

L.J. v MASSINGA

Modified Consent Decree

DRAFT MEASURES

As prepared by DHS/BCDSS January 15, 2021





Letter from

SECRETARY PADILLA &
DIRECTOR STOCKSDALE

We are pleased to present for the first time in the 32 year history of the L.J. v. Massinga consent decree a complete and comprehensive collection of instructions for accurately monitoring compliance with all 93 quantitative lawsuit measures. This monumental undertaking is a significant step forward in an 11-year effort to produce the credible and reliable data needed to accurately measure agency compliance under the decree.

In 2009, the then-existing L.J. v. Massinga consent decree, entered in 1988 and modified in 1991, was replaced by a new Modified Consent Decree (MCD), that provides for the monitoring of the Department's progress using 86 Internal Success Measures and 40 Exit Standards. Since 2009, BCDSS has made significant progress by safely reducing the number of children and youth entering foster care while improving permanency and well-being outcomes for those who require out of home placement. The department's inability to comply with the decree's exit requirements is largely due to changes in data producing procedures, technology and the simple inability of the measure instruction to produce the needed data as anticipated.

A cooperative project began in 2018 to revise the flawed measure instructions formulated since the most recent modification. At the request of the IVA, BCDSS took the lead in June 2020 on producing the revised measure instructions. Revising all 93 quantitative measure instructions in just two months time was no small undertaking. We offer our sincere thanks to the many people who worked long hours to contribute to this endeavor. We especially wish to thank Jennifer Rosen, Stephen Cohen, Sheritta Barr-Stanley, and Hilary Laskey for their commitment and leadership to the project.

This is a long-term effort -- one that requires commitment, patience and resolve. Yet we are as optimistic now as ever about the prospect for finalizing all 126 measures in close collaboration with the IVA and charting a clear path for exiting the decree.

Lourdes R. Padilla

Lourdes Padilla
Secretary, Maryland
Department of Human Services

Brandi Stocksdale

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Director, Baltimore City
Department of Social Services

Table of Contents

Click the measure to go to the page.

Measure # Measure

Preservation and Permanency

- 1 % of children in family preservation that enter OHP
- 2 % of children in family preservation that timely receives services identified in their case plans
- 3 90% of children and families in family preservation have a case plan
- 4 85% of children and families in family preservation timely received the services identified in their case plans
- 5 Average LOS for children in OHP
- 6 % of children who have a comprehensive assessment within 60 days of placement
 - 7 % of all children with a permanency plan of reunification for whom BCDSS has a service agreement with the child's parents or guardian's or for whom BCDSS made reasonable efforts to get the child's parent's or guardian's to enter into a service agreement
 - 8 % of all children for whom BCDSS provided referrals for service identified in the child's parent's or guardian's service agreement
- 9 % of cases that had a TDM when the child is at risk of a placement disruption
- 10 % of TPR petitions filed that were filed on time
- 11 % of children who, after 24 months in care, have a case review every 90 days to resolve barriers to permanency
 - 12 % of children with a permanency plan of reunification for whom BCDSS facilitated a visit with the child's parents once a week
 - 13 % of applicable children for whom, where the child's paternity had not been established, BCDSS sought to establish the child's paternity within 90 days of the child's entry into OHP
- 14 % of children for whom BCDSS searched for relatives and other resources
- 15 90% of children in ohp had a case plan
- 16 90% of children in OHP and their families received timely services identified in their case plans
- 17 % of children ages 12 and over who participated in case planning meetings
- 18 % of new entrants for whom a TDM meeting was held within 72 hours of placement
- 19 % of all children for whom case planning meetings included family members
- 20 Beginning July 1, 2010, for 85% of children, BCDSS had a TDM at each critical decision making point
- 21 % of children whose case plan was completed within 60 days of placement
- 22 % of children whose case plan was updated every six months
 - 23 % of children for whom BCDSS reported to the child's parents, the parent's attorney, and the child's attorney any intention to request a change in the permanency plan at least 10 days prior to the court review where the plan change would be requested
 - 24 90% of children had a case that completed within 60 days of the child's entry onto OHP and which was updated every six months
 - 25 % of children ages 14 and over who had a transition plan for independence included in the child's case plan and were timely receiving the services identified in the case plan
- 26 % of emancipated youth who reported receiving services designed to prepare them for independence
 - 27 % of youth with mental illness or a developmental disability who need a residential facility, residential support, or any programming or support employment services after they turn 21 who received a referral and who had a transition plan to an alternative service provider at least two years prior to their 21st birthday
- 28 Number of youth, ages 18 to 21, who exited OHP through rescission
 - 29 90% of children ages 14 and over had a transition plan included in the child's case plan and timely received the services identified in the case plan

Out of Home Placement

- 30 % of all children who were placed in (a) family setting (b) with relatives (c) in congregate care (d) in other settings (by type)
- 31 % of all children in OHP placed with siblings
- 32 % of all children in congregate care who had a step down plan
 - 33 85% of all children were placed promptly in the least restrictive and appropriate placement based on their individualized needs

Measure #	Measure
34	% of children placed in congregate care by age groups (a) under seven and (b) seven to twelve
35	% of children under age 13 placed in congregate care for whom the placement was medically or therapeutically necessary and the placement included services to meet the child's needs
36	For 99% of children under age 13 placed in congregate care, the placement was medically or therapeutically necessary and the placement included services to meet the child's needs
37	% of placements available to BCDSS by type
38	# of emergency foster homes on retainer and the number of beds available in each home
39	The array of current placements matched the recommendation of the biennial needs assessment
40	% of children who have service needs identified in their case plans
41	% of all children for whom identified service needs were followed by timely and appropriate referrals
42	% of children who receive services necessary and sufficient to meet the child's needs and to support stability in the least restrictive placement
43	% of children not placed with their siblings who have visitation with their siblings once a month
44	90% of children and caregivers received services necessary and sufficient to meet their needs and to support stability in the least restrictive placement
45	% of kinship providers who received written notifications of the right to apply for foster homes licensing within 10 days of placement
46	% of kinship care providers who received written notification of BCDSS training opportunities
47	% of kinship care providers who reported having been informed about training and licensing opportunities
48	90 percent of kinship care providers received written notification of the right to apply for foster home licensing within ten days of placement
49	Number of Special Support team positions funded by the Department, by type
50	Number of Special Support positions filled, by type
51	MCDSS MS-100 (job descriptions for all positions)
52	BCDSS employed a staff of non-case carrying specialists to provide technical assistance to caseworkers and supervisors for cases that require specialized experience and/or knowledge
53	Percent of all foster home applications that were approved/denied within 120 days of application
54	Percent of all foster home caregivers who received all training required by law
55	Number of foster homes licenses rescinded by the Department due to lack of compliance
56	Percent of all foster homes and kinship care placements that met the COMAR licensing requirements
57	95% of all foster homes and kinship care placements met all legal requirements
58	90 percent of all foster homes were approved and reapproved on a timely basis
59	Percent of all placements in which the caregivers received a complete Child Placement Information Form at the time of placement
60	95 percent of caregivers had been provided all available information about the child's status, background, and needs
61	Number of children in OHP for whom a CPS report was made
62	Number of children in OHP for whom a CPS investigation was opened
63	Percent of children in OHP for whom a report of maltreatment while in OHP was indicated
64	Percent of CPS investigations which were initiated in a timely manner
65	99.68 percent of children in OHP were not maltreated in their placement, as defined in federal law
66	In 95% of cases of alleged maltreatment of a child in OHP, BCDSS provided the child's attorney and Plaintiff's counsel the report of the alleged maltreatment within five days of the report and the disposition within 5 days of its completion
67	Number of children who spend four hours or more in an office, motel, hotel or other unlicensed facility
68	99.8 percent of children in OHP were not housed outside regular business hours in an office, motel, hotel, or other unlicensed facility. If any child is so housed, BCDSS shall notify Plaintiffs' counsel within one working day of the reasons for the placement, the name of the child's CINA attorney, and the steps that BCDSS is taking to find an appropriate placement. Barring extraordinary circumstances, no child may be housed in an office for consecutive nights

