

Additional Statistics and Analysis from The Nebraska Foster Care Review Board's 2010 Annual Report

(these were not included in the print version to
reduce costs for printing and mailing)

TABLE 2

REASONS CHILDREN ENTERED FOSTER CARE FOR CHILDREN REVIEWED DURING 2010

This chart shows the reason(s) identified upon removal from the home for the 3,387 children and youth reviewed by the FCRB during 2010. The chart on the next page shows conditions identified after the removal and gives the combined number of children significantly affected by the condition. Multiple reasons (up to 10) are allowed for each child. These numbers are not duplicated for children reviewed more than once.

Reasons for entering foster care that were identified upon removal				
Category	Total		By number of removals	
			In foster care for the first time ¹	Had been in foster care before
Neglect ²	1,962	58%	1228	734
Parental drug abuse ³	999	30%	619	380
Housing substandard/unsafe	852	25%	544	308
Physical abuse	640	19%	353	287
Domestic Violence*	435	13%	308	127
Parental alcohol abuse	414	12%	238	176
Parental incarceration	327	10%	215	112
Parental Mental Health*	254	7%	203	51
Sexual abuse ⁴	248	7%	144	104
Abandonment	244	7%	128	116
Parental illness/disability	205	6%	102	103
Abuse of sibling*	156	5%	134	22
Death of parent(s)	24	>1%	11	13
Relinquishment	15	>1%	4	11
Parent also in foster care*	10	>1%	8	2
Child's behaviors ⁵	822	24%	341	481
Child's mental health	151	5%	60	91
Child's drug abuse	102	3%	45	57
Child's disabilities	60	2%	26	34
Child's alcohol abuse	44	1%	19	25
Child's illness	42	1%	29	13
Child's suicide attempt	20	>1%	11	9
Born affected (drugs/alcohol)*	17	>1%	16	1
Child methamphetamine	2	>1%	1	1

*Reason code added during the year.

¹ 2,149 reviewed children were in their first time in care, 1,238 children had been in care before.

² Neglect is failure to provide for a child's basic physical, medical, educational, and/or emotional needs.

³ The parental drug abuse number includes 543 who abused methamphetamine.

⁴ Children and youth often do not disclose sexual abuse until after removal from the home. This chart includes only sexual abuse identified as an initial reason for removal and does not reflect later disclosures.

⁵ Many of the behaviors identified as a reason for children and youth to enter foster care are predictable responses to prior abuse or neglect.

TABLE 2 (continued)

Up to 10 reasons for entering foster care could be identified for each of the 3,387 children reviewed in 2010. Similarly, up to 10 later identified conditions could be recorded for each of the children reviewed. These numbers are not duplicated for children reviewed more than once.

The following are two common examples of later identified conditions: 1) child is removed due to neglect, and later parental drug abuse is identified, or 2) child is removed for physical abuse, and later the child discloses that sexual abuse also was occurring.

Conditions affecting children in out-of-home care				
Category	Reviewed children significantly affected by the condition		Condition identified at Removal	Condition identified or occurred after removal
Neglect ⁶	2,063	61%	1962	101
Parental drug abuse ⁷	1,299	38%	999	300
Parent meth	574	17%	468	106
Parent cocaine	112	3%	70	42
Parent heroin	6	>1%	3	3
Parent marijuana	244	7%	142	102
Housing substandard/unsafe	999	29%	852	147
Physical abuse	742	22%	640	102
Parental incarceration	577	17%	327	250
Domestic Violence*	581	17%	435	146
Parental alcohol abuse	554	16%	414	140
Sexual abuse	409	12%	248	161
Abandonment	405	12%	244	161
Parental Mental Health*	392	12%	254	138
Parental illness/disability	302	9%	205	97
Abuse of sibling*	178	5%	156	22
Relinquishment	108	3%	15	93
Death of parent(s)	56	2%	24	32
Parent also in foster care*	13	>1%	10	3
Child's behaviors	1,237	37%	822	415
Child's mental health	380	11%	151	229
Child's drug abuse	188	6%	102	86
Child's disabilities	169	5%	60	109
Child's alcohol abuse	90	3%	44	46
Child's illness	63	2%	42	21
Child's suicide attempt	47	1%	20	27
Born affected (drugs/alcohol)*	21	1%	17	4
Child methamphetamine	7	>1%	2	5

*Reason code added during the year, so not fully reflective of children impacted.

⁶ Neglect is failure to provide for a child's basic physical, medical, educational, and/or emotional needs.

⁷ The parental drug abuse number includes the subcategories below (meth, cocaine, etc.).

TABLE 3

PARENTAL SUBSTANCE ABUSE IN CASES OF CHILDREN REVIEWED IN 2010

Parental substance abuse

The following chart shows the number of children reviewed in 2010 whose parental substance abuse was 1) recognized prior to entering foster care or 2) was recognized after removal from the home. A common example of being recognized after the child is in foster care is a case where the initial removal was due to neglect with it later learned that substance abuse was a factor. Parental substance abuse here includes alcohol abuse, abuse of prescriptions, and abuse of street drugs.

1,530 reviewed children were in out-of-home care due to parental substance abuse.

- 231 of those children's cases involved parental alcohol abuse, but not drug abuse
 - 180 identified upon removal
 - 51 identified after removal
- 977 of those children's cases involved parental drug abuse but not alcohol abuse
 - 761 identified upon removal
 - 216 identified after removal
- 322 of those children's cases involved both parental drug and parental alcohol abuse.
 - 145 identified upon removal
 - 117 identified after removal

The following describes the 1,530 children by age group

Age group	Parental substance abuse factor	Children reviewed	Percent with p. subs. abuse
Under 2	139	298	47%
2-3 yrs	280	477	59%
4-5 yrs	209	379	55%
6-8 yrs	270	475	57%
9-12 yrs	248	475	52%
13-18 yrs	<u>384</u>	<u>1,283</u>	<u>30%</u>
Total	1,530	3,387	45%

Continued...

Explanation of Table– The table above show the frequency of parental substance abuse as a factor in the cases of children reviewed during 2010.

TABLE 3 (continued)**Parental methamphetamine abuse**

The following charts illustrate the number of children from the 1,530 above where methamphetamine abuse was present. These children's parents may also be abusing other substances as well.

Age group	Parental meth' abuse present	Number of children reviewed	% in care due to meth'
Under 2 yrs	58	298	19%
2-3 years	114	477	24%
4-5 years	107	379	28%
6-8 years	107	475	23%
9-12 yrs.	85	475	18%
13-18 years	<u>103</u>	<u>1,283</u>	<u>8%</u>
Total	574	3,387	17%

Age group	Parental meth' abuse present	Children reviewed where substance abuse present	% where substance of choice was meth'
Under 2 yrs	58	139	42%
2-3 years	114	280	41%
4-5 years	107	209	51%
6-8 years	107	270	40%
9-12 yrs.	85	248	34%
13-18 years	<u>103</u>	<u>384</u>	<u>27%</u>
Total	574	1,530	17%

TABLE 4
PERMANENCY OBJECTIVE
OF REVIEWED CHILDREN

Permanency objective	Children	Percent
Return to parent	3,204	68%
Adoption	818	17%
Guardianship	419	9%
Independent living	164	3%
No current objective	37	1%
Live with relative	52	1%
Supervised living	33	1%
Other	<u>3</u>	<u>>1%</u>
Total	4,730*	100%

*Some children are reviewed more than once during the year. Since there could be a different permanency objective for each of those reviews, all reviews conducted in 2010 are included.

*The objective of adoption above includes 591 children with an objective of non-relative adoption and 227 children with a plan of relative adoption.

Comparisons:

In 2008, 65% of reviews were of children with a plan of reunification.

In 2008, 21% of reviews were of children with a plan of adoption.

In 2008, 3% of reviews were of children with no current objective.

Explanation of Table—this table shows the permanency objectives for children reviewed during 2010. It is important to recognize that while a permanency objective may be established for a particular child, a full written permanency plan to accomplish that objective may not have been created (see table 10, finding on the plan).

TABLE 5

**PERCENTAGE OF LIFE
SPENT IN FOSTER CARE
FOR CHILDREN REVIEWED IN 2010**

(USING THE PERCENTAGE AS OF THE LAST REVIEW IN 2010 FOR
CHILDREN REVIEWED MORE THAN ONCE IN THE YEAR)

Percent of life in care	Total children reviewed	Ages 0-5	Ages 6-12	Ages 13-15	Ages 16-18
1-24%	1,763	244	560	365	594
25-49%	830	309	276	89	156
50-74%	399	242	89	21	47
75-99%	252	221	24	3	4
<u>100%</u>	<u>143</u>	<u>143</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	3,387*	1,159	949	478	801

*Some children receive more than one review during a calendar year. In the above table rather than duplicating those children, the percent as of the last review in 2010 was used.

