

Important Milestones in FCRO History (*FCRB prior to 2012*)

Attempts to abolish the FCRO – 1983, 1984, 1985

In 1983, Governor Kerry introduced a bill to abolish the FCRO and gave it a zero budget. The bill was vetoed and the Legislature approved funds for 12 local boards. In 1984, at the end of the Legislative Session, Governor Kerry vetoed the FCRO's appropriation. The Legislature unanimously overrode the veto. In 1985, a bill was introduced to transfer the tracking system to DHHS, to limit the FCRO to reviewing only private placement children and youth, and to eliminate local boards. This was defeated.

Attempt made to put DHHS administrators on the State Board – 1987

In 1987, Governor Bob Kerry appointed DHHS administrators to positions on the State Board. The Legislature did not approve these appointments, and created a statutory mandate that employees of DHHS or the Court could not be appointed to either the State or local Foster Care Review Boards so that the FCRO would be free to discuss all issues affecting children in out-of-home care. (The state board structure was changed again in 2006)

Three studies on the effectiveness of citizen review – 1985, 1986, 1988

In the 1980's Dr. Ann Coyne, who is affiliated with the School of Social Work at the University of Nebraska at Omaha, conducted three separate studies of the efficacy of FCRO case reviews. The studies revealed that children whose parents were unable or unwilling to provide care and whose case had the benefit of citizen review were two to four times more likely to have adoption as a plan, when compared to other cases that were similar in every way, but without the benefit of citizen review.

Developed training for local board members on foster care issues. Subsequently began to sponsor, co-sponsor, and/or present at educational programs for Guardians ad litem, Judges, County Attorneys (prosecutors), CASAs, and other disciplines– 1985 to present

The FCRO is required to provide initial training to its local board members, and it provides those board members with continuing education. When the FCRO began the continuing education programs, many local board members commented on how helpful they thought the programs would be for others in the child welfare system. In particular, some of the local board members who were attorneys recommended that the FCRO provide education programs for Guardians ad litem. As a result, the FCRO began offering programs for a variety of disciplines.

Since 1985, the FCRO has sponsored, co-sponsored, and/or presented at numerous education programs on topics identified as major issues through reviews, including:

- Accessing services for children and youth
- Adoption and Safe Families Act (ASFA)
- Adoption issues
- Bonding and attachment, separation and loss
- Child development issues
- Children's ability to be witnesses
- Children and youth with aggression issues
- Developmental disabilities
- How to interview children
- How to recognize, investigate, and gather evidence in cases of child abuse
- Indian Child Welfare Act (ICWA)
- Juvenile court procedures

- Permanency planning
- Reasonable efforts
- Role of the guardian ad litem
- Sexual abuse
- Termination of parental rights
- Other child welfare system issues
- Trauma

Some issues have been the topic of educational programs several times over the course of the last 30 years.

Audiences for the FCRO's programs have included Guardians ad litem, Judges, County Attorneys, CASA, State Senators, law enforcement, caseworkers, foster parents, local foster care review board members, providers, child advocates, and community members.

For some presentations, the FCRO would select a topic and then tailor a program on that topic for each of several professions (such as Guardians ad litem, Judges, and County Attorneys). Over a course of a few weeks or months, the FCRO would provide the program for each discipline on the specific topic. Other times, the FCRO designed its programs for a multi-disciplinary audience, often including a session on understanding each other's role in addressing the topic.

One of the noteworthy programs the FCRO conducted was a two-day program on child sexual abuse, which became a National Council of Juvenile and Family Court Judges model program. Another program of note was for members of the Nebraska's Legislature, which had a rare adjournment to attend the event.

In addition, the FCRO's Director has presented at educational programs of the National Council of Juvenile and Family Court Judges, the National Council for Adoptable Children, the National Association of Foster Care Reviewers, the Nebraska County Judges Association, the Nebraska County Attorneys Association, the Nebraska Bar Association, the Nebraska Court Administrator's office, other state's review boards, and a number of other organizations.

Additional mandatory findings on placement appropriateness – 1990

In 1990, the Legislature expanded the FCRO's responsibilities to include determining if the child's placement is appropriate, and if there is a continued need for foster placement.

Legal standing – 1990

The Legislature granted the FCRO the ability to take legal standing in children's cases in 1990.

Legislature adjourns to attend FCRO's child sexual abuse symposium – 1990

In a rare move, the Nebraska Legislature cancels committee hearings so senators can attend an FCRO-sponsored symposium on child sexual abuse, which was also attended by district and county court judges and child welfare professionals.