Measure #	Measure
69	Percent of children ages twelve and over who participated in placement decisions
70	90 percent of children ages twelve or over participated in placement decisions
71	Percent of children who had documented visits from their caseworker once monthly in the child's placement
72	95 Percent of children had documented visits from their caseworker once monthly in the child's placement
Healthcare	
73	Percent of new entrants who received an initial health screen within 5 days of placement
74	Percent of cases in which children received appropriate follow-up when the initial health screen indicated the need for immediate medical attention
75	Beginning July 1, 2009, 95% of new entrants to OHP receive an initial health screen within 5 days of placement
76	Percent of new entrants that received a comprehensive health assessment within 60 days of placement
77	% of all children that had a comprehensive health plan
78	Percent of children whose case plan team meeting included a discussion of the child's comprehensive health assessment
79	Percent of new entrants that received a comprehensive health assessment within 60 days of placement
80	Beginning July 1, 2009, percent of children entering OHP who received timely periodic EPSDT examinations, and all other appropriate preventive health assessments and examinations, including examinations and care targeted for adolescents and teen parents
81	Beginning July 1, 2010, percent of children in OHP who received timely periodic EPSDT examinations, and all other appropriate preventive health assessments and examinations, including examinations and care targeted for adolescents and teen parents
82	Beginning December 1, 2009, 90% percent of children entering OHP who received timely periodic EPSDT examinations, and all other appropriate preventive health assessments and examinations, including examinations and care targeted for adolescents and teen parents
83	Beginning July 1, 2010, 90 percent of children in OHP received timely periodic EPSDT examinations, and all other appropriate preventive health assessments and examinations, including examinations and care targeted for adolescents and teen parents
84	Beginning July 1, 2009, % of new entrants under age 3 who were referred for a Part C assessment within 10 days of placement
85	Percent of children who received timely all Needed Health Care Services
86	Percent of cases in which the identification of a developmental delay was followed by a prompt referral for special education or early intervention services
87	Percent of cases in which the case worker monitored the child's health status once monthly
88	90 percent of children received timely all Needed Health Care Services
89	Percent of new entrants who had a complete health passport and MA number that were distributed to caregivers promptly
90	Percent of children who had a health passport that was updated and distributed to the caregivers at least annually
91	Percent of children for whom BCDSS requested an MA card promptly when a replacement was needed
92	Percent of all children for whom BCDSS delivered an MA card promptly
93	90 Percent of all new entrants had a complete health passport that was distributed to the children's caregivers promptly
94	90 percent of children had a health passport that was updated and distributed to the children's caregivers at least annually
Education	
95	Percent of new entrants who were enrolled in and begin to attend school within five days of placement
96	Percent of children in OHP who were enrolled in and begin to attend school within five days of a change of placement
97	Percent of children eligible for special education who received special education services without interruption when they transferred schools

Measure # Measure

- 98 % of children ages 3 to 5 who were enrolled in a preschool program
90% of children were enrolled in and began to attend school within 5 days of entry into OHP or change in placement
- 99
- 100 % of children who had an attendance rate of 85% or higher in Baltimore City Public School system
- 101 % of children who have an educational plan
- 102 Percent of children for whom BCDSS met its obligations as set forth in the child's educational plan
- 103 Percent of children whose educational progress was monitored monthly
- 104 % of children who have an educational plan
- 105 For 90 percent of children, BCDSS had met its obligations as set forth in the child's educational plan
- 106 For 90 percent of children, BCDSS had monitored the child's educational progress monthly
- Percent of children for whom any indication of developmental delay or disability was followed by a prompt referral for special education or early intervention services
- 107
- Percent of children in special education or early intervention for whom the provider or case worker attended the IEP meeting
- 108
- Percent of children who were eligible for special education or early intervention services for whom BCDSS made reasonable efforts to secure services
- 109
- BCDSS made a prompt referral for special education or early intervention services for 90 percent of children for whom there was an indication of developmental delay or disability
- 110
- BCDSS made reasonable efforts to secure services for 90 percent of children who were eligible for special education or early intervention services
- 111

Workforce

- Percent of case-carrying (full-time and with full-caseloads) staff who were at or below the standard for caseload ratios
- 112
- Percent of case-carrying teams who were at or below the standard for ratio of supervisor:worker
- 113
- Percent of children entering OHP beginning July 1, 2009 whose siblings had the same caseworker
- 114
- 90 Percent of case-carrying staff was at or below the standard for caseload ratios
- 115
- 90 Percent of case-carrying teams were at or below the standard for ratio of supervisor:worker
- 116
- Percent of caseworkers who qualified for the title under Maryland State Law
- 117
- Percent of case-carrying workers who passed their competency exams prior to being assigned a case
- 118
- Percent of caseworkers and supervisors who had at least twenty hours of training annually
- 119
- Percent of caseworkers who reported receiving adequate supervision and training
- 120
- 95 percent of caseworkers met the qualifications for their position title under Maryland State Law
- 121
- 90 percent of caseworkers and supervisors had at least twenty hours of training annually
- 122
- Percent of cases transferred with required documentation within five working days
- 123
- Percent of transferred cases in which a case conference was held within ten days of the transfer
- 124
- 90 Percent of cases were transferred with required documentation within five working days
- 125
- 90 Percent of transferred cases had a case conference within ten days of the transfer
- 126

Preservation & Permanency Measures





LJ v. Massinga Reporting: Measure 1

Internal Success

Measure #	Measure
1	Percent of children in family preservation that enter OHP
	Key Data
Source	CJAMS
Data	All children who are provided services are given a program assignment with a start date for when they began to receive services. The data will consist of those children who had a program assignment of family preservation and had a new program assignment of "Out-of-home" with a start date during the 6-month reporting period. When a child is "removed", the "out-of-home" program assignment is created by CJAMS for the same date.
	Measure Calculation Method
Definition(s)	<u>Preserve Families</u> : Except in cases where safety requires the emergency removal and shelter care of a child, BCDSS shall provide each family of a child at risk of removal w/th assistance, or referral for services as appropriate, to address identified problems, and BCDSS shall provide or obtain and shall monitor such services in a duration and intensity reasonably calculated to enable the child to remain with the family without removal.
Denominator	All children in Family Preservation services at any time during the six-months report period.
Numerator	All children in the denominator who entered OHP during the six-month period.
Exclusion(s)	Children under a Voluntary Placement for Disability Agreement.
Report Calculation Methodology	The program assignments of children who had an open program assignment of "family preservation" and changed to "out-of-home" with a start date during the 6 month reporting period will be identified to determine the percentage of children who entered out-of-home by the end of the 6-month reporting period.

Exit Criteria	N/A Internal Success
	Source/Criteria
L.J. Consent Decree	LJ v. Massinga, Modified Consent Decree (MCD), pg. 11:
	<p><u>PRESERVATION & PERMANENCY PLANNING</u></p> <p>(A. – C.)</p> <p>D. Outcomes:</p> <p>1. <u>Preserve Families</u>: Except in cases where safety requires the emergency removal and shelter care of a child, BCDSS shall provide each family of a child at risk of removal with assistance, or referral for services as appropriate, to address identified problems, and BCDSS shall provide or obtain and shall monitor such services in a duration and intensity reasonably calculated to enable the child to remain with the family without removal.</p> <p>a. Internal Success Measures:</p> <p>(1) Percent of children in family preservation that enter OHP.</p> <p>(2)</p>
Federal Law & Reg (including CFSR)	42 U.S.C. § 621(3)
	<p>The purpose of this subpart is to promote State flexibility in the development and expansion of a coordinated child and family services program that utilizes community-based agencies and ensures all children are raised in safe, loving families, by—</p> <p>...</p> <p>(3) supporting at-risk families through services which allow children, where appropriate, to remain safely with their families or return to their families in a timely manner;</p>
	42 U.S.C. § 622(b)(8)(A)(iv)
	<p>(b) Requisite features of State plans</p> <p>Each plan for child welfare services under this subpart shall—</p> <p>(8) provide assurances that the State—</p> <p>(A) is operating, to the satisfaction of the Secretary—</p> <p>...</p> <p>(iv) a replacement preventive services program designed to help children at risk of foster care placement remain safely with their families;</p>

	<p>42 U.S.C. § 629a(a)(1)(B)</p>
	<p>(1) Family preservation services The term "family preservation services" means services for children and families designed to help families (including adoptive and extended families) at risk or in crisis, including— ... (B) preplacement preventive services programs, such as intensive family preservation programs, designed to help children at risk of foster care placement remain safely with their families;</p>
	<p>42 U.S.C. § 671(a)(15)(A)-(B)</p>
	<p>(a) Requisite features of State plan In order for a State to be eligible for payments under this part, it shall have a plan approved by the Secretary which— (15) provides that— (A) in determining reasonable efforts to be made with respect to a child, as described in this paragraph, and in making such reasonable efforts, the child's health and safety shall be the paramount concern; (B) except as provided in subparagraph (D), reasonable efforts shall be made to preserve and reunify families— (i) prior to the placement of a child in foster care, to prevent or eliminate the need for removing the child from the child's home; and (ii) to make it possible for a child to safely return to the child's home;</p>
	<p>45 C.F.R. § 1355.34(b)(1)(i)(B), (c)(5)(iii)</p>
	<p>(b) Criteria related to outcomes. (1) A title IV-E agency's substantial conformity will be determined by its ability to substantially achieve the following child and family service outcomes: (i) In the area of child safety: ... (B) Children are safely maintained in their own homes whenever possible and appropriate; </p>

	<p>(c) Criteria related to title IV-E agency capacity to deliver services leading to improved outcomes for children and families. In addition to the criteria related to outcomes contained in paragraph (b) of this section, the title IV-E agency also must satisfy criteria related to the delivery of services. Based on information from the assessment and onsite review, the title IV-E agency must meet the following criteria for each systemic factor in paragraphs (c)(2) through (c)(7) of this section to be considered in substantial conformity: All of the plan requirements associated with the systemic factor must be in place, and no more than one of the plan requirements fails to function as described in paragraphs (c)(2) through (c)(7) of this section. . . .</p> <p>...</p> <p>(5) Service array: Information from the assessment and on-site review determines that the title IV-E agency has in place an array of services (45 CFR 1357.15(n) and section 422(b)(8)(A)(iii) and (iv) of the Act) that includes, at a minimum:</p> <p>...</p> <p>(iii) Services designed to enable children at risk of foster care placement to remain with their families when their safety and well-being can be reasonably assured;</p>
	<p>Children's Bureau, Child and Family Services Reviews, Round 3, Reviewer Brief - Understanding the Federal Expectations for Rating Cases, Safety Outcome 2, Item 2: Services to Family to Protect Children in the Home and Prevent Removal or Re-Entry into Foster Care</p>
	<p>Purpose of Assessment: To determine whether, during the period under review, the agency made concerted efforts to provide services to the family to prevent the children's entry into foster care or re-entry after a reunification.</p> <p>Strength Rating Defined:</p> <ul style="list-style-type: none"> ● In cases where safety issues were present, safety-related services were offered to families to prevent removal of children during the period under review. ● OR, if safety-related services were not offered, this was because the safety issues warranted immediate removal of the child. <p>Concerted Efforts Required and/or Special Considerations in Rating: This item is solely focused on rating the provision of appropriate safety-related services in response to safety concerns. . . .</p>
	<p>Children's Bureau, Child and Family Services Reviews, Round 3, Item Targets</p>
	<p>With two exceptions, an item is assigned an overall rating of Strength if 90% or more of the applicable cases reviewed were rated as a Strength. Because Item 1 is the only item for Safety Outcome 1 and Item 16 is the only item for Well-Being Outcome 2, the requirement of a 95% Strength rating applies to those items.</p>