- **794 (23.4%) of the reviewed children have spent more than half of their lives in foster care.** This includes
 - 606 preschool children (ages 0-5),
 - 113 elementary school aged children (ages 6-12),
 - 24 middle school/junior high aged children (ages 13-15), and
 - 51 youth age 16 and older who will be becoming adults soon and creating families of their own.
- **395 children and youth have spent the majority (75%+) of their lives in foster care, including 143 reviewed children who have spent every day of their lives (100%) in foster care.**
- Children reviewed in 2010 averaged having spent 32.5% of their life in foster care.

Explanation of Table— the FCRB conducted 4,730 reviews on 3,387 children during 2010. This table shows the percentage of the child's life that has been spent in foster care. The percentage of life in care is determined by dividing the number of months the child has been in foster care at the time of the FCRB's review by the child's age, in months, at the time of the review. For example, a 24 month old child who has been in care 6 months would have been in care 25% of his life (6 divided by 24). While 6 months, 12 months, 18 months, or more in foster care may not seem long from an adult perspective, from the child's perspective it is a long and significant period of time.

TABLE 6

CASE MANAGER CONTACT WITH CHILDREN

During the review process FCRB staff members document whether or not the child's case manager has visited the child within the 60 days prior to the most recent review.

The following data was collected during the 4,730 reviews conducted in 2010*.

*Some children are reviewed more than once during the year. Since workers should have contact with the children every 60 days, all reviews conducted in 2010 are included.

- 4,186 (89%) of the reviews found documented case manager contact within 60 days prior to the review.
- 386 (8%) of the reviews found documentation showing that no case manager contact had taken place within 60 days of the review.
- 139 (3%) of the reviews found no documentation regarding case manager/child contacts and thus likely did not have any contact.
- 19 (>1%) of the reviews involved parole or probation cases for which no DHHS caseworker was assigned.

Explanation of Table—at each review, the FCRB determines whether or not caseworkers have seen the children within the 60 days prior to review, as this can be an important safeguard for the children, particularly young children who may not be seen outside the foster home.

TABLE 7

MONTHS IN FOSTER CARE FOR CHILDREN REVIEWED DURING 2010

The following chart shows the number of months that children have spent in out-of-home care over their lifetime, including prior episodes of being in foster care, if any.

Months in care	Children reviewed	Ages 0-5	Ages 6-12	Ages 13-15	Ages 16-18
0-6 months	511	267	109	59	76
7-12 months	683	274	194	95	120
13-18 months	549	239	151	64	95
19-24 months	414	160	106	64	84
25-30 months	278	99	85	27	67
31-36 months	214	60	67	30	57
37-40 months	128	25	54	20	29
41-48 months	157	18	53	32	54
49+ months	<u>453</u>	<u>12</u>	<u>131</u>	<u>86</u>	<u>224</u>
Totals	3,387	1,154	950	477	806

- **1,644 (49%) of the 3,387 reviewed children have spent more than 18 months of their lives in foster care.** This includes:
 - 374 preschool children (birth- age 5),
 - 496 elementary school aged children (ages 6-12),
 - 259 middle school/junior high aged children (ages 13-15), and
 - 515 youth age 16 and older who will soon become adults and create families of their own.
- **738 (22%) of the reviewed children and youth have spent over 3 years of their lives in foster care.**
- **453 (13%) of the children and youth have spent over 4 years of their lives in foster care.**

Explanation of Table—the FCRB conducted 4,730 reviews on 3,387 children during 2010. As explained previously, some children receive more than one review during a calendar year. In the above table rather than duplicating those children, the months in care as of the last review in 2010 were used. This table shows the number of months of the child's life that has been spent in foster care.

TABLE 8
PROVISION OF HEALTH RECORDS
TO THE CAREGIVERS
FOR CHILDREN REVIEWED DURING 2010

Health records given to foster parent or caregiver	Total reviews		Ages 0-5	Ages 6-12	Ages 13-15	Age 16+
Yes	3,164	67%	1,125	893	446	700
No	270	6%	121	105	25	19
Unable to determine ⁸	1,199	25%	407	373	157	262
Not applicable ⁹	<u>97</u>	<u>2%</u>	<u>20</u>	<u>9</u>	<u>7</u>	<u>61</u>
Total	4,730*	100%	1,673	1,380	635	1,042

*Some children are reviewed more than once during the year. Since children could be with a different caregiver at each review, all reviews conducted in 2010 are included.

Explanation of Table– the FCRB is required under federal regulations to attempt to determine if health records had been provided to the foster parents or other care providers at the time of the placement. This is done for all reviews and noted for the legal parties in the Board’s recommendation report.

⁸ Due to time restrictions, FCRB Review Specialists attempt to contact the foster parents or other caregivers twice prior to each review. For these 1,183 reviews, there was no documentation in the DHHS case file indicating records had been provided, and the caregiver did not return calls.

⁹ Not applicable would include such conditions as children on runaway status, youth in independent living, young children absconded by parents, and newborns.

TABLE 9

**PROVISION OF EDUCATION RECORDS
TO THE CAREGIVERS
FOR CHILDREN REVIEWED DURING 2009**

For the chart on education records below, only reviewed children ages 6-15 are included, as all of these children should be of school age.

Education records given to foster parent or caregiver	Reviews of school-aged children*		Children Ages 6-12	Children Ages 13-15
Yes	1,336	66%	888	448
No	119	6%	96	23
Unable to determine ¹⁰	525	26%	368	157
Not applicable ¹¹	35	2%	28	7
Total	2,015	100%	1,380	635

*Some children are reviewed more than once during the year. Since children could be with a different caregiver at each review, all reviews conducted on school-aged children during 2010 are included.

Explanation of Table– The FCRB is required under federal regulations to attempt to determine if educational records had been provided to the foster parents or other care providers at the time of the placement. This is done for all reviews and noted for the legal parties in the FCRB’s recommendation report.

¹⁰ Due to time restrictions, FCRB Review Specialists attempt to contact the foster parents or other caregivers twice prior to review. For these 525 reviews, there was no documentation in the DHHS case file indicating records had been provided, and the caregiver did not return calls.

¹¹ Not applicable would be cases where the caregiver is unknown, such as children on runaway or children absconded by the parents.

Basis for the findings in Table 10

The FCRB is required under state and federal law and regulations to make a number of findings regarding the children it reviews. The results of these findings, along with important trend data, are listed in the following table. Some pertinent statutes and regulations regarding the FCRB's findings include:

1. Each child in foster care shall have a case plan that is written and complete with services, timeframes, and tasks identified within 60 days of placement. [Neb. Rev. Stat. §43-1308, §43-1312, Section 475 (1) of the Social Security Act (SSA) and 390 NAC 5-004.02A, 8-001.11]. A written plan will be developed following the assessment of family or child's needs. Case plan evaluation and revision will then occur at least every six months. [390 NAC 5-004.02] The plan shall contain at least the following:
 - a. The purpose for which the child has been placed in foster care.
 - b. The estimated length of time necessary to achieve the purposes of the foster care placement.
 - c. The person or persons who are directly responsible for the implementation of such plan, and
 - d. A complete record of the previous placements of the foster child. [Neb. Rev. Stat. §43-1312].
 - e. If a child is 16 years of age or older, the plan shall include services designed to assist the youth in acquiring independent living skills. [Neb. Rev. Stat. §43-285(2) and 390 NAC 5-004.02A].
 - f. A visitation plan is to be developed for the child and parents to ensure continued contact when appropriate. [390 NAC 7-001.02A]

2. Per Neb. Rev. Stat. §43-1308, the FCRB is to determine:
 - a. What efforts have been made to carry out the plan, including the progress or lack thereof towards meeting the case plan objective.
 - b. Whether reasonable efforts to accomplish permanency are being made.
 - c. Whether there is a continued need for foster placement.
 - d. Whether the child's current placement is safe and appropriate.
 - e. Whether reasonable efforts were made to prevent the removal (this is also a requirement for federal IV-E reviews).
 - f. Whether grounds for termination of parental rights appear to exist.
 - g. Whether the child is likely to be returned to their parent's care and if not, recommend an alternative plan.
 - h. Any other recommendations it chooses to makes regarding the child.
 - i. Each child's placement shall receive educational and health information at the time of placement. [Section 475 (5) of the Social Security Act (SSA)]
 - ii. The custodial agency, normally DHHS, is to evaluate the safety of the child and take the necessary measures in the plan to protect the child. [Adoption and Safe Families Act]
 - iii. Visits between siblings are to be arranged, when appropriate, if they cannot be placed together. [U.S. Dept. of Health and Human Services, Child Welfare Information Gateway, Fostering Connections Act].

TABLE 10

**COMPLIANCE WITH THE FOSTER CARE REVIEW ACT
LOCAL BOARD FINDINGS
FOR CHILDREN REVIEWED DURING 2010**

Is the current foster placement safe and appropriate	Reviews	Percent
Current placement appears <u>safe and appropriate</u>	3,002	64%
<u>Unsafe, thus inappropriate</u>	11	>1%
Child/youth is a <u>runaway, thus safety cannot be assured</u>	45	1%
<u>Safe, but not appropriate</u>	176	4%
<u>No documentation</u> or home study on which to base finding	<u>1,496</u>	<u>32%</u>
Total	4,730	100%

In comparison,

- Local boards found the placement safe and appropriate for 64% of the reviews in 2010, compared to 77% of the 2008 reviews.
- There was no documentation for 32% of the 2010 reviews, compared to 19% of the children reviewed in 2008.