Organized and facilitated Legislative caucuses – 1993-1994

The FCRO organized and facilitated 29 Legislative Caucuses on children's issues during 1993-1994, and submitted a report to the Legislature.

Legislative study – 1994

In a Legislative Study issued in February 1994, the Legislative Research Division recommended that “...the Legislature should decide the type and number of review systems Nebraska needs. Making such decisions will require weighing the benefits of each existing system against the larger policy issues, including how to make the overall system as effective as possible within resource constraints.

Hosted the National Association of Foster Care Reviewers Convention – 1995

The FCRO hosted the 10th annual NAFCR National Conference in 1995. Volunteers raised over \$8,000 to defray the costs.

Full implementation of the Foster Care Review Act – 1996

In response to the Legislative Study of 1994, LB 642 was sponsored in February 1995 by Senator Michael Avery (and named his priority bill) and co-sponsored by Senators Brashear, Brown, Crosby, Dierks, Engel, Hartnett, Hudkins, Jensen, Kristensen, Lynch, McKenzie, Schellpeper, Vrtiska, Warner, and Wehrbein.

LB 642 facilitated the original intent of the Legislature when the Foster Care Review Act was passed in 1982. [From the time the FCRO was created in 1982 until mid-1996, the FCRO received less funding than it needed to review all of the State wards in foster care. Therefore, during this period it was possible to review only about 60 percent of the wards.]

LB 642 established the Foster Care Review Board as the agency responsible for the periodic reviews of children in out of home care pursuant to the federal Adoption Assistance and Child Welfare Act of 1980, Public Law 96-272. LB 642 provided personnel and funding installments starting July 1, 1996, to achieve this goal. Seven staff members were added in July 1996 and three more in September 1996.

Citing the quality of the reviews, the fact that reviews are shared with all legal parties, that reviews are a community-based, multi-disciplinary approach, and that the data collected from these reviews would be valuable to policy makers, the Legislature passed LB 642 on April 10, 1996, with approval by the Governor following on April 12, 1996.

In response to this new opportunity to provide more children with the benefit of citizen review, the FCRO immediately began to implement reviews for all children.

During the summer and fall of 1996, the FCRO recruited and trained 225 community volunteers to serve on new and existing local boards in response to the mandate to review all children who have been in foster care for six months or longer. Additional review and support staff were also hired and trained. The increase in the number of children reviewed since 1996 is a direct result of LB 642.

FCRO’s Director asked to assist with federal Adoption and Safe Families Act - 1997

The FCRO was the only one in the country asked to testify before a congressional committee on what became the federal Adoption and Safe Families Act. This was because the FCRO was the only entity to have an independent, statewide tracking system of data on children in foster care, including data on children returning to foster care. Because of this data, and the FCRO’s stance that reunification was not appropriate for some children, the FCRO’s Executive Director was asked to assist in the writing of this Act. The federal Act became law in 1997.

Additional findings added – 1998

In 1998, as part of the Nebraska Adoption and Safe Families Act, the Legislature again increased the FCRO's responsibilities to include findings on whether the placement and the plan is safe, whether grounds for termination of parental rights appear to exist, and to name a preferred alternate permanency if reunification does not appear to be in the children's best interests.

Budgets cut for state agencies – 2000-2004

During the budget cuts in the early 2000's, the FCRO lost five review specialist staff positions and a portion of the operating budget. As of 2008, the majority of these cuts in State appropriations for the FCRO had yet to be restored.

Project Permanency began – 2003-2004

The FCRO has statutory authority to visit and observe foster care facilities. The FCRO also has a statutory obligation to make findings on whether children's placements are safe and appropriate. The FCRO found that in a number of cases the home study information about foster homes was outdated, and that the FCRO's findings would not be accurate without more current information. At the same time, foster parents were approaching the FCRO for more information and the courts were entrusting the FCRO more than ever to provide clear, accurate information on how the child was doing.

Thus, in 2003, the FCRO implemented "Project Permanency," in which specially trained members of local boards visit the foster homes of young children as part of the review process to ensure children are safe and to provide foster parents additional information on child development and the supports available. This is a subset of facility visits conducted.

FCRO Review Specialists began attending court hearings on cases – 2003

Upon the request of a number of courts, and in response to the unprecedented rate of caseworker changes in the cases of children in foster care, the FCRO's staff began appearing in court in cases with the most serious issues. In 2003, the FCRO's staff appeared in court 60 times. In 2008, the FCRO's staff attended court 629 times, with many of the cases involving multiple children.