State Law	Family Law Art. § 5-525(e)(1)-(2)
	<p>(e) Reasonable efforts. --</p> <p>(1) Unless a court orders that reasonable efforts are not required under § 3-812 of the Courts Article or § 5-323 of this title, reasonable efforts shall be made to preserve and reunify families:</p> <p>(i) prior to the placement of a child in an out-of-home placement, to prevent or eliminate the need for removing the child from the child's home; and</p> <p>(ii) to make it possible for a child to safely return to the child's home.</p> <p>(2) In determining the reasonable efforts to be made and in making the reasonable efforts described under paragraph (1) of this subsection, the child's safety and health shall be the primary concern.</p>
	Family Law Art. § 5-1312(b)(2)-(3)
	<p>(b) Contents of report. -- Subject to subsection (c) of this section, on or before December 1 of each year, the Department shall report to the General Assembly, in accordance with § 2-1257 of the State Government Article, the following information regarding children and foster youth in the State child welfare system:</p> <p>...</p> <p>(2) the number of children and foster youth receiving in-home services;</p> <p>(3) the number of new out-of-home placements by placement type;</p>
State Regulations	COMAR 07.02.01.09 Consolidated Family Services
	<p>Consolidated Family Services is the blending of Families Now, Intensive Family Services, and Continuing Protective Services to achieve a seamless continuum of services in an effort to better service families whose children are at risk of out-of-home placement.</p> <p>A. Eligibility</p> <p>B. Application procedure</p> <p>C. Initial contact</p> <p>D. Provision of Services</p> <p>(1.- 10.)</p> <p>(11.) The local department may remove a child from the home at any time when reasonable efforts have been made to assure the child's safety.</p> <p>F. Duration of services</p> <p>G. Case closing</p>
SSA Policy	SSA #12-39: Consolidated In-Home Services Policy
Other Relevant Standards or Requirements	N/A



LJ v. Massinga Reporting

QSR Measures 2



LJ v. Massinga Reporting: Measure 3

Internal Success

Measure #	Measure
3	90 percent of children and families in family preservation had a case plan
	Key Data
Source	CJAMS
Data	All Individuals who receive services are given program assignments regarding the types of services as well as start and end date. For families in Family Preservation Services a service [case] plan is developed within 45 days and updated every 90 days thereafter. This service [case] plan is administratively approved following development by family and caseworkers.
	Measure Calculation Method
Definition(s)	"Case plan" means a "service plan/agreement" as defined in COMAR regarding expectations of Family Preservation
Denominator	All families who received Family Preservation Services for at least 45 days
Numerator	Families who received Family Preservation Services who had an administratively approved service plan/agreement
Exclusion(s)	Families receiving Family Preservation Services for less than 45 days
Report Calculation Methodology	All families (including children) with a program assignment of "Family Preservation" open during the 6-months reporting period would be identified along with their start date. The current (most recent) service [case] plan for each family would also be identified along with the date of the administrative approval and compared to the "Family Preservation" start date to determine if the current service [case] plan was completed within the expected timeframe. This information would be obtained at the end of each 6-month reporting period to determine the percentage of families with a service [case] plan.

Exit Criteria	N/A Internal Measure
	Source/Criteria
L.J. Consent Decree	LJ v. Massinga, Modified Consent Decree (MCD), pg. 11:
	<p>D. Outcomes:</p> <p>1. Preserve Families: Except in cases where safety requires the emergency removal and shelter care of a child, BCDSS shall provide each family of a child at risk for removal with assistance, or a referral for services as appropriate, to address identified problems, and BCDSS shall provide or obtain and shall monitor such services in a duration and intensity reasonably calculated to enable the child to remain with the family without removal</p> <p>(1. - 2.)</p> <p>b. Exit Standards:</p> <p>(1) 90 percent of children and families in family preservation had a case plan.</p>
Federal Law & Reg (including CFR)	N/A
State Law	N/A
State Regulations	COMAR 07.02.01.09 Consolidated Family Services
	<p>(A – D)</p> <p>E. Provision and Scope of Services.</p> <p>(1) For the first 30 days, there shall be contact with the family at least once per week.</p> <p>(2) After the first 30 days, the local department shall have at least two contacts a month with each family member.</p> <p>(3) During each contact all children shall be seen individually and separately from the caregiver.</p> <p>(4) The continuing caseworker shall review, clarify, and make appropriate modifications to the safety plan with the family during this time.</p> <p>(5) At the end of each contact, the worker shall document the ongoing assessment for the safety of each child.</p> <p>(6) Within 45 calendar days from the acceptance date, the worker and the family shall have completed and signed a service plan/agreement to cover a period not longer than 3 months. ...</p>

	<p>(11) The local department may remove a child from the home at any time when reasonable efforts have been made to assure the child's safety.</p> <p>F. Duration of services</p> <p>G. Case closing</p>
SSA Policy	SSA #12-39: Consolidated In-Home Services Policy
Other Relevant Standards or Requirements	N/A



LJ v. Massinga Reporting

QSR Measures 4



LJ v. Massinga Reporting: Measure 5

Internal Success

Measure #	Measure
5	Average length of stay for children in OHP
	Key Data
Source	CJAMS
Data	All children who are in OHP receive a program assignment of "out-of-home" with the start date of the removal. This program assignment is ended when the child's legal custody with the Department of Social Services is ended and switched to a parent (biological or adoptive) or legal guardian. This data is used to determine the length of stay for all children during the 6-month reporting period.
	Measure Calculation Method
Definition(s)	The average length of stay for all children in OHP
Denominator	All children in OHP during the reporting period.
Numerator	Number of days in OHP for all children in the denominator for the last day of the report period.
Exclusion(s)	Children under a Voluntary Placement for Disabilities Agreement Children in OHP less than 8 days
Report Calculation Methodology	The start date for all children with a program assignment of "out-of-home" at any time during the 6-month report period will be identified. For children who also have an end date during the 6-month report period, the length of time in OHP will be determined. For children who are still in OHP at the end of the 6-month report period, the last date of the report period will be used to calculate their length of stay to that point. The average and the median number of days in care will be calculated for the 6-month report period using the length of stay for all children with an "out-of-home" program assignment at any point during the 6-month report period.

Exit Criteria	N/A Internal Success
	Source/Criteria
L.J. Consent Decree	LJ v. Massinga, Modified Consent Decree (MCD), pg. 11 & 13
	<p>D. Outcomes</p> <p>(1.)</p> <p><u>2. Minimize Length of Stay:</u> BCDSS shall implement and achieve the child's permanency plan quickly. BCDSS shall provide each child in OHP and each family of a child in OHP with assistance, or referral for services as appropriate, to address identified problems and needs, and BCDSS shall provide or obtain and shall monitor such services in a duration and intensity reasonably calculated to implement expeditiously and finalize the child's permanency plan. This requirement shall continue until the Juvenile Court ends BCDSS's obligations to the child.</p> <p>a. Internal Success Measures:</p> <p>(1.) Average length of stay for children in OHP</p> <p>(2. – 10.)</p>
Federal Law & Reg (including CFSR)	42 U.S.C. § 679b(a)(1)-(2)
	<p>(a) In general</p> <p>The Secretary, in consultation with Governors, State legislatures, State and local public officials responsible for administering child welfare programs, and child welfare advocates, shall—</p> <p>(1) develop a set of outcome measures (including length of stay in foster care, number of foster care placements, and number of adoptions) that can be used to assess the performance of States in operating child protection and child welfare programs pursuant to part B and this part to ensure the safety of children;</p> <p>(2) to the maximum extent possible, the outcome measures should be developed from data available from the Adoption and Foster Care Analysis and Reporting System;</p>
	45 C.F.R. § 1355.34(b)(1)(ii)(A)
	(b) Criteria related to outcomes.