Is there a written permanency plan	Reviews	Percent
There <u>is a written plan</u> with services, timeframes, and tasks	2,516	53%
There is <u>no plan</u>	107	2%
There is a plan, but it is <u>incomplete</u>	1,816	38%
There is a <u>plan, but it is outdated</u>	<u>291</u>	<u>6%</u>
Total	4,730	100%

In comparison,

- Local boards found there was a complete written plan for 74% of the reviews in 2008.
- Local boards found there was a complete written plan for 56% of the reviews in 2000.
- Local boards found the written plan was incomplete for 21% of the reviews in 2008.
- Local boards found the written plan was incomplete for 21% of the reviews in 2000.

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Explanation of Table—this table shows compliance with the Foster Care Review Act (Neb. Rev. Stat. §43-1301-1318) as determined by the local Foster Care Review Boards that conducted 4,730 reviews on 3,387 children during 2010. Children are typically reviewed every six months while in out-of-home care; therefore, some children were reviewed twice during the year. A description of the basis for the findings precedes this table.

TABLE 10 (continued)

**COMPLIANCE WITH THE FOSTER CARE REVIEW ACT
LOCAL BOARD FINDINGS
FOR CHILDREN REVIEWED DURING 2010**

Board agreement with the child's permanency objective	Reviews	Percent
The Board <u>agrees</u> with the child's permanency objective	2,961	63%
The Board <u>does not agree</u> with the objective	1,237	26%
There is <u>no current plan</u>	84	2%
The Board <u>cannot agree or disagree</u> due to [reason]	448	9%
Total	4,730	100%

In comparison,

- Local boards agreed with the children's plans in 58% of the reviews in 2008.
- Local boards agreed with the children's plans in 50% of the reviews in 2000.

Progress being made toward permanency plan objective	Reviews	Percent
<u>Progress being made</u> towards the permanency objective	2,262	48%
<u>No progress</u> towards permanency	1,537	33%
<u>Unclear</u>	931	20%
Total	4,730	100%

In comparison,

- Local boards found progress being made in 47% of the reviews conducted in 2008, and in 51% of the reviews conducted in 2000.
- Local boards found progress unclear in 22% of the reviews conducted in 2008.
- Local boards found progress unclear in 17% of the reviews conducted in 2000.

Safety evaluation by department or custodial agency	Reviews	Percent
Custodial agency <u>evaluated the safety of the child and took the necessary measures</u> in the plan to protect the child	4,454	94%
Custodial agency did <u>not take action</u>	15	>1%
Board <u>cannot make a finding</u>	261	6%
Total	4,730	100%

In comparison,

- Local boards found DHHS evaluated the safety for 90% of the reviews conducted in 2008, and 62% in 2000.

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TABLE 10 (continued)

**COMPLIANCE WITH THE FOSTER CARE REVIEW ACT
LOCAL BOARD FINDINGS
FOR CHILDREN REVIEWED DURING 2010**

In previous years, services for the mother and father were not broken out separately.

- In 2008, local boards found that all services were in motion for the primary parent in 50% of the cases reviewed, and some services in motion for 17%.
- In 2000, local boards found that all services were in motion for the primary parent in 42% of the cases reviewed, and some services in motion for 14%.

Services in the permanency plan - mother	Reviews	Percent
<u>All services</u> in the plan are presently in motion	956	20%
<u>Some services</u> are in motion	591	13%
Services are <u>offered, but not utilized</u>	1,005	21%
<u>Unclear</u> what is being provided	291	6%
Services to mother <u>not applicable</u> (example: deceased, not ordered)	<u>1,887</u>	<u>50%</u>
Total	4,730	100%

Services in the permanency plan – father	Reviews	Percent
<u>All services</u> in the plan are presently in motion	457	10%
<u>Some services</u> are in motion	277	6%
Services are <u>offered, but not utilized</u>	550	12%
<u>Unclear</u> what is being provided	483	10%
Services to father <u>not applicable</u> (example: deceased, not ordered)	<u>2,963</u>	<u>63%</u>
Total	4,730	100.0%

Services in the permanency plan - child	Reviews	Percent
<u>All services</u> in the plan are presently in motion	3,305	70%
<u>Some services</u> are in motion	1,090	23%
Services are <u>offered, but not utilized</u>	80	2%
<u>Unclear</u> what is being provided	239	5%
Services <u>not applicable</u> (example: deceased, not ordered)	<u>16</u>	<u>>1%</u>
Total	4,730	100%

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TABLE 10 (continued)

**COMPLIANCE WITH THE FOSTER CARE REVIEW ACT
LOCAL BOARD FINDINGS
FOR CHILDREN REVIEWED DURING 2010**

Parent-child visitation arrangements re the mother	Reviews	Percent
Visitation with mother is <u>occurring as ordered</u>	2,047	43%
Visitation with mother <u>not occurring</u> as ordered	803	17%
The court has <u>ordered no contact</u> with the mother	83	2%
Visitation with mother is <u>unclear</u>	363	8%
Visitation with mother is <u>not applicable</u> due to [reason, such as rights not intact or deceased]	1,368	29%
Court has not addressed visitation with the mother	<u>66</u>	<u>2%</u>
Total	4,730	100.0%

In comparison,

- Visitation was occurring as ordered for the mother in 46% of the reviews in 2008.

Parent-child visitation arrangements re the father	Reviews	Percent
Visitation with father is <u>occurring as ordered</u>	993	21%
Visitation with father <u>not occurring</u> as ordered	612	13%
The court has <u>ordered no contact</u> with the father	154	3%
Visitation with father is <u>unclear</u>	287	6%
Visitation with father is <u>not applicable</u> due to [reason, such as rights not intact, paternity not established, or deceased]	2,241	47%
Court has not addressed visitation with the father	<u>443</u>	<u>9%</u>
Total	4,730	100%

In comparison,

- Visitation was occurring as ordered for the father in 38% of the reviews in 2008.

Sibling visitation arrangements	Reviews	Percent
Sibling visitation <u>occurring</u>	1,748	37%
Sibling visitation is <u>not occurring</u>	394	8%
Sibling visitation <u>information was not available</u>	437	9%
Court ordered no sibling visitation	10	>1%
Sibling visitation is <u>not applicable</u> (examples: no siblings, or siblings placed together)	<u>2,141</u>	<u>45%</u>
Total	4,730	100%

In comparison,

- Visitation was occurring as ordered for the siblings in 38% of the reviews in 2008, and it was not applicable due to no siblings or siblings placed together for 40% of the 2008 reviews.

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TABLE 10 (continued)

**COMPLIANCE WITH THE FOSTER CARE REVIEW ACT
LOCAL BOARD FINDINGS
FOR CHILDREN REVIEWED DURING 2010**

Reasonable efforts toward reunification	Reviews	Percent
Reasonable Efforts to reunify <u>are being made</u>	3,180	67%
Reasonable Efforts to reunify are <u>not being made</u>	41	1%
Reasonable Efforts are <u>no longer being made</u> because the plan is no longer reunification or reasonable efforts are otherwise not required	<u>1,509</u>	<u>32%</u>
Total	4,730	100%

In comparison,

- Local boards found reasonable efforts to reunify in 51% of the reviews conducted in 2008.

Continued need to be in the foster care system	Reviews	Percent
There is a <u>continued need</u>	4,061	86%
<u>No longer a need</u> for foster placement; <u>child should return to parents</u>	165	3%
<u>No longer a need</u> for foster placement; <u>child's adoption, guardianship or other permanency should be finalized</u>	<u>504</u>	<u>11%</u>
Total	4,730	100%

In comparison to the 15% of children found to no longer need foster care in 2010,

- Local boards found no need to be in foster care for 11% of the reviews conducted in 2008.
- Local boards found no need to be in foster care for 7% of the reviews conducted in 2007.

Reasonable efforts to prevent the removal	Reviews	Percent
Reasonable efforts <u>were made</u> to prevent the child's removal from the home or could not have prevented the child's removal	4,600	97%
Reasonable efforts <u>were not made</u> to prevent the child's removal from the home.	37	1%
It was <u>unclear</u> what efforts were made to prevent removal	81	2%
Reasonable efforts to prevent removal were <u>not necessary due to a judicial determination</u>	<u>12</u>	<u>>1%</u>
Total	4,730	100%

In comparison,

- Local boards found reasonable efforts to prevent removal in 97% of the reviews conducted in 2008, and 90% in 2000.

continued....

TABLE 10 (continued)

**COMPLIANCE WITH THE FOSTER CARE REVIEW ACT
LOCAL BOARD FINDINGS
FOR CHILDREN REVIEWED DURING 2010**

Grounds for termination of parental rights per §43-1308(1)(b)	Reviews	Percent
The Board finds grounds for TPR <u>appear to exist</u>	990	21%
The Board finds grounds for TPR <u>do not appear to exist</u>	2,402	51%
The Board finds that grounds for TPR appears to exist, but TPR is <u>not in the child's best interests</u>	464	10%
A finding on grounds for termination is <u>not applicable</u> because the parents are deceased or the rights have already been relinquished or terminated	<u>874</u>	<u>19%</u>
Total	4,730	100%

In comparison,

- Local boards found grounds for TPR appear to exist in 28% of the reviews conducted in 2008, and 23% in 2000.