Researched child deaths – 2003-2004

In 2003-2004, after years of the FCRO identifying issues regarding how children enter the child welfare system, the FCRO's unease about children's safety increased dramatically as news reports carried more and more stories of the death of children, some of whom were apparently known to the system. Working with the Governor, the FCRO researched child deaths. In response, the Governor named a Task Force, and the Legislature appropriated an addition \$3.5 million for 120 additional child protective services workers. The FCRO's Executive Director served on the Task Force.

Worked with Supreme Court's Commission on guidelines for GALs – 2005-2007

After years to communicating issues regarding guardian ad litem representation, and following the FCRO's request that a commission be put in place to address court issues for children in foster care, Chief Justice Hendry nominated the Nebraska Supreme Court's Commission on children, as well as the subcommittee that addressed guidelines and standards for the representation of state wards. The FCRO's Director served on the Commission and on the subcommittee. In 2007, the Supreme Court adopted the guidelines recommended by the subcommittee. Chief Justice Heavican has requested that the FCRO note in its recommendations when it appears a guardian ad litem is not meeting the guidelines, so the judge in the case can act on this appropriately.

FCRO's tracking system placed on N-FOCUS platform – 2006

In 2006, as a result of a federal mandate, the FCRO's independent tracking system was placed on the DHHS N-FOCUS computer platform. Based upon the FCRO's compliance, the State of Nebraska was not penalized or forced to refund \$12.7 million in development fees utilized in the implementation of N-FOCUS plus approximately \$4 million of on-going federal monies. The conversion was accomplished without significant loss of data.

Birth to age five study conducted – 2006

In the fall of 2006, following Governor Dave Heineman's announcement of his initiative to improve foster care and the Supreme Court's initiative to improve the court's response to cases of child abuse and neglect, the FCRO conducted an unprecedented review of the cases of 948 children birth to age five.

Ability to visit facilities confirmed – 2008

The District Court affirmed the FCRO's authority to visit children's placements as granted by the Legislature, which juvenile courts had ordered to occur. [The Nebraska Supreme Court concurred in 2009.

Study of children with plan of reunification conducted – 2008

In 2008, Governor Dave Heineman announced the special joint FCRO/DHHS study of children in care for 24 months or longer whose plan was reunification with the parents. This project was unprecedented in the cooperation levels and in changing the cultures of the agencies to one of problem solving.

This project made a difference at many levels. For example, 550 children met the criteria in April 2008. Due to the knowledge that these cases would receive extra scrutiny, by August 2008, 320 of those children's plans had changed to adoption, guardianship, or other permanency. By the end of the year another 111 children's plans had changed as a result of the monthly staffings on these children's cases.

Child Welfare and Juvenile Justice Reform – Beginning 2008 - Ongoing

DHHS unveiled its plan for child welfare and juvenile services reform, including contracting for in-home services.

Private Agencies Assume Service Coordination

- July 2009: Current child welfare change efforts began.
- October 2009: FCRB began planning on child welfare change data to be collected.
- November 2009: FCRB began training staff on the additional data collection.
- Jan. 1, 2010: FCRB began collecting data on child welfare changes.
- April 2010: FCRB began working with DHHS on documentation deficits and how best to report them to DHHS for correction.
- June 2010: The process for recording documentation deficits was in place, and the FCRB began reporting individual cases to DHHS and the Lead Agencies.
- December 2010: FCRB releases a report on child welfare changes to date.

FCRB Director Carol Stitt resigns. January 20, 2012

Changes to Foster Care Review Office take effect – January 2012

- The Foster Care Review Board becomes the Foster Care Review Office (FCRO).
- Kathy Bigsby Moore is named as Interim Executive Director for 6 months. Jan – July 2012
- Data Coordinator Linda M. Cox is named in the bill as interim executive director. July 1, 2012
- Governor Heineman names members of the FCRO Advisory Committee. August 7, 2012
- The Foster Care Review Office Advisory Committee meets for the first time. August 30, 2012
- Kim Hawekotte is named the Director of the Foster Care Review Office. January 20, 2013
- The Director of the Foster Care Review Office is added to the voting membership of the Children’s Commission. (LB 269) July 1, 2013
- Changed the structure of the Children’s Commission by housing staff of the Commission under the Foster Care Review Office for administrative purposes. This includes the Administrative Coordinator and newly created Policy Analyst position. July 1, 2013