	<p>(1) A title IV-E agency's substantial conformity will be determined by its ability to substantially achieve the following child and family service outcomes:</p> <p>(ii) In the area of permanency for children:</p> <p>...</p> <p>(A) Children have permanency and stability in their living arrangements;</p>
	<p>Children's Bureau, Child and Family Services Reviews, Round 3, Reviewer Brief - Understanding the Federal Expectations for Rating Cases, Permanency Outcome 1, Item 6: Achieving Reunification, Guardianship, Adoption, or Other Planned Permanent Living Arrangement</p>
	<p>Purpose of Assessment: To determine whether concerted efforts were made, or are being made, during the period under review to achieve reunification, guardianship, adoption, or other planned permanent living arrangement.</p> <p>Strength Rating Defined</p> <ul style="list-style-type: none"> • During the period under review, the agency made concerted efforts to achieve timely permanency for the child. • OR, for children with the goal of "other planned permanent living arrangement," during the period under review, the agency made concerted efforts to place the child in a living arrangement that could be considered permanent until discharge from foster care. <p>Concerted Efforts Required and/or Special Considerations in Rating</p> <p>Generally, "timely achievement [of a permanency goal]" is considered to have occurred within 12 months for the goal of reunification, within 18 months for the goal of guardianship, or within 24 months for the goal of adoption. However, the focus of this item is on assessing the efforts that were made to achieve permanency rather than on meeting the specific time frames noted for each goal. . . .</p>
	<p>Children's Bureau, Child and Family Services Reviews, Round 3, Item Targets</p>
	<p>With two exceptions, an item is assigned an overall rating of Strength if 90% or more of the applicable cases reviewed were rated as a Strength. Because Item 1 is the only item for Safety Outcome 1 and Item 16 is the only item for Well-Being Outcome 2, the requirement of a 95% Strength rating applies to those items.</p>
State Law	<p>Family Law Art. § 5-525(j)(1)</p>
	<p>(j) Rules and regulations. – The Administration shall adopt regulations that:</p> <p>(1) establish goals and specify permanency planning procedures that:</p>

	<p>(i) maximize the prospect for reducing length of stay in out-of-home placement in the best interests of children; and</p> <p>(ii) implement the intent of this section;</p>
	Family Law Art. § 5-1305(1)
	<p>The effectiveness of efforts to address permanency and stability in the living situations of children in the custody of a local department, or a placement agency, shall be measured by:</p> <p>(1) the percentage of children who exit foster care within time periods consistent with federal national standards with a breakdown by each standard;</p>
State Regulations	COMAR 07.02.11.02
	<p>The goals of out-of-home placement include:</p> <p>...</p> <p>B. Improving outcomes for children by reducing the:</p> <p>(1) Entry rate of children into out-of-home placement;</p> <p>(2) Median length of time children stay in out-of-home placement;</p> <p>(3) Rate at which children re-enter out-of-home placement; and</p> <p>(4) Number of physical placement changes within 24 months of entering out-of-home placement and the duration of the episode; and</p> <p>C. Improving outcomes for children by:</p> <p>(1) Increasing the number of reunifications achieved within 12 months of entry into an out-of-home placement; and</p> <p>(2) Decreasing the number of children in out-of-home placement over 24 months.</p>
	COMAR 07.02.11.16
	<p>16. Decision to make permanency plan other than reunification</p> <p>D. The local department shall pursue termination of parental rights for a child who has been in out-of-home placement for 15 of the most recent 22 months unless:</p> <p>(1) The case record documents that inadequate services were provided by the local department to the parents or legal guardian;</p> <p>(2) The child is placed permanently with a relative; or</p> <p>(3) A compelling reason exists.</p>
SSA Policy	N/A

<p>Other Relevant Standards or Requirements</p>	<p>N/A</p>
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LJ v. Massinga Reporting: Measure 6

Internal Success

Measure #	Measure
6	% of children who had a comprehensive assessment within 60 days of placement
	Key Data
Source	CJAMS
Data	All children with an "out-of-home" program assignment and are at least 5 years old are to have a completed and administratively approved CANS within 60 days of entering OHP.
	Measure Calculation Method
Definition(s)	"Comprehensive assessment" means a MD-Child & Adolescent Needs and Strengths (CANS)
Denominator	All entries ages 5 and older who reach their 60th day in OHP during the reporting period
Numerator	All entries ages 5 and older who reach their 60th day in OHP during the reporting period and have a completed and administratively approved CANS
Exclusion(s)	Children under a Voluntary Placement Agreement Children in care less than 60 days Children ages 0 - 4* * This measurement instruction will be updated and include the administratively approved CANS for all children when the validated CANS for children 0 - 4 is implemented
Report Calculation Methodology	All children with an "out-of-home" program assignment start date within the 6-months reporting period that is greater than 60 days on the last day of the 6-month reporting period will be identified. Children whose start date for "out-of-home" was within 60 days of the end of the previous 6-months report period will also be identified. Each child's date of birth will be examined to determine if the child is at least 5 years old by

	the 60th day from their removal. The date of administrative approval of each child's CANS will be identified and that date will be used to determine if the approval was within 60 days of the child's "out-of-home" program assignment start date. The data will be used to calculate a percentage at the end of each 6-month report period.
Exit Criteria	N/A
	Source/Criteria
L.J. Consent Decree	LJ v. Massinga, Modified Consent Decree (MCD), pg. 13
	<p>b. Internal Success Measures:</p> <p>(1) ...</p> <p>(2) Percent of children who had a comprehensive assessment within sixty days of placement.</p> <p>(3. - 10.)</p>
Federal Law & Reg (including CFR)	42 U.S.C. § 675(1)(B), (5)
	<p>As used in this part or part B of this subchapter:</p> <p>(1) The term "case plan" means a written document which meets the requirements of section 675a of this title and includes at least the following:</p> <p>....</p> <p>(B) A plan for assuring that the child receives safe and proper care and that services are provided to the parents, child, and foster parents in order to improve the conditions in the parents' home, facilitate return of the child to his own safe home or the permanent placement of the child, and address the needs of the child while in foster care, including a discussion of the appropriateness of the services that have been provided to the child under the plan.</p> <p>....</p> <p>(5) The term "case review system" means a procedure for assuring that—</p> <p>(A) each child has a case plan designed to achieve placement in a safe setting that is the least restrictive (most family like) and most appropriate setting available and in close proximity to the parents' home, consistent with the best interest and special needs of the child,</p> <p>....</p>
	45 C.F.R. § 1335.34(b)(1)(iii)(A)
	<p>(b) Criteria related to outcomes.</p> <p>(1) A title IV-E agency's substantial conformity will be determined by its ability to substantially achieve the following child and family service outcomes:</p>

	<p>(iii) In the area of child and family well-being:</p> <p>...</p> <p>(A) Families have enhanced capacity to provide for their children's needs;</p>
	<p>Children's Bureau, Child and Family Services Reviews, Round 3, Reviewer Brief - Understanding the Federal Expectations for Rating Cases, Well-Being Outcome 1, Item 12: Needs and Services of Child, Parents, and Foster Parents</p>
	<p>Purpose of Assessment: To determine whether, during the period under review, the agency (1) made concerted efforts to assess the needs of children, parents, and foster parents (both initially, if the child entered foster care or the case was opened during the period under review, and on an ongoing basis) to identify the services necessary to achieve case goals and adequately address the issues relevant to the agency's involvement with the family, and (2) provided the appropriate services.</p> <p>Strength Rating Defined</p> <ul style="list-style-type: none"> Concerted efforts were made during the period under review to accurately and comprehensively assess the needs of the children, parents, and foster parents initially . . . and periodically on an ongoing basis (as needed) to update assessment information relevant to ongoing case planning. <p>.....</p> <p>Concerted Efforts Required and/or Special Considerations in Rating</p> <p>.....</p> <p>Concerted efforts to assess needs may include:</p> <ul style="list-style-type: none"> Conducting formal assessments through a contracted provider or another agency Conducting informal but thorough assessments using interviews with the child, family, and service providers Spending adequate time engaging with the child, parents, and foster parents to gain an in-depth understanding of their needs Using screening and assessment tools to assess specific issues such as domestic violence, substance abuse, cognitive abilities, or parenting skills <p>.....</p>
	<p>Children's Bureau, Child and Family Services Reviews, Round 3, Item Targets</p>
	<p>With two exceptions, an item is assigned an overall rating of Strength if 90% or more of the applicable cases reviewed were rated as a Strength. Because Item 1 is the only item for Safety Outcome 1 and Item 16 is the only item for Well-Being Outcome 2, the requirement of a 95% Strength rating applies to those items.</p>
State Law	N/A
State Regulations	COMAR 07.02.11.13

	<p>A. Within 60 days after removal, the local department, together with the child's parent or legal guardian, shall develop a written case plan for each child in out-of-home placement. . . .</p> <p>B. The local department shall: . . . (12) Include a plan for ensuring that the child receives safe and appropriate care; (13) Include a plan for working to ensure that services are provided to the child, parents or legal guardian, and resource parents to improve the conditions in the parents' or legal guardian's home and to facilitate the child's return to his or her own safe home or other safe and appropriate permanent placement; (14) Include a plan for working to ensure that services are provided to the child and foster parents to address the needs of the child while in foster care;</p>
SSA Policy	SSA #12-14: Maryland Child and Adolescent Needs and Strengths Assessments
Other Relevant Standards or Requirements	N/A



LJ v. Massinga Reporting

QSR Measures 7



LJ v. Massinga Reporting

QSR Measures 8



LJ v. Massinga Reporting: Measure 9

Internal Success

Measure #	Measure
9	% of children who had a TDM when a placement disrupted
	Key Data
Source	CJAMS
Data	All children with an "out-of-home" program assignment also have their placement documented with start and end dates. TDMs are documented in contacts along with the date of the meeting, members and purpose of the meeting (which includes placement changes).
	Measure Calculation Method
Definition(s)	Children in OHP whose placement changed for whom a TDM was held
Denominator	Number of placement changes for children in OHP during the report period
Numerator	Number of placement changes for which an FIM was held within 45 days prior to the placement change or up to 10 days after
Exclusion(s)	Children under a Voluntary Placement Agreement Children on runaway at the time of disruption Children in OHP less than 8 days
Report Calculation Methodology	All children with a program assignment of "out-of-home" and a placement change with a start date during the 6-month reporting period will be identified. TDM contacts will be identified, including the date of the TDM with the child listed as a participant to determine if the TDM was connected to the placement change. This will identify the number of TDMs that occurred for placement changes versus those placement changes where a TDM did not occur. This information will be collected at the end of each 6-month reporting period.
Exit Criteria	N/A Internal Success