The Board's recommended plan if return of the children to the parents is unlikely	Reviews	Percent
The Board finds that return is not likely and recommends referral for <u>TPR and/or adoption</u>	1,645	35%
The Board finds that return is not likely and recommends referral for <u>guardianship</u>	572	12%
The Board finds that return is not likely and recommends placement with a <u>relative</u> (without adoption or guardianship)	13	>1%
The Board finds that return is not likely and recommends a planned, permanent living arrangement <u>other</u> than adoption, guardianship, or placement with a relative	406	9%
The Board finds that <u>return to the parents is likely</u>	<u>2,094</u>	<u>44%</u>
Total	4,730	100%

In comparison,

- Local boards found return to the parents likely in 35% of the reviews conducted in 2008.

TABLE 11

BARRIERS TO PERMANENCY FOR CHILDREN REVIEWED DURING 2010

During each review, local boards identify barriers to children's case plans being implemented and children achieving safe, permanent homes. The barriers are reported to all the legal parties of the children's cases in the final recommendation reports issued after completion of each review.

Multiple barriers may be identified for each child reviewed. There is a different list of barriers for each permanency objective. The following are the barriers for the 4,730 reviews conducted during 2010.

<u>Reunification barriers</u>	<u># of Reviews</u>
Lack of parental willingness/ability	1,757 ¹²
Parental substance abuse	1,295 ¹³
Child's behavioral issues	1,085
Economic-employment issues	1,070
Economic – housing issues	1,010
History of family abuse/violence	950
Parents need more time to complete services	908
Length of time in foster care	874
Lack of parental visitation	802
Other reunification barriers	674
Paternity not established	539
Parental mental illness	461
Parental incarceration	428
Child's mental health issues	415
HHS/Agency lacks documentation regarding progress	392
Child's history of violent and/or abusive behaviors	329
Parental whereabouts unknown	238
Low functioning parent/cognitive deficits	179
Child's substance abuse issues	170
Child's educational needs/lack of special education in child's area	151
Severity of abuse makes safe reunification unlikely	147
Not in best interests due to child's attachments	140

continued...

¹² Lack of parental willingness/ability and parental substance abuse were the top barriers in 2008, before Reform, also.

¹³ See Table 3 for more information about parental substance abuse.

TABLE 11 (continued)
Barriers to Permanency

<u>Reunification barriers continued...</u>	<u># of Reviews</u>
Child's disability	127
Parental illness or health issues	109
Caseworker changes or turnover	119
Language barriers	108
Parent/purported parent's immigration status	101
Cultural barriers	89
No Barriers to Reunification	85
No current written case plan	83
Child's illness	57
Court continuances	40
HHS pressure to return home prematurely	28
Public assistance needed before child goes home	27
Services have not been provided to parents	26
Lack of home based services – other	12
Parent not notified	4

<u>Adoption barriers</u>	<u># of Reviews</u>
Other adoption barriers	365
Adoption paperwork not complete	386
Child's behavioral issues	220
Child is not in a placement willing to adopt	147
No barriers to adoption	122
Child's mental health issues	106
A petition to terminate parental rights has been filed and the hearing is pending	87
Paternity has not been addressed	78
Child's history of violent and/or abusive behaviors	68
No current written case plan	44
Child's disability	42
Court continuances	35
A request to file a petition to terminate parental rights has not been sent to the County Attorney	32

continued...

TABLE 11 (continued)**Barriers to Permanency**

<u>Adoption barriers continued...</u>	<u># of Reviews</u>
Parents whereabouts is unknown	30
Issues regarding separating the siblings	24
Child's education issues	18
A request to file was given to the County Attorney, but a petition was not filed	18
Court did not terminate parental rights	14
Child's substance abuse issues	14
Child's illness	11
HHS policy	9
HHS lacks documentation regarding the lack of parental progress	8
Mental health professional unwilling to testify TPR in child's best interests	5
County Attorney lacks evidence to terminate parental rights	2
<u>Guardianship barriers</u>	<u># of Reviews</u>
Child's behavioral issues	194
Other guardianship barriers	196
Child's mental health	108
Placement not willing to accept guardianship	93
Guardianship subsidy paperwork not completed	85
Child's history of violent and/or abusive behaviors	79
No barriers to Guardianship	47
No current written case plan	33
Child's educational issues	32
Child's substance abuse issues	29
Child's disability	27
An exception to guardianship has not been made by the Dept (child is younger than 13)	20
Child's illness	1

continued...

TABLE 11 (continued)**Barriers to Permanency**

<u>Independent living barriers</u>	<u># of Reviews</u>
Child's behavioral issues	120
Other independent living barriers	75
Child's educational issues	60
Child's mental health issues	58
No independent living skills training	57
Child's history of violent and/or abusive behaviors	54
Child's substance abuse issues	39
No barriers to independent living	30
Child's disability	14
No current written case plan	8
Case plan does not address a permanency goal of independent living	6
<u>Barriers for children where the objective is unclear</u>	<u># of Reviews</u>
Plan is Incomplete	712
Plan is Outdated	62
No Case Plan	34
Other case plan barriers	8
No Plan Barriers	6

TABLE 12

PSYCHOTROPIC MEDICATIONS PRESCRIBED FOR CHILDREN REVIEWED DURING 2010

The Foster Care Review Board thanks Joellen McGinn, a retired pharmacist who also serves on a local foster care review board, for volunteering to look at children reviewed over the course of three months to determine the prevalence of psychotropic prescriptions and collect some basic information.

The group examined included 1,159 children reviewed in October, November, or December of 2010. This is what was found:

- 261 (23%) of the 1,159 children were on psychotropic medications.
 - The 261 children included 98 females (38%) and 163 males (62%). This is slightly more males than in the general population of children in out-of-home care (where 56% are male).
 - The 261 children included 4 children age birth through five, 107 age six through twelve, and 150 children age thirteen through eighteen.
 - Regarding where the 261 children were from:
 - 99 of the 261 children were from Douglas County.
 - 47 of the 261 children were from Lancaster County.
 - 5 of the 261 children were from Sarpy County.
 - The remaining 110 children were from elsewhere across the state.
- The following were the reasons for the prescriptions:
 - 230 children were prescribed for behavioral issues.
 - 2 children were prescribed for attachment issues.
 - 1 child was prescribed for depression.
 - 1 child was prescribed for chronic insomnia (possible post-traumatic stress).
 - 1 child was prescribed for neurological issues.
 - For 26 children there was no documentation as to why the medications were prescribed.
- The 261 children averaged being prescribed 2.2 different medications.

TABLE 13

DELAYS TO ADJUDICATION FOR CHILDREN REVIEWED DURING 2010

2,309 of the children who were reviewed in 2010 met the following criteria:

- They were adjudicated “3a” (abuse – neglect – abandonment), and
- FCRB review specialists calculated the time between the child’s date of removal from the home and adjudication date.

By law these children’s adjudication hearing should have taken place within 90 days (3 months) of the child’s removal from the home, unless already under the supervision of the court at time of removal. The following shows the length of time to these children’s adjudication hearing.

Number of Months to Adjudication	Children
Adjudicated prior to removal	98
Less than 1 month	150
1 month	514
2 months	521
3 months	447
4 months	237
5 months	145
6 months	75
7 months	47
8 months	33
9 months	6
10 months	7
11 months	11
12 months	7
Over 12 months	11

Explanation of Table—at the adjudication hearing, facts are presented to prove the allegations in the petition. The burden of proof is on the state, through the County Attorney. If the parents deny the allegations, then a fact-finding hearing like a trial is held, where the parents have a right to counsel. At this hearing the finding of fact occurs, the allegations in the petition are found to be true or false, and the child is either made a state ward or not. The Court cannot order the parents to services prior to completion of the adjudication hearing.

By law (Neb. Rev. Stat. 43-278) this hearing must occur within 90 days of the child entering out-of-home care. As shown above, in practice the 90-day rule is not always followed.

TABLE 14
PATERNITY ESTABLISHMENT
FOR CHILDREN REVIEWED DURING 2010

Paternity established	Children	Age 0-5	Age 6-12	Age 13-15	Age 16+
Established					
Rights intact	2,009	666	527	286	530
Rights terminated	323	84	124	56	59
Rights relinquished	264	112	85	28	39
Father deceased	<u>97</u>	<u>9</u>	<u>21</u>	<u>27</u>	<u>40</u>
Total paternity established	2,693	871	757	397	668
	80%	75%	80%	83%	83%
Not established					
Paternity not established	547	224	153	62	108
Father not identified	<u>131</u>	<u>56</u>	<u>34</u>	<u>15</u>	<u>26</u>
Total paternity not established	678	280	187	77	134
	20%	22%	20%	16%	15%
Undocumented	16	3	6	3	4
	>1%	>1%	>1%	1%	>1%
Grand total	3,387	1,154	950	477	806

When considering children with no paternity established or whose paternity is undocumented, **it is likely that paternity has not been established for nearly a fifth of the children reviewed** (694 of 3,337 – 20 %).

