable differences of opinion within the scientific community about the risks and benefits of various infant sleep practices.

p. 26-27. Better access to interstate placements and the learning lab of the National Governor’s Association sound promising.

p. 27. We do not know what rule changes are contemplated for Rule 383 enforcement, but we urge DCFS to pay attention to concerns about adequate notice in the licensing enforcement process.

p. 30. The Plan mentions the Child and Family Services Advisory Council. This counsel seems to be largely staffed with persons who are “insiders” within the child welfare system. More family and advocate voices are needed in this Council if it is meant to have a meaningful role. At the same time, family advocates will be leery of serving on councils that merely meet and make recommendations on paper.

The end of the Plan discusses the need to listen to families. Unfortunately, despite recognizing the importance of listening to families, it seems that DCFS has not yet developed a meaningful process to do so. Such a process could begin with family forums, focus groups, and listening to Public Defenders and other members of the Illinois Parent Attorney Network who can articulate many experience-based concerns about the policies and practices of DCFS. As the Plan states, there should be a conflict resolution process that doesn’t paper over complex problems. One step that is urgently needed to move in that direction is to hire more “troubleshooting” lawyers who can respond quickly to cases in which families’ and caregivers’ rights are being violated.