	Source/Criteria
L.J. Consent Decree	LJ v. Massinga, Modified Consent Decree (MCD), pg. 13
	b. Internal Success Measures: (1. – 4.) (5) Percent of cases that had a team decision-making meeting when the child is at risk of a placement disruption.
Federal Law & Reg (including CFSR)	42 U.S.C. § 627(a)(3)
	(a) In general The Secretary of Health and Human Services may make matching grants to State, local, or tribal child welfare agencies, private nonprofit organizations that have experience in working with foster children or children in kinship care arrangements, and institutions of higher education (as defined under section 1001 of title 20), for the purpose of helping children who are in, or at risk of entering, foster care reconnect with family members through the implementation of— ... (3) family group decision-making meetings for children in the child welfare system, that— (A) enable families to make decisions and develop plans that nurture children and protect them from abuse and neglect, and (B) when appropriate, shall address domestic violence issues in a safe manner and facilitate connecting children exposed to domestic violence to appropriate services, including reconnection with the abused parent when appropriate;
State Law	Family Law Art. § 5-1308(c)(3)(i), (iii)
	(c) In-depth child and family case reviews. -- ... (3) The performance reviews shall determine whether: (i) 1. the family participated in the development of the service agreement and the case plan; ... (iii) all members of the team of professionals working with the family and the child met at regular intervals to make changes to services and supports as necessary;
State Regulations	N/A



LJ v. Massinga Reporting: Measure 10

Internal Success

Measure #	Measure
10	% of Termination of Parental Rights (TPR) petitions filed on time
	Key Data
Source	Legal
Data	% of Termination of Parental Rights petitions filed that were filed on time.
	Measure Calculation Method
Definition(s)	TPR petitions were filed timely with the court.
Denominator	All TPR Petitions filed
Numerator	# of petitions filed with the court timely
Exclusion(s)	None
Report Calculation Methodology	Filing dates for TPR petitions will be compared to either the date of the permanency plan change to adoption by BCSS or the date of the court plan change to determine if the timeframe for the filing is within the required 60 days or 30 days respectively.
Exit Criteria	N/A Internal Success
	Source/Criteria
L.J. Consent Decree	LJ v. Massinga, Modified Consent Decree (MCD), pg. 14
	D. Outcomes: <ol style="list-style-type: none"> 1. Preserve Families: 2. Minimize Length of Stay:

	<p>3. Definitions:</p> <p>(1) "Implement and achieve the child's permanency plan quickly" includes, but is not limited to:</p> <p>(a. – e.)</p> <p>(f.) A petition for termination of parental rights ("TPR") must be filed on behalf of each child within the time limits established by law.</p>
<p>Federal Law & Reg (including CFSR)</p>	<p>42 U.S.C. § 675(5)(E)</p>
	<p>(5) The term "case review system" means a procedure for assuring that—</p> <p>....</p> <p>(E) in the case of a child who has been in foster care under the responsibility of the State for 15 of the most recent 22 months, or, if a court of competent jurisdiction has determined a child to be an abandoned infant (as defined under State law) or has made a determination that the parent has committed murder of another child of the parent, committed voluntary manslaughter of another child of the parent, aided or abetted, attempted, conspired, or solicited to commit such a murder or such a voluntary manslaughter, or committed a felony assault that has resulted in serious bodily injury to the child or to another child of the parent, the State shall file a petition to terminate the parental rights of the child's parents (or, if such a petition has been filed by another party, seek to be joined as a party to the petition), and, concurrently, to identify, recruit, process, and approve a qualified family for an adoption, unless—</p> <p>(i) at the option of the State, the child is being cared for by a relative;</p> <p>(ii) a State agency has documented in the case plan (which shall be available for court review) a compelling reason for determining that filing such a petition would not be in the best interests of the child; or</p> <p>(iii) the State has not provided to the family of the child, consistent with the time period in the State case plan, such services as the State deems necessary for the safe return of the child to the child's home, if reasonable efforts of the type described in section 671(a)(15)(B)(ii) of this title are required to be made with respect to the child;</p>
	<p>45 C.F.R. § 1355.34(c)(2)(iv)</p>

	<p>(c) Criteria related to title IV-E agency capacity to deliver services leading to improved outcomes for children and families. In addition to the criteria related to outcomes contained in paragraph (b) of this section, the title IV-E agency also must satisfy criteria related to the delivery of services. Based on information from the assessment and onsite review, the title IV-E agency must meet the following criteria for each systemic factor in paragraphs (c)(2) through (c)(7) of this section to be considered in substantial conformity: All of the plan requirements associated with the systemic factor must be in place, and no more than one of the plan requirements fails to function as described in paragraphs (c)(2) through (c)(7) of this section. . . .</p> <p>...</p> <p>(2) Case review system: The title IV-E agency has procedures in place that:</p> <p>...</p> <p>(iv) Provide a process for termination of parental rights proceedings in accordance with sections 422(b)(8)(A)(ii), 475(5)(E), and (F) of the Act;</p>
	<p>45 C.F.R. § 1356.21(l)(1)</p>
	<p>(i) Application of the requirements for filing a petition to terminate parental rights at section 475(5)(E) of the Social Security Act.</p> <p>(1) Subject to the exceptions in paragraph (i)(2) of this section, the title IV-E agency must file a petition (or, if such a petition has been filed by another party, seek to be joined as a party to the petition) to terminate the parental rights of a parent(s):</p> <p>(i) Whose child has been in foster care under the responsibility of the title IV-E agency for 15 of the most recent 22 months. The petition must be filed by the end of the child's fifteenth month in foster care. In calculating when to file a petition for termination of parental rights, the title IV-E agency:</p> <p>(A) Must calculate the 15 out of the most recent 22 month period from the date the child is considered to have entered foster care as defined at section 475(5)(F) of the Act and § 1355.20 of this part;</p> <p>(B) Must use a cumulative method of calculation when a child experiences multiple exits from and entries into foster care during the 22 month period;</p> <p>(C) Must not include trial home visits or runaway episodes in calculating 15 months in foster care; and,</p> <p>(D) Need only apply section 475(5)(E) of the Act to a child once if the title IV-E agency does not file a petition because one of the exceptions at paragraph (i)(2) of this section applies;</p> <p>(ii) Whose child has been determined by a court of competent jurisdiction to be an abandoned infant (as defined under State or for a Tribal title IV-E agency, Tribal law). The petition to terminate parental rights must be filed within 60 days of the judicial determination that the child is an abandoned infant; or,</p>

	(iii) Who has been convicted of one of the felonies listed at paragraph (b)(3)(ii) of this section. Under such circumstances, the petition to terminate parental rights must be filed within 60 days of a judicial determination that reasonable efforts to reunify the child and parent are not required.
State Law	Maryland Family Law Art. § 5-525.1(a)-(b)
	<p>(a) Determination of child's best interest. -- If a child placement agency to which a child is committed under § 5-525 of this subtitle determines that adoption of the child is in the best interest of the child, the child placement agency shall refer the case to the agency attorney within 60 days of the determination and the agency attorney shall file a petition for termination of the natural parent's rights with the court within 60 days of receipt of the referral.</p> <p>(b) Termination of parental rights. --</p> <p>(1) Except as provided in paragraph (3) of this subsection, a local department to which a child is committed under § 5-525 of this subtitle shall file a petition for termination of parental rights or join a termination of parental rights action that has been filed if:</p> <ul style="list-style-type: none"> (i) the child has been in an out-of-home placement for 15 of the most recent 22 months; (ii) a court finds that the child is an abandoned infant; or (iii) a court finds that the parent has been convicted, in any state or any court of the United States, of: <ul style="list-style-type: none"> 1. a crime of violence against: <ul style="list-style-type: none"> A. a minor offspring of the parent; B. the child; or C. another parent of the child; or 2. aiding or abetting, conspiring, or soliciting to commit a crime described in item 1 of this item. <p>(2) For purposes of this subsection, a child shall be considered to have entered an out-of-home placement 30 days after the child is placed into an out-of-home placement.</p> <p>(3) A local department is not required to file a petition or join an action if:</p> <ul style="list-style-type: none"> (i) the child is being cared for by a relative; (ii) the local department has documented in the case plan, which shall be available for court review, a compelling reason why termination of parental rights would not be in the child's best interests; or (iii) the local department has not provided services to the family consistent with the time period in the local department's case plan that the local department considers necessary for the safe return of the child to the child's home.
State Regulations	COMAR 07.02.11.16
	16. Decision to make permanency plan other than reunification (A. – D.)