Explanation of Table—the FCRB conducted 4,730 reviews on 3,337 children during 2010. Some children receive more than one review during a calendar year. In the above table rather than duplicating those children, the months in care as of the last review in 2010 were used.

Lack of paternity identification has been linked to excessive lengths of time in care for children. Often paternity is not addressed until after the mother's rights are relinquished or terminated instead of addressing the suitability of the father as placement concurrently with the assessment of the mother's ability to parent. This can cause serious delays in children achieving permanency.

TABLE 15

**AGGRAVATED CIRCUMSTANCES
IDENTIFIED IN CASES OF
CHILDREN REVIEWED IN 2010**

Aggravated circumstances are reasons per Neb. Rev. Stat. §43-283.01 under which a court could determine that efforts to reunify are not necessary. This would be in extreme cases such as those involving torture, sexual abuse, or felonious assault of the child or a sibling.

This provision of statute was designed to help children who had suffered serious or chronic abuse/neglect, and whose parents could/would likely never safely parent, to achieve permanency in a timely manner.

- Aggravated circumstance conditions, as identified by FCRB staff, were present for 180 (5%) of the 3,387 children reviewed in 2010 (children ages birth-18).
- For children age birth through five, aggravated circumstances were present for 83 (7%) of the 1,154 children reviewed who were in that age group.

TABLE 16

INFORMATION ON SELECTED COURT HEARINGS FOR CHILDREN REVIEWED IN 2010

Permanency hearings

Courts are mandated to conduct a special permanency hearing when children have been in out-of-home care for 12 months, and every 12 months thereafter. There were 2,950 reviews conducted in 2010 that involved children who had been in foster care for 12 consecutive months or longer.

- 1,318 children (45%) had documentation in the DHHS file regarding the children's permanency hearings.
- 363 (12%) of the children's files had documentation that indicated they had not had a permanency hearing.
 - A request for such a hearing was documented for 69 of these children.
- For the remaining 1,269 children (43%) there was no DHHS file documentation of the hearing, or the documentation was unclear.

For the 1,318 children who had documented permanency hearings...

- In 1,171 cases the plan submitted by DHHS was adopted by the court
- In 67 cases the plan submitted by DHHS was modified by the court
- In the remaining cases it either was unclear what the court adopted or the court adopted a different plan.

“15 month”/“Exception” hearings

Courts are to hold an “exception” hearing when children have been in care for 15 months to determine if a termination of parental rights hearing needs to be held.

There were 2,443 reviews of children in care for 15 months or longer conducted in 2010.

- 862 of these cases had a termination of parental rights petition filed and/or completed.
- In 158 of the remaining 1,581 cases there was documentation of an exception hearing being held.
- Where the exception found was documented:
 - 31 cases lacked evidence of being in best interests
 - 13 cases the only grounds was parental incarceration
 - 53 cases had an exception due to being placed with a relative
 - 21 cases the parents had not been given opportunity to correct conditions

TABLE 17

GUARDIAN AD LITEM CONTACT WITH CHILDREN

Per Supreme Court guidelines, guardians ad litem (attorneys appointed to represent children's best interests) are to visit the children they represent at least once every six months.

The following data was collected during the 4,730 reviews* conducted in 2010.

- 2,665 (56%) of the reviews found documented GAL contact within 180 days prior to the review.
- 577 (12%) of the reviews found documentation showing that no GAL contact had taken place within 180 days of the review.
- 1,200 (25%) of the reviews found no documentation regarding GAL/child contacts and thus there was likely no contact.
- 288 (6%) of the reviews involved cases for which no GAL was assigned.

*Some children are reviewed more than once during the year. Since GALs are to meet with the children every six months, all reviews conducted during 2010 are included.

Explanation of Table—at each review, the FCRB determines whether or not there is documentation, including from the questionnaires sent to GALs prior to reviews, that the GAL has seen the children within the 180 days prior to review, as this can be an important safeguard for the children, particularly young children who may not be seen outside the foster home.

TABLE 18
CHILDREN IN OUT-OF-HOME CARE
ON DECEMBER 31, 2010
BY AGE

Children's age	# of Children	Subtotal	Subtotal %	
under 1 year	187			
1 year	247			
2 years	228			
3 years	214			
4 years	190			
5 years	181			
		1,247	29%	Ages birth – 5
6 years	147			
7 years	161			
8 years	132			
9 years	137			
10 years	128			
11 years	123			
12 years	126			
		954	22%	Ages 6-12
13 years	193			
14 years	236			
15 years	344			
		773	18%	Ages 13-15
16 years	449			
17 years	523			
18 years	355			
		1,327	31%	Ages 16-18
<u>Unreported age</u>	<u>0</u>	<u>0</u>	<u>0%</u>	Unreported Age
Total	4,301	4,301	100%	

Explanation of Table—this table shows the number of active children on December 31, 2010, by age. Generally, children up to approximately age 11 enter care due to their parent's inability to parent, neglect, abusive situations, or medical problems. Youth age 12-18 may also enter foster care because of actions they have taken in addition to the previously stated reasons.

TABLE 19

TOTAL LIFETIME PLACEMENTS
(individual foster homes, group homes, specialized facilities)

FOR CHILDREN IN OUT-OF-HOME CARE ON DECEMBER 31, 2010

Number of Placements	Total	Ages 0-5	Ages 6-12	Ages 13-15	Ages 16-18	Age Unk.
1	909	486	215	99	109	none
2	703	331	144	89	139	none
3	508	180	139	74	115	none
4	398	108	123	68	99	none
5	330	65	85	61	119	none
6	272	39	76	81	76	none
7	203	22	53	49	79	none
8	160	9	43	44	64	none
9	135	3	18	40	74	none
10	89	2	8	27	52	none
11-20	458	2	47	121	288	none
21-30	109	0	2	18	89	none
31-40	18	0	1	2	15	none
41-59	9	0	0	0	9	none
Total	4,301	1,247	954	773	1,327	none

Children of any age can be damaged by multiple caregiver changes, yet:

- 2,181 (51%) of the children had experienced 4 or more placements.
- 683 (15%) of the children had experienced 10 or more placements.

It is particularly troubling that so many preschool children have had multiple placements. Brain development experts have indicated that young children are permanently damaged by multiple broken attachments to care givers, yet an alarming number of young children have this experience.

- 430 (34%) of the preschoolers had lived in 3 or more different homes.
- 77 (6%) of the preschoolers had lived in 6 or more homes.

Explanation of Table— this chart shows the number of placements for children in out-of-home care on December 31st. The Foster Care Review Board counts each move to different foster homes, group homes, or facilities throughout the child's lifetime. Brief hospitalizations or respite care are not included in the counts, nor are changes in the placement level (such as a foster home becoming a pre-adoptive home). The ideal is for children placed in out-of-home care to experience consistency in placement. A common standard indicating detrimental placement instability is four placements (Hartnett, Falconnier, Leathers & Tests, 1999; Webster, Barth & Needell, 2000).

TABLE 20**CHILDREN BY COUNTY OF COURT COMMITMENT**

This table reads across pages and shows the number of children in out-of-home care on December 31, 2010, according to the county of the court that placed them in care.

County	Total Children	Age Group					Race						
		age 0-5	age 6-12	age 13-15	age 16+	age unk	Amer. Indian	Asian	Black	Other	White	Multiple	Hispanic Ethnicity
Adams	68	16	13	18	21			2	3	5	51	7	4
Antelope	3		1	2						3			
Arthur	1			1						1			
Banner	0												
Blaine	0												
Boone	2			1	1						2		
Box Butte	5	1			4		1				4		
Boyd	2	1		1							2		
Brown	6	3	3								6		
Buffalo	91	28	19	16	28		7	1		13	66	4	18
Burt	7	1	1	1	4						7		
Butler	25	4	11	3	7						25		
Cass	31	6	6	7	12						31		
Cedar	0												
Chase	4			2	2						4		
Cherry	6	1	4		1						6		
Cheyenne	13	2	1	2	8					1	12		2
Clay	7			3	4					1	6		1
Colfax	14	7	1	4	2					4	10		3
Cuming	14	1	5	4	4					3	11		2
Custer	13	5		4	4		1				12		
Dakota	26	9	7	7	3					13	12	1	17
Dawes	5		2	1	2		1				4		
Dawson	63	16	12	14	21				7	22	32	2	19
Deuel	1		1								1		
Dixon	3	2		1							3		2
Dodge	92	20	18	18	36				3	18	67	4	20
Douglas	1737	551	418	275	493		92	5	721	204	636	79	220
Dundy	1				1						1		
Fillmore	9		1	4	4					1	8		1

continued...

TABLE 20 (continued)**CHILDREN BY COUNTY OF COURT COMMITMENT**

This table reads across pages and shows the number of children in out-of-home care on December 31, 2010, according to the county of the court that placed them in care.