	<p>E. When the local department is required to pursue termination of parental rights as required in §D of this regulation or the permanency plan is changed to adoption, except as noted in §I of this regulation, the local department shall:</p> <p>(1) Ask the parents or legal guardian if they will consent to adoption; and</p> <p>(2) Refer the case to the local department's attorney within 30 days of the date the plan is changed.</p> <p>F. When the case is referred to the attorney, the attorney shall, within 30 days, petition the court for guardianship with the right to consent to adoption.</p>
SSA Policy	SSA #13-2: Case Planning/Concurrent Permanency Planning
	<p>"Once the court has changed the permanency plan to adoption, the LDSS must file the petition within 30 days. If the court changes the plan against the recommendation of the LDSS, the LDSS has 60 days to file the petition."</p>
Other Relevant Standards or Requirements	N/A



LJ v. Massinga Reporting: Measure 11

Internal Success

Measure #	Measure
11	% of children who, after 24 months in care, have a case review every 90 days to resolve barriers to permanency
	Key Data
Source	CJAMS
Data	The removal date for all children with an "out-of-home" placement assignment is the start date which will be used to identify children who have been in care for at least 24 months during the 6-month report period. Contacts allow for the identification of a case review and these contacts include the date of the meeting along with participants along with information about the meeting.
	Measure Calculation Method
Definition(s)	Every 90 days a case review to resolve barriers to permanence is completed for children in OHP 24 months and over.
Denominator	All children in OHP continuously for 24 months or longer at any time during the reporting period.
Numerator	Children in the denominator for whom a case review to resolve barriers to permanency were held every 90 day.
Exclusion(s)	All children in OHP less than 24 months Voluntary placement agreements
Report Calculation Methodology	For all children with an "out-of-home" program assignment start date greater than 24 months during the 6-months reporting period contacts will be reviewed to determine if a case review meeting (or more if applicable) are documented. These contacts contain dates of the meeting and would allow for the determination of frequency; whether these meetings occurred every 90 days once the child had been in care over 24 months. This would be identified at the end of each 6-month reporting period which would allow for the determination of frequency during the 6-month report period.

Exit Criteria	N/A
Source/Criteria	
L.J. Consent Decree	LJ v. Massinga, Modified Consent Decree (MCD), pg. 11,13:
	<p><u>Minimize Length of Stay:</u> BCDSS shall implement and achieve the child's permanency plan quickly. BCDSS shall provide each child in OHP and each family of a child in OHP with assistance, or referral for services as appropriate, to address identified problems and needs, and BCDSS shall provide or obtain and shall monitor such services in a duration and intensity reasonably calculated to implement expeditiously and finalize the child's permanency plan. This requirement shall continue until the Juvenile Court ends BCDSS's obligations to the child.</p> <ul style="list-style-type: none"> a. Definitions b. Internal Success Measures: <ul style="list-style-type: none"> (1. – 6.) (7) Percent of children who, after twenty-four months in care, have had a case review every ninety days to resolve barriers to permanency.
Federal Law & Reg (including CFR)	42 U.S.C. § 675(5)(B)-(C)
	<p>(5) The term "case review system" means a procedure for assuring that—</p> <p>....</p> <p>(B) the status of each child is reviewed periodically but no less frequently than once every six months by either a court or by administrative review (as defined in paragraph (6)) in order to determine the safety of the child, the continuing necessity for and appropriateness of the placement, the extent of compliance with the case plan, and the extent of progress which has been made toward alleviating or mitigating the causes necessitating placement in foster care, and to project a likely date by which the child may be returned to and safely maintained in the home or placed for adoption or legal guardianship, and, for a child for whom another planned permanent living arrangement has been determined as the permanency plan, the steps the State agency is taking to ensure the child's foster family home or child care institution is following the reasonable and prudent parent standard and to ascertain whether the child has regular, ongoing opportunities to engage in age or developmentally appropriate activities (including by consulting with the child in an age-appropriate manner about the opportunities of the child to participate in the activities);</p>

	<p>(C) with respect to each such child, (i) procedural safeguards will be applied, among other things, to assure each child in foster care under the supervision of the State of a permanency hearing to be held, in a family or juvenile court or another court (including a tribal court) of competent jurisdiction, or by an administrative body appointed or approved by the court, no later than 12 months after the date the child is considered to have entered foster care (as determined under subparagraph (F)) (and not less frequently than every 12 months thereafter during the continuation of foster care), which hearing shall determine the permanency plan for the child</p>
State Law	Courts and Judicial Proceedings Art. § 3-816.2(a)
	<p>(a) In general. --</p> <p>(1) Except as provided in subsection (b) of this section, the court shall conduct a hearing to review the status of each child under its jurisdiction within 6 months after the filing of the first petition under this subtitle and at least every 6 months thereafter.</p> <p>(2) At a review hearing under this section, the court shall:</p> <ul style="list-style-type: none"> (i) Evaluate the safety of the child; (ii) Determine the continuing necessity for and appropriateness of any out-of-home placement; (iii) Determine the appropriateness of and extent of compliance with the case plan for the child; (iv) Determine the extent of progress that has been made toward alleviating or mitigating the causes necessitating the court's jurisdiction; and (v) Project a reasonable date by which the child may be returned to and safely maintained in the home or placed for adoption or under a legal guardianship.
	Courts and Judicial Proceedings Art. § 3-823(b)
	<p>(b) Permanency planning hearing. --</p> <p>(1) The court shall hold a permanency planning hearing to determine the permanency plan for a child:</p> <ul style="list-style-type: none"> (i) No later than 11 months after a child committed under § 3-819 of this subtitle or continued in a voluntary placement under § 3-819.1(b) of this subtitle enters an out-of-home placement; or (ii) Within 30 days after the court finds that reasonable efforts to reunify a child with the child's parent or guardian are not required based on a finding that a circumstance enumerated in § 3-812 of this subtitle has occurred. <p>(2) For purposes of this section, a child shall be considered to have entered an out-of-home placement 30 days after the child is placed into an out-of-home placement.</p> <p>(3) If all parties agree, a permanency planning hearing may be held on the same day as the reasonable efforts hearing.</p>
	Courts and Judicial Proceedings Art. § 3-823(h)(1)-(4)

	<p>(h) Periodic reviews. --</p> <p>(1)</p> <p>(i) Except as provided in subparagraphs (ii) and (iii) of this paragraph, the court shall conduct a hearing to review the permanency plan at least every 6 months until commitment is rescinded or a voluntary placement is terminated.</p> <p>(ii) The court shall conduct a review hearing every 12 months after the court determines that the child shall be continued in out-of-home placement with a specific caregiver who agrees to care for the child on a permanent basis.</p> <p>(iii)</p> <ol style="list-style-type: none">1. Unless the court finds good cause, a case shall be terminated after the court grants custody and guardianship of the child to a relative or other individual.2. If the court finds good cause not to terminate a case, the court shall conduct a review hearing every 12 months until the case is terminated.3. The court may not conclude a review hearing under subparagraph 2 of this subparagraph unless the court has seen the child in person. <p>(2) At the review hearing, the court shall:</p> <ol style="list-style-type: none">(i) Determine the continuing necessity for and appropriateness of the commitment;(ii) Determine and document in its order whether reasonable efforts have been made to finalize the permanency plan that is in effect;(iii) Determine the extent of progress that has been made toward alleviating or mitigating the causes necessitating commitment;(iv) Project a reasonable date by which a child in placement may be returned home, placed in a pre adoptive home, or placed under a legal guardianship;(v) Evaluate the safety of the child and take necessary measures to protect the child;(vi) Change the permanency plan if a change in the permanency plan would be in the child's best interest; and(vii) For a child with a developmental disability, direct the provision of services to obtain ongoing care, if any, needed after the court's jurisdiction ends. <p>(3) (i) For a child placed in a qualified residential treatment program, the court shall:</p> <ol style="list-style-type: none">1. Determine whether the ongoing needs assessments of the child support continued placement of the child in a qualified residential treatment program;2. Determine whether placement in a qualified residential treatment program provides the most effective and appropriate level of care for the child in the least restrictive environment; and3. Determine whether the continued placement in a qualified residential treatment program is consistent with the short-term and long-term goals for the child as specified in the permanency plan. <p>(ii) The court shall state, in writing, the reasons for its decision to approve or disapprove the continued placement of a child in a qualified residential treatment program under this paragraph.</p> <p>(4) Every reasonable effort shall be made to effectuate a permanent placement for the child within 24 months after the date of initial placement.</p>
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LJ v. Massinga Reporting: Measure 12