County	Total Children	Gender		Number of Placements				Removals	
		Male	Female	1-3 Placements	4-6 Placements	7-9 Placements	10 or more Placements	1st removal	2+ removal
Adams	68	43	25	25	17	10	16	37	31
Antelope	3	1	2		2	1		2	1
Arthur	1	1					1	1	
Banner	0								
Blaine	0								
Boone	2	2		1	1			2	
Box Butte	5	5		4	1			5	
Boyd	2	2		1		1		1	1
Brown	6	4	2	4	2			6	
Buffalo	91	55	36	46	14	11	20	51	40
Burt	7	3	4	4		1	2	5	2
Butler	25	13	12	10	8	3	4	11	14
Cass	31	17	14	6	12	5	8	10	21
Cedar	0								
Chase	4	3	1	1		1	2	1	3
Cherry	6	5	1	4			2	5	1
Cheyenne	13	11	2	4	2	2	5	5	8
Clay	7	5	2	2	2	1	2	3	4
Colfax	14	7	7	9	4		1	10	4
Cuming	14	10	4	5	2	2	5	9	5
Custer	13	5	8	10	1	1	1	12	1
Dakota	26	13	13	18	4	2	2	25	1
Dawes	5	3	2	3	2			3	2
Dawson	63	33	30	30	14	7	12	35	28
Deuel	1		1		1			1	
Dixon	3	1	2	2	1			2	1
Dodge	92	49	43	51	11	12	18	53	39
Douglas	1737	963	774	854	418	198	267	1108	629
Dundy	1	1		1				1	
Fillmore	9	6	3	3	2	1	3	4	5

continued...

TABLE 20 (continued)**CHILDREN BY COUNTY OF COURT COMMITMENT**

This table reads across pages and shows the number of children in out-of-home care on December 31, 2010, according to the county of the court that placed them in care.

County	Total Children	Placement Proximity to Home County					Other		
		Same County	Neighboring County	Non-Neighboring County	Child Placed Out of State	Unreported	More Than 2 Years in Care	More than 4 DHHS Workers	3 or More Lead Agency Workers
Adams	68	18	30	14	6		20	31	6
Antelope	3	3						1	
Arthur	1			1				1	
Banner	0								
Blaine	0								
Boone	2			2					
Box Butte	5		1	4			1		2
Boyd	2	1		1				1	
Brown	6			6					4
Buffalo	91	46	23	21		1	12	39	13
Burt	7	3	2	2			1	3	2
Butler	25	6	4	14		1	11	15	14
Cass	31	6	8	15	1	1	6	17	19
Cedar	0								
Chase	4			3		1	1	1	1
Cherry	6	4	1	1			1	2	
Cheyenne	13	3	3	5	1	1	3	5	7
Clay	7	1	2	4				5	
Colfax	14	6	6	2			4	4	1
Cuming	14	1	6	7			7	10	2
Custer	13	2	6	4		1	2	2	5
Dakota	26	16	2	6	1	1	3	6	
Dawes	5			5					2
Dawson	63	21	26	10	2	4	2	16	3
Deuel	1	1						1	
Dixon	3		2	1					
Dodge	92	24	37	23	7	1	19	44	23
Douglas	1737	1278	163	144	90	62	422	1020	314
Dundy	1		1						
Fillmore	9	1		8			2	4	5

continued...

TABLE 20 (continued)**CHILDREN BY COUNTY OF COURT COMMITMENT**

This table reads across pages and shows the number of children in out-of-home care on December 31, 2010, according to the county of the court that placed them in care.

County	Total Children	Adjudication Status						
		Abuse Neglect Dependency (3a)	Status Offense (3b)	Mental Health (3c)	Misdemeanor (1)	Felony (2)	More Than One Type	Unreported
Adams	68	43	8		10	4	3	
Antelope	3	3						
Arthur	1				1			
Banner	0							
Blaine	0							
Boone	2					2		
Box Butte	5	1			1	3		
Boyd	2	1	1					
Brown	6	6						
Buffalo	91	60	9	1	14	3	4	
Burt	7	6			1			
Butler	25	19	2		2			2
Cass	31	16	3		4	2	5	1
Cedar	0							
Chase	4	1	3					
Cherry	6	5	1					
Cheyenne	13	4	1		3	4	1	
Clay	7	1	3	1	2			
Colfax	14	9	2		2		1	
Cuming	14	8	2	1			3	
Custer	13	8	2		2	1	0	
Dakota	26	18		1	6		1	
Dawes	5	3			2			
Dawson	63	29	16		7	1	7	3
Deuel	1	1						
Dixon	3	2			1			
Dodge	92	55	8		20	2	2	5
Douglas	1737	1252	52		207	38	110	78
Dundy	1		1					
Fillmore	9	4	1		4			

continued...

TABLE 20 (continued)

CHILDREN BY COUNTY OF COURT COMMITMENT

This table reads across pages and shows the number of children in out-of-home care on December 31, 2010, according to the county of the court that placed them in care.

County	Total Children	Age Group					Race						
		age 0-5	age 6-12	age 13-15	age 16+	age unk	Amer. Indian	Asian	Black	Other	White	Multiple	Hispanic Ethnicity
Franklin	1				1						1		
Frontier	3			3					1	1	1		
Furnas	21	4	9	4	4					21			
Gage	30	7	4	9	10		1		1	2	26		
Garden	0			1									
Garfield	2	1			1						2		
Gosper	4		2	1	1				1		3		
Grant	0												
Greeley	1			1							1		
Hall	162	45	31	38	48		5	1	14	30	106	6	45
Hamilton	7			1	6					7			
Harlan	12	2	1	3	6					2	10		1
Hayes	0												
Hitchcock	1			1							1		
Holt	7	2		4	1					2	5		2
Hooker	0												
Howard	11		1	5	5		1				10		
Jefferson	4		1	2	1						4		
Johnson	4			1	3						4		
Kearney	20	2	8	3	7						20		
Keith	5			2	3						5		
Keya Paha	0												
Kimball	4	1	3								4		
Knox	3			2	1		1				2		1
Lancaster	865	278	182	118	287		82	17	162	89	461	54	87
Lincoln	163	49	42	36	36		6		5	15	134	3	16
Logan	0												
Loup	0												
Madison	85	20	22	17	26		9		5	21	49	1	20
McPherson	0												
Merrick	4		1		3						4		
Morrill	2			1	1						2		
Nance	5	1	1	1	2						5		

continued...

TABLE 20 (continued)**CHILDREN BY COUNTY OF COURT COMMITMENT**

This table reads across pages and shows the number of children in out-of-home care on December 31, 2010, according to the county of the court that placed them in care.

County	Total Children	Gender		Number of Placements				Removals	
		Male	Female	1-3 Placements	4-6 Placements	7-9 Placements	10 or more Placements	1st removal	2+ removal
Franklin	1	1					1		1
Frontier	3		3	1	1		1	1	2
Furnas	21	15	6	10	6	4	1	10	11
Gage	30	21	9	9	10	7	4	13	17
Garden	0								0
Garfield	2		2	2				1	1
Gosper	4	2	2	2		1	1	2	2
Grant	0								
Greeley	1		1				1		1
Hall	162	96	66	76	38	27	21	79	83
Hamilton	7	3	4	3	1		3	4	3
Harlan	12	7	5	7	3	1	1	6	6
Hayes	0								
Hitchcock	1		1		1				1
Holt	7	4	3	3		2	2	4	3
Hooker	0								
Howard	11	8	3	4	4		3	5	6
Jefferson	4	2	2	1		1	2		4
Johnson	4	2	2		2		2	2	2
Kearney	20	11	9	14	3	2	1	16	4
Keith	5	4	1		3	1	1	1	4
Keya Paha	0								
Kimball	4	3	1	4				4	
Knox	3	3		1			2	2	1
Lancaster	865	476	389	445	194	98	128	540	325
Lincoln	163	83	80	90	40	10	23	99	64
Logan	0								
Loup	0								
Madison	85	45	40	36	28	15	6	48	37
McPherson	0								
Merrick	4	2	2	1	2	1		2	2
Morrill	2	2		2					2
Nance	5	2	3	2		1	2	3	2

continued...

TABLE 20 (continued)**CHILDREN BY COUNTY OF COURT COMMITMENT**

This table reads across pages and shows the number of children in out-of-home care on December 31, 2010, according to the county of the court that placed them in care.