Internal Success

Measure #	Measure
12	% of all children with a permanency plan of reunification for whom BCDSS facilitated a visit with the child's parents once per week.
	Key Data
Source	CJAMS
Data	All children with an "out-of-home" program assignment are also required to have a documented permanency plan. Relationships are identified showing biological mother and father for each child. Visitation plans for all children are to be created in conjunction with biological parents along with whether or not contact is permitted. Visits are documented in the visitation log along with the date of the visit along with the visit participants, status of the visit (completed, no-show, etc.).
	Measure Calculation Method
Definition(s)	For children with the permanency plan of reunification, % who have weekly visits with parents
Denominator	All children in OHP with a permanency plan of reunification
Numerator	# of children in the denominator who have a weekly visit with parents
Exclusion(s)	Children with a court order prohibiting visits* Parent with no contact information Unknown parent Children on Trial Home Visits at anytime during the reporting period
Report Calculation Methodology	All children with an "out-of-home" program assignment and a permanency plan of reunification will be identified. Visitation plan will be used to determine if there is a prohibition regarding visits with any parent. For those children where visits with a parent(s) are expected, the visitation log entries will be examined to identify the dates of the visits that were actually completed along the parent and child participants. This information will be used to determine if weekly visits occurred with each child with each eligible parent during the 6-month report period. This information will be

	obtained at the end of each 6-month reporting period to capture the information for each week.
Exit Criteria	N/A
	Source/Criteria
L.J. Consent Decree	LJ v. Massinga, Modified Consent Decree (MCD), pg. 11,13:
	<p><u>Minimize Length of Stay:</u> BCDSS shall implement and achieve the child's permanency plan quickly. BCDSS shall provide each child in OHP and each family of a child in OHP with assistance, or referral for services as appropriate, to address identified problems and needs, and BCDSS shall provide or obtain and shall monitor such services in a duration and intensity reasonably calculated to implement expeditiously and finalize the child's permanency plan. This requirement shall continue until the Juvenile Court ends BCDSS's obligations to the child.</p> <p>a. Definitions</p> <p>b. Internal Success Measures:</p> <p>(1. – 7.)</p> <p>(8) Percent of all children with a permanency plan of reunification for whom BCDSS facilitated a visit with the child's parents once per week.</p>
Federal Law & Reg (including CFR)	N/A
State Law	Family Law Art. § 5-1308(c)(2)(iii)
	<p>(c) In-depth child and family case reviews. --</p> <p>....</p> <p>(2) The child and family case reviews shall determine whether:</p> <p>....</p> <p>(iii) the visitation between separated family members is occurring frequently and regularly, consistent with the best interests of the child.</p>
State Regulations	COMAR 07.02.11.05
	.05 Local Department Responsibility for Out-of-Home Placement.
SSA Policy	SSA-CW #15-18: Parent/Child and Sibling Visitation

<p>Other Relevant Standards or Requirements</p>	<p>N/A</p>
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<p>Standard</p>	<p>Applicable</p>
<p>Standard 1: [Faint text]</p>	<p>Yes</p>
<p>Standard 2: [Faint text]</p>	<p>Yes</p>
<p>Standard 3: [Faint text]</p>	<p>Yes</p>
<p>Standard 4: [Faint text]</p>	<p>Yes</p>
<p>Standard 5: [Faint text]</p>	<p>Yes</p>
<p>Standard 6: [Faint text]</p>	<p>Yes</p>
<p>Standard 7: [Faint text]</p>	<p>Yes</p>
<p>Standard 8: [Faint text]</p>	<p>Yes</p>
<p>Standard 9: [Faint text]</p>	<p>Yes</p>
<p>Standard 10: [Faint text]</p>	<p>Yes</p>
<p>Standard 11: [Faint text]</p>	<p>Yes</p>
<p>Standard 12: [Faint text]</p>	<p>Yes</p>
<p>Standard 13: [Faint text]</p>	<p>Yes</p>
<p>Standard 14: [Faint text]</p>	<p>Yes</p>
<p>Standard 15: [Faint text]</p>	<p>Yes</p>
<p>Standard 16: [Faint text]</p>	<p>Yes</p>



LJ v. Massinga Reporting: Measure 13

Internal Success

Measure #	Measure
13	% of applicable children for whom, where the child's paternity had not been established, BCDSS sought to establish the child's paternity within 90 days of the child's entry into OHP.
	Key Data
Source	Legal Services
Data	When paternity has not been established for a new entry into OHP, the % for whom efforts by BCDSS were made to do so within 90 days
	Measure Calculation Method
Definition(s)	For children entering OHP without establishment of paternity, the % for whom efforts were made by BCDSS to do so within 90 days of entry
Denominator	All children who enter OHP for whom paternity has not been established
Numerator	Of the children for whom paternity was not established on entry, the children for whom efforts were made by BCDSS to do so within 90 days
Exclusion(s)	Children in OHP less than 5 days Voluntary placement agreements Children for whom paternity was established on entry to OHP
Report Calculation Methodology	<ul style="list-style-type: none"> • Legal services to screen all new entrants for the establishment of paternity • When paternity not yet established, the issue will be raised with the court • Information contained in Petitions and Court orders will be tracked and reported by Legal Services for each reporting period to calculate the percentage to demonstrate compliance
Exit Criteria	N/A

	Source/Criteria
L.J. Consent Decree	LJ v. Massinga, Modified Consent Decree (MCD), pgs. 11 – 12:
	<p>D. <u>Outcomes:</u></p> <p>1....</p> <p><u>2. Minimize Length of Stay:</u> BCDSS shall implement and achieve the child's permanency plan quickly. BCDSS shall provide each child in OHP and each family of a child in OHP with assistance, or referral for services as appropriate, to address identified problems and needs, and BCDSS shall provide or obtain and shall monitor such services in a duration and intensity reasonably calculated to implement expeditiously and finalize the child's permanency plan. This requirement shall continue until the Juvenile Court ends BCDSS's obligations to the child.</p> <p>a. Definitions:</p> <p>(1) "Implement and achieve the child's permanency plan quickly" includes, but is not limited to:</p> <p>(a) Where a child's paternity has not been established, BCDSS must seek to establish the child's paternity within ninety days of the child's entry into OHP.</p> <p>(b. – i.)</p>
Federal Law & Reg (including CFR)	42 U.S.C. § 627(a)(2)
	<p>(a) In general</p> <p>The Secretary of Health and Human Services may make matching grants to State, local, or tribal child welfare agencies, private nonprofit organizations that have experience in working with foster children or children in kinship care arrangements, and institutions of higher education (as defined under section 1001 of title 20), for the purpose of helping children who are in, or at risk of entering, foster care reconnect with family members through the implementation of—</p> <p>...</p> <p>(2) Intensive family-finding efforts that utilize search technology to find biological family members for children in the child welfare system, and once identified, work to reestablish relationships and explore ways to find a permanent family placement for the children;</p>
	45 C.F.R. § 1356.21(b)(5)
	<p>(b) Reasonable efforts. . . .</p> <p>.....</p>

	(5) Use of the Federal Parent Locator Service. The State agency may seek the services of the Federal Parent Locator Service to search for absent parents at any point in order to facilitate a permanency plan.
State Law	Courts and Judicial Proceedings Art. § 3-803
	<p>Section 3-803 - Jurisdiction of court</p> <p>(a) In addition to the jurisdiction specified in Subtitle 8A of this title, the court has exclusive original jurisdiction over:</p> <ul style="list-style-type: none"> (1) Voluntary placement hearings; (2) Proceedings arising from a petition alleging that a child is a CINA; (3) Proceedings arising under the Interstate Compact on the Placement of Children; (4) Proceedings to terminate parental rights after a CINA proceeding; (5) Guardianship review proceedings after a TPR proceeding; and (6) Adoption proceedings, if any, after a TPR proceeding. <p>(b)</p> <ul style="list-style-type: none"> (1) The court has concurrent jurisdiction over: <ul style="list-style-type: none"> (i) Custody, visitation, support, and paternity of a child whom the court finds to be a CINA; and (ii) Custody of a child alleged to be a CINA under the circumstances described in § 3-819(d) of this subtitle. (2) During pendency of an action under this subtitle, a party has a continuing duty to advise the court and any other court considering custody, support, visitation, or paternity of a child, of the pendency of any other action concerning the child, whether the action is in this or another state. (3)...
	Courts and Judicial Proceedings Art. § 3-822(a)(1)-(2)(i)
	<p>(a) In general. --</p> <p>(1) At each CINA hearing, the court shall inquire into, and make findings of fact on the record as to, the identity and current address of each parent of each child before the court.</p> <p>(2) In carrying out paragraph (1) of this subsection, the court shall:</p> <ul style="list-style-type: none"> (i) Inform all parties present of their continuing obligation to assist the court in identifying and locating each parent of each child;

	<p>Estates and Trusts Art. § 1-208.1</p>
	<p>(a) In general. -- An individual who is the presumed parent of a child under this subtitle shall be considered to be the child's parent for all purposes, including inheritance, custody and visitation, support obligations, and Child in Need of Assistance proceedings, unless the presumption of parentage is rebutted in accordance with this section.</p> <p>(b) Requirements for rebutting presumption; effect of court order. --</p> <p>(1) Except as provided in subsection (c) of this section, a presumption of parentage under this subtitle may be rebutted only if a court of competent jurisdiction determines in a written order that it is in the best interest of the child to receive and consider evidence that could rebut the presumption.</p> <p>(2) A written order that it is not in the best interest of the child to rebut a presumption of parentage:</p> <p style="padding-left: 40px;">(i) Conclusively establishes that the presumed parent is a parent of the child for all purposes; and</p> <p style="padding-left: 40px;">(ii) May be modified or set aside only on the basis of fraud, mistake, or irregularity.</p> <p>(c) Use of blood or genetic testing. -- An individual who is the putative father of a child in a proceeding under Title 5, Subtitle 10 of the Family Law Article may obtain and use evidence of blood or genetic testing in the proceeding to the extent authorized under Title 5, Subtitle 10 of the Family Law Article to rebut a presumption of parentage under § 1-208(c)(1) or (2) of this subtitle, regardless of whether it is in the best interest of the child.</p> <p>(d) Evidence for rebutting presumption. -- Subject to subsections (b) and (c) of this section, a presumption of parentage under this subtitle may be rebutted by:</p> <p style="padding-left: 40px;">(1) Evidence of blood or genetic testing;</p> <p style="padding-left: 40px;">(2) Testimony of the mother, the presumed parent, or another individual, that the presumed parent did not have access to the mother at the time of conception; or</p> <p style="padding-left: 40px;">(3) Any other competent evidence that the presumed parent is not the father of the child.</p>
State Regulations	N/A
SSA Policy	N/A
Other Relevant Standards or Requirements	N/A



LJ v. Massinga Reporting

QSR Measures 14

QSR Measure	Findings
14.1	...
14.2	...
14.3	...
14.4	...
14.5	...
14.6	...
14.7	...
14.8	...
14.9	...
14.10	...