County	Total Children	Placement Proximity to Home County					Other		
		Same County	Neighboring County	Non-Neighboring County	Child Placed Out of State	Unreported	More Than 2 Years in Care	More than 4 DHHS Workers	3 or More Lead Agency Workers
Franklin	1		1					1	
Frontier	3	1	1	1					
Furnas	21	5	7	5	4		7	8	5
Gage	30	11	5	13		1	3	11	13
Garden	0								
Garfield	2		2				1	1	
Gosper	4			4			1		
Grant	0								
Greeley	1			1				1	
Hall	162	59	60	36	3	4	29	64	26
Hamilton	7	1	1	5			1	1	
Harlan	12	6	1	5				1	1
Hayes	0								
Hitchcock	1			1				1	
Holt	7	3	3		1		1	5	
Hooker	0								
Howard	11	4	3	4			2	6	3
Jefferson	4	1		2	1		2	4	4
Johnson	4		2	2			3	4	3
Kearney	20	4	12	3	1			3	
Keith	5			5			2	4	1
Keya Paha	0								
Kimball	4	3	1					1	1
Knox	3		1	2			1	2	
Lancaster	865	479	77	256	17	36	165	379	412
Lincoln	163	74	42	39	4	4	24	44	22
Logan	0								
Loup	0								
Madison	85	44	25	14	1	1	9	29	12
McPherson	0								
Merrick	4	1	2	1					
Morrill	2		1	1				2	
Nance	5	1		4			2	3	1

continued...

TABLE 20 (continued)**CHILDREN BY COUNTY OF COURT COMMITMENT**

This table reads across pages and shows the number of children in out-of-home care on December 31, 2010, according to the county of the court that placed them in care.

County	Total Children	Adjudication Status						
		Abuse Neglect Dependency (3a)	Status Offense (3b)	Mental Health (3c)	Misdemeanor (1)	Felony (2)	More Than One Type	Unreported
Franklin	1	1						
Frontier	3		1		1	1		
Furnas	21	15	3		1		2	
Gage	30	12	4		8	5	1	
Garden	0							
Garfield	2	2						
Gosper	4	2	2					
Grant	0							
Greeley	1		1					
Hall	162	100	10	1	39	7	5	
Hamilton	7	1	1		2	2		1
Harlan	12	6	5			1		0
Hayes	0							
Hitchcock	1	1						
Holt	7	3	1		1	1	1	
Hooker	0							
Howard	11	4		3	3	1		
Jefferson	4	3			1			
Johnson	4	3	1					
Kearney	20	13	2		2	1	1	1
Keith	5		1		2	2		
Keya Paha	0							
Kimball	4	4						
Knox	3	1	2					
Lancaster	865	612	64		137	21	26	5
Lincoln	163	96	38		12	2	9	6
Logan	0							
Loup	0							
Madison	85	51	11		11	6	5	1
McPherson	0							
Merrick	4		2		1	1		
Morrill	2	2						
Nance	5	2	2					1

continued...

TABLE 20 (continued)**CHILDREN BY COUNTY OF COURT COMMITMENT**

This table reads across pages and shows the number of children in out-of-home care on December 31, 2010, according to the county of the court that placed them in care.

County	Total Children	Age Group					Race						
		age 0-5	age 6-12	age 13-15	age 16+	age unk	Amer. Indian	Asian	Black	Other	White	Multiple	Hispanic Ethnicity
Nemaha	8		3	2	3			3			5		
Nuckolls	4	2	1	1						4			
Otoe	23	5	5	5	8		1		2	20		2	
Pawnee	5	3			2					5			
Perkins	1				1					1			
Phelps	16	6	2	5	3					16			
Pierce	2				2					2			
Platte	45	11	11	12	11		4		2	12	26	1	22
Polk	3	1		2						1	2		1
Red Willow	18	1	3	8	6					18			
Richardson	14	6		2	6		1			13			
Rock	0												
Saline	11	1		4	6				3	7	1	3	
Sarpy	237	45	49	42	101		3		32	13	175	14	25
Saunders	12	6		1	4					12			
Scotts Bluff	109	44	24	21	20		16		1	6	72	14	31
Seward	19	5	1	2	11					18	1		
Sheridan	7			3	4		4			3			
Sherman	8	2	2	2	2					8			
Sioux	0												
Stanton	2			1	1					1	1		1
Thayer	3			1	2					3			
Thomas	0												
Thurston	8	4	1		3					7	1		
Valley	5	1		3	1					5			
Washington	28	7	5	7	9			1	1	26			
Wayne	6		3	2	1				2	4			1
Webster	2	1		1					1	1			
Wheeler	0												
York	29	9	11	4	5			1	2	25	1	3	
Unreported or tribal	1	1							1				
Total	4301	1247	953	773	1327	0	236	29	961	490	2390	195	570

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TABLE 20 (continued)**CHILDREN BY COUNTY OF COURT COMMITMENT**

This table reads across pages and shows the number of children in out-of-home care on December 31, 2010, according to the county of the court that placed them in care.

County	Total Children	Gender		Number of Placements				Removals	
		Male	Female	1-3 Placements	4-6 Placements	7-9 Placements	10 or more Placements	1st removal	2+ removal
Nemaha	8	3	5	5	1	1	1	5	3
Nuckolls	4	1	3	2	2			2	2
Otoe	23	12	11	9	8	4	2	13	10
Pawnee	5	1	4	4	1		1	4	1
Perkins	1		1						1
Phelps	16	10	6	9	4	2	1	8	8
Pierce	2	2		2				2	
Platte	45	26	19	28	8	1	8	29	16
Polk	3	1	2	2			1	2	1
Red Willow	18	10	8	6	5	4	3	8	10
Richardson	14	7	7	7	5	1	1	10	4
Rock	0								
Saline	11	5	6	4	2	1	4	6	5
Sarpy	237	130	107	109	52	29	47	144	93
Saunders	12	5	7	7	3	1	1	8	4
Scotts Bluff	109	62	47	64	23	8	14	65	44
Seward	19	12	7	8	2	3	6	11	8
Sheridan	7	5	2	1	1	2	3	3	4
Sherman	8	6	2	4	3	1		4	4
Sioux	0								
Stanton	2	2		1			1	1	1
Thayer	3	3		2	1			1	2
Thomas	0								
Thurston	8	4	4	2	1	3	2	3	5
Valley	5	4	1	1		2	2	2	3
Washington	28	17	11	17	6	2	3	18	10
Wayne	6	3	3		5		1	5	1
Webster	2	1	1	1	1			1	1
Wheeler	0								
York	29	18	11	13	9	3	4	18	11
Unreported or tribal	1	1		1				1	
Total	4301	2404	1897	2120	1000	498	683	2623	1677

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TABLE 20 (continued)**CHILDREN BY COUNTY OF COURT COMMITMENT**

This table reads across pages and shows the number of children in out-of-home care on December 31, 2010, according to the county of the court that placed them in care.

County	Total Children	Placement Proximity to Home County					Other		
		Same County	Neighboring County	Non-Neighboring County	Child Placed Out of State	Unreported	More Than 2 Years in Care	More than 4 DHHS Workers	3 or More Lead Agency Workers
Nemaha	8		3	5			3	5	2
Nuckolls	4	3	1					1	
Otoe	23	3	6	13	1		2	21	12
Pawnee	5	2	2	1			1	2	2
Perkins	1			1			1	1	1
Phelps	16	7	3	6			5	6	5
Pierce	2		1	1					1
Platte	45	15	16	13		1	3	16	3
Polk	3		1	2			1	1	1
Red Willow	18	2	4	12				3	1
Richardson	14	6		8			2	8	5
Rock	0								
Saline	11		6	3		2	2	9	7
Sarpy	237	74	118	29	13	3	31	109	26
Saunders	12	3	3	6			1	6	5
Scotts Bluff	109	76	15	12	6		13	37	11
Seward	19	1	9	5	2	2	6	6	12
Sheridan	7		2	5			2	1	3
Sherman	8	1	4	3				4	
Sioux	0							1	
Stanton	2		2						1
Thayer	3		1	2				1	1
Thomas	0								
Thurston	8	1	2	5			3	4	3
Valley	5	1		3	1		3	4	3
Washington	28	7	11	9		1	3	8	6
Wayne	6	1	1	4			5	1	1
Webster	2			2				2	
Wheeler	0								
York	29	12	4	12	1		7	7	17
Unreported or tribal	1								
Total	4301	2353	785	869	164	129	864	2067	1056

continued...

TABLE 20 (continued)**CHILDREN BY COUNTY OF COURT COMMITMENT**

This table reads across pages and shows the number of children in out-of-home care on December 31, 2010, according to the county of the court that placed them in care.