LJ v. Massinga Reporting: Measure 15

Exit Criteria

Measure #	Measure
15	90% of children in OHP had a case plan
	Key Data
Source	CJAMS
Data	All children with an "out-of-home" program assignment are expected to have a case plan completed within the first 60 days and then at specified time periods throughout the entire time a child is in "out-of-home". All case plans are required to be approved administratively.
	Measure Calculation Method
Definition(s)	"Caseplan" means a written description of the youth's needs and services to be provided to meet those needs
Denominator	Children with an OHP program assignment for 60 days or more from the removal date
Numerator	# of children with a completed and administratively approved case plan
Exclusion(s)	Children in care less than 60 days Children under a Voluntary Placement Agreement
Report Calculation Methodology	All children with an "out-of-home" program assignment start date greater than 60 days from the last day of the 6-month report period will have the administrative approval date(s) of their case plans examined to determine if they were completed and whether it was at the appropriate time period.
Exit Criteria	Compliance will be achieved when 90% of children in OHP have a case plan

	Source/Criteria
L.J. Consent Decree	LJ v. Massinga, Modified Consent Decree (MCD), pg. 11
	<p>1. According to the LJ Modified Consent Decree (MCD), 10/9/09, pg. 11: Preservation and Permanence (A. – B.)</p> <p>C. Definitions:</p> <p>(1)...</p> <p>2. The term "case plan" means the plan developed by BCDSS that identifies the child and family's needs and the services necessary to:</p> <ul style="list-style-type: none"> a. implement and achieve the child's permanency plan quickly; b. in the case of youth ages fourteen and over, successfully transition the child to independent living and self-sufficiency by age twenty-one; c. place promptly and maintain the child in the least restrictive appropriate placement type for that child's needs; and d. meet the child's needs for well-being, including health and education. <p>3. The term "permanency plan" includes all applicable permanency plans established for a child.</p> <p>4. "Families" means those families that come to the attention of DHR/BCDSS. "Family" includes immediate family and kinship arrangements.</p> <p>2. According to the LJ Modified Consent Decree (MCD), 10/9/09, p. 14:</p> <p>4. "Each child has a Case Plan that guides the permanency plan: Within sixty days of entering OHP, each child will have a case plan that shall be updated and approved by an internal review team at least once every six months and which shall guide the permanency plan for the child."</p> <p>a. Definitions:</p> <ul style="list-style-type: none"> 1. A "case plan" must meet the requirements set forth in federal, state and local law, regulation, and policy According to the MCD, p. 14

<p>Federal Law & Reg (including CFR)</p>	<p>42 U.S.C. § 671(a)(16)</p>
	<p>(a) Requisite features of State plan In order for a State to be eligible for payments under this part, it shall have a plan approved by the Secretary which—</p> <p>...</p> <p>(16) provides for the development of a case plan (as defined in section 675(1) of this title and in accordance with the requirements of section 675a of this title) for each child receiving foster care maintenance payments under the State plan and provides for a case review system which meets the requirements described in sections 675(5) and 675a of this title with respect to each such child;</p>
	<p>45 C.F.R. § 1356.21(g)</p>
	<p>(g) Case plan requirements. In order to satisfy the case plan requirements of sections 471(a)(16), 475(1) and 475(5)(A) and (D) of the Act, the title IV-E agency must promulgate policy materials and instructions for use by staff to determine the appropriateness of and necessity for the foster care placement of the child. The case plan for each child must:</p> <p>(1) Be a written document, which is a discrete part of the case record, in a format determined by the title IV-E agency, which is developed jointly with the parent(s) or guardian of the child in foster care; and</p> <p>(2) Be developed within a reasonable period, to be established by the title IV-E agency, but in no event later than 60 days from the child's removal from the home pursuant to paragraph (k) of this section;</p> <p>(3) Include a discussion of how the case plan is designed to achieve a safe placement for the child in the least restrictive (most family-like) setting available and in close proximity to the home of the parent(s) when the case plan goal is reunification and a discussion of how the placement is consistent with the best interests and special needs of the child. (FFP is not available when a court orders a placement with a specific foster care provider);</p> <p>(4) Include a description of the services offered and provided to prevent removal of the child from the home and to reunify the family; and</p> <p>(5) Document the steps to finalize a placement when the case plan goal is or becomes adoption or placement in another permanent home in accordance with sections 475(1)(E) and (5)(E) of the Act. When the case plan goal is adoption, at a minimum, such documentation shall include child-specific recruitment efforts such as the use of State, Tribal, regional, and national adoption exchanges including electronic exchange systems.</p>

	45 C.F.R. § 1355.34(c)(2)(i)
	<p>(c) Criteria related to title IV-E agency capacity to deliver services leading to improved outcomes for children and families. In addition to the criteria related to outcomes contained in paragraph (b) of this section, the title IV-E agency also must satisfy criteria related to the delivery of services. Based on information from the assessment and onsite review, the title IV-E agency must meet the following criteria for each systemic factor in paragraphs (c)(2) through (c)(7) of this section to be considered in substantial conformity: All of the plan requirements associated with the systemic factor must be in place, and no more than one of the plan requirements fails to function as described in paragraphs (c)(2) through (c)(7) of this section. . . .</p> <p>...</p> <p>(2) Case review system: The title IV-E agency has procedures in place that:</p> <p>(i) Provide, for each child, a written case plan to be developed jointly with the child's parents</p>
State Law	N/A
State Regulations	COMAR 07.02.11.03
	<p>.03 Definitions:</p> <p>(10) "Case plan" means the document described in Regulation .13 of this chapter that includes:</p> <p>(a) The reason the child entered care;</p> <p>(b) The reasonable efforts that were made to prevent placement or reasons why prevention efforts were not appropriate;</p> <p>(c) The identification of the concurrent permanency plans and projected timeframes for achievement of each plan;</p> <p>(d) Whether the placement is the least restrictive and whether safety issues are addressed;</p> <p>(e) The local department's efforts to achieve permanency for the child;</p> <p>(f) The extent to which the court's orders have been carried out;</p> <p>(g) The services offered to the parents or legal guardian;</p> <p>(h) The services delivered to the parents or legal guardian;</p> <p>(i) The extent to which the parents or legal guardian have participated in the development of a service agreement; and</p> <p>(j) The extent to which the parents or legal guardian have complied with the service agreement.</p>
	COMAR 07.02.11.13
	.13 Case Planning for Permanency.

	<p>A. Within 60 days after removal, the local department, together with the child's parent or legal guardian, shall develop a written case plan for each child in out-of-home placement. The case plan shall include concurrent permanency plans, except as provided in §B of this regulation, and shall:</p> <p>(1) Describe the circumstances that make placement necessary;</p> <p>(2) State with whom the child was living before placement and their relationship to the child; and</p> <p>(3) Describe the efforts that were made but were unsuccessful in preventing or eliminating the need for removal from the child's home including the consideration of both in-State and out-of-State placement options, or why such efforts were not possible.</p> <p>...</p> <p>C. The case plan shall be reassessed within 120 days of the initial plan, and every 180 days after that.</p>
<p>SSA Policy</p>	<p>SSA #10-21: Caseplan Documentation Clarification</p> <p>SSA #13-2: Case Planning/Concurrent Permanency Planning</p>
<p>Other Relevant Standards or Requirements</p>	<p>N/A</p>



LJ v. Massinga Reporting

QSR Measures 16

Measure	Findings
1. The provider failed to ensure that the child was safe and protected from harm.	...
2. The provider failed to ensure that the child was provided with appropriate services.	...
3. The provider failed to ensure that the child was provided with appropriate medical care.	...
4. The provider failed to ensure that the child was provided with appropriate educational services.	...
5. The provider failed to ensure that the child was provided with appropriate social services.	...
6. The provider failed to ensure that the child was provided with appropriate mental health services.	...
7. The provider failed to ensure that the child was provided with appropriate substance abuse services.	...
8. The provider failed to ensure that the child was provided with appropriate family support services.	...
9. The provider failed to ensure that the child was provided with appropriate community support services.	...
10. The provider failed to ensure that the child was provided with appropriate cultural and linguistic services.	...



LJ v. Massinga Reporting: **Measure 17**

Internal Success

Measure #	Measure
17	% of children ages 12 and over who participated in case planning meetings
	Key Data
Source	CJAMS
Data	All children with an "out-of-home" program assignment who have had a case planning meeting, identified as a family team meeting, where the child is identified as a participant in the meeting. This would be documented in the contacts and would show the purpose of the meeting. The age of the child would be determined by the date of the meeting and the child's date of birth. This would be applied to every meeting that occurred during the 6-month reporting period.
	Measure Calculation Method
Definition(s)	The % of children ages 12 and over who participated in case planning meetings (referenced in the MCD under the general rubric of family involvement in decision making)
Denominator	All family meetings held when a child age 12 and over was part of the family and the meeting was specific to that child
Numerator	# of children ages 12 and over who participated in family team meetings that were specific to that child.
Exclusion(s)	Children under the age of 12 Voluntary placements Note: This will capture the universe of all children 12 and over, including those assessed as 