County	Total Children	Adjudication Status						
		Abuse Neglect Dependency (3a)	Status Offense (3b)	Mental Health (3c)	Misdemeanor (1)	Felony (2)	More Than One Type	Unreported
Nemaha	8	5	1		2			
Nuckolls	4	2	1					1
Otoe	23	13	2		5	2		1
Pawnee	5	3	2					
Perkins	1		1					
Phelps	16	11			4		1	
Pierce	2		2					
Platte	45	24			9	1	3	8
Polk	3	2			1			
Red Willow	18	5	9		3			1
Richardson	14	8	1		2	2	1	
Rock	0							
Saline	11	3			4		4	
Sarpy	237	139	41		40	7	1	9
Saunders	12	7			3	1		1
Scotts Bluff	109	82	9	1	12	1	4	
Seward	19	8		2	6	1	2	
Sheridan	7	2	1		1	2	1	
Sherman	8	5			1	1	1	
Sioux	0							
Stanton	2				1	1		
Thayer	3	2			1			
Thomas	0							
Thurston	8	4	2		1		1	
Valley	5	3	2					
Washington	28	17	4		3	1	2	1
Wayne	6	4	1		1			
Webster	2	2						
Wheeler	0							
York	29	22	2		3	2		
Unreported or tribal	1	1						
Total	4301	2863	347	11	613	133	208	126

TABLE 21

**LIFETIME DHHS CASEWORKER/STAFF CHANGES
EXPERIENCED BY DHHS AND DHHS-OJS WARDS
WHO WERE IN FOSTER CARE ON DECEMBER 31, 2010**

# of Caseworkers in Child’s Lifetime	Children	# of Caseworkers in Child’s Lifetime	Children
1 caseworker	565	13 caseworkers	23
2 caseworkers	826	14 caseworkers	19
3 caseworkers	843	15 caseworkers	7
4 caseworkers	642	16 caseworkers	4
5 caseworkers	437	17 caseworkers	5
6 caseworkers	314	18 caseworkers	3
7 caseworkers	239	19 caseworkers	0
8 caseworkers	121	20 caseworkers	4
9 caseworkers	103	21 caseworkers	0
10 caseworkers	59	22 caseworkers	2
11 caseworkers	44	23 caseworkers	0
12 caseworkers	41	24 or more caseworkers	0
		Total wards	4,301

Additional Facts:

- 2,067 (48%) of the children above had experienced 4 or more different caseworkers handling their case during their lifetime. This compared to 35% in 2008.
- 988 (23%) had experienced 6 or more different caseworkers. (19% in 2008)
- 211 (5%) had experienced 10 or more different caseworkers. (5% in 2008)

Explanation of Table—this table shows the number of DHHS caseworkers who have been assigned to children over their lifetime in out-of-home care.

TABLE 22

**LIFETIME LEAD AGENCY WORKER/STAFF CHANGES
EXPERIENCED BY CHILDREN
WHO WERE IN FOSTER CARE ON DECEMBER 31, 2010**

# of Lead Agency workers in Child's Lifetime	Children
No lead agency workers	606
1 lead agency worker	1,706
2 lead agency workers	933
3 lead agency workers	572
4 lead agency workers	257
5 lead agency workers	127
6 lead agency workers	59
7 lead agency workers	20
8 lead agency workers	3
9 lead agency workers	3
Total	4,301

Explanation of Table—this table shows the number of lead agency workers who have been assigned to children over their lifetime in out-of-home care.

TABLE 23

2010 REPORT FROM THE TRACKING SYSTEM REGISTRY

Per Neb. Rev. Stat. §43-1303(2)(d)(iv) the FCRB is to include in the annual report the number of children supervised by the foster care programs in the state.

This is calculated as follows:

Children in out-of-home care at the beginning of the year per last annual report	4,448
Children who entered or re-entered care during calendar year	+ <u>3,810</u> ¹⁴
Children whose case was active anytime during calendar year	8,258
Children who left foster care during the year- 4,004 ¹⁵	
Adjustments for children who entered or left care in prior years but were not reported until 2010	<u>+47</u>
Children in out-of-home care on December 31, 2010	4,301

¹⁴ 296 children entered foster care more than once during 2010; they are not duplicated in this number.

¹⁵ 267 children left care more than once in 2010; they are not duplicated in this number.

TABLE 24
CHILDREN ENTERING OUT-OF-HOME CARE
DURING THE YEAR, BY AGE

Age of child as of December 31st	Entering care in 2010			Prior years	
	First removal from home	Removed previously ¹⁶	Total children entering care	Children entering 2009	Children entering 2008
Under 1	218	9	227	223	244
1 year	190	27	217	196	214
2 years	147	25	172	199	172
3 years	111	38	149	161	150
4 years	126	49	175	163	135
5 years	103	33	136	134	134
6 years	72	43	115	131	135
7 years	75	43	118	112	111
8 years	65	32	97	104	100
9 years	64	25	89	124	90
10 years	70	31	101	79	88
11 years	62	36	98	98	114
12 years	61	40	101	159	115
13 years	78	72	150	146	149
14 years	114	89	203	211	230
15 years	164	146	310	340	381
16 years	233	232	465	464	517
17 years	218	257	475	506	538
18 years	131	213	344	357	351
19 + years	19	48	67	63	54
Unknown age	0	0	0	0	35
TOTAL	2,321	1,488	3,809	3,970	4,057

# with prior removals	1,488	1,876	1,664
Rate*	39%	47%	41%

*Rate here is computed as the percent of children entering care in the year who had been removed from the home at least once before, as in $1,488/3,809 = 39\%$)

Explanation of Table—the table shows the number of children who entered out-of-home care through both public and private agencies, and includes past years for comparison. This chart is based on the child's December 31st age, so children in the 19+ age group would have entered care while age 18 (19 is the age of majority). Most children who enter care when age newborn through pre-adolescence enter care due to the parent's inability to parent, an abusive situation, neglect, or medical problems. Older children may also enter care because of their own actions. The number of young children experiencing premature, failed reunification is significant due to brain research indicating that there can be physical changes to brain physiology caused by abuse, neglect, and separations from parents/caregivers.

¹⁶ 296 children entered care more than once during 2010. They are not duplicated in the chart. (265 children entered twice, 27 entered three times, 4 children entered care four times).

TABLE 25

CASES TERMINATED IN 2010 BY REASON

There were 4,004 children who left out-of-home care during 2010.

- 3,737 exited out-of-home care one time during 2010,
- 238 children left twice,
- 27 children left three times, and
- 2 children left four times.

This chart shows reasons for each time children left care during the year.

Reason left care	Children	Percent
Reunification		
Custody returned to parent	3,200	74%
Released from corrections with no other information given (presumably returned to parents)	32	1%
Adoption		
Adoption finalized	395	9%
Age of majority or other emancipation ¹⁷		
Reached age of majority	275	6%
Emancipated by military service or marriage	2	>1%
Guardianship		
Guardianship established	258	6%
Other Reasons		
Court terminated (with no specifics given)	37	1%
Custody transfer (to tribes or another state)	100	2%
Death of child	<u>3</u>	<u>>1%</u>
Total	4,302	100%

Trend data:

487 adoptions were completed during 2009,
572 adoptions were completed in 2008 (the year of the joint special study), and
462 adoptions were completed in 2007.

Explanation of Table—this table shows the number of children whose cases were terminated (closed) for each reason during 2010.

¹⁷ 132 of the 277 youth who left care when reaching legal adulthood were female, 145 were male.

TABLE 26

FILE CONTENTS/LACK OF DOCUMENTATION

FCRB staff identified DHHS file deficits as an issue in early 2010, shortly after the Reform began. Forms to track this were developed in collaboration with DHHS. In July 2010 FCRB staff began tracking the number of children's files reviewed that did not contain essential case documentation, and did so monthly thereafter. These instances were reported to DHHS and the lead agency, if any, involved in each child's case. Monthly statistics were also distributed to DHHS and the Lead Agencies.

Of the 2,229 children's files reviewed July-December 2010:

- 900 (40%) lacked educational records.
- 871 (39%) lacked therapy reports.
- 819 (37%) lacked the placement's home study or home study update.
- 655 (29%) lacked immunization records.
- 633 (28%) lacked reports from children's placements.
- 614 (28%) lacked reports on supervised parental visitation.

Documentation is vital as it is the evidence needed in order to make prudent decisions on case direction and to determine that children are safe.

TABLE 27

TIME IN OUT-OF-HOME CARE

For the 4,301 children in out-of-home care on Dec. 31, 2010, the average time between the date of these children’s most recent removal from the home and Dec. 31st was 485 days. This excludes previous times in out-of-home care for the 1,676 children who had been in care before.

- 1,464 of the children had been in out-of-home care for less than 180 days,
- 2,837 of the children had been in care for 180 days or more.

The following are some regional variances for children in care Dec. 31, 2010 from the most populous counties:

County of origin	Average days since most recent removal from the home	County of origin	Average days since most recent removal from the home
Adams County	672 days	Hall County	400 days
Buffalo County	386 days	Lancaster County	480 days
Dakota County	383 days	Lincoln County	384 days
Dawson County	209 days	Madison County	361 days
Dodge County	443 days	Sarpy County	378 days
Douglas County	561 days	Scottsbluff County	406 days

**

STATE FOSTER CARE REVIEW BOARD FINANCIAL STATEMENT

Fiscal Year 2010-2011
(July 1, 2010-June 30, 2011)

Appropriations

General Fund	\$1,337,579.25
Cash Fund	\$0.00
Federal Funds	\$268,314.62
TOTAL	\$1,605,893.87

Expenditures

Staff Salaries & Benefits	\$1,348,344.39
Postage	\$30,285.86
Telephone and Communications	\$30,689.92
Data Processing Fees	\$13,150.72
Publications and Printing	\$22,199.23
Rent	\$60,034.44
Legal Fees	\$1,458.00
Office Supplies & Miscellaneous	\$56,149.19
Travel and Mileage Expenses	<u>\$40,651.70</u>
TOTAL	\$1,602,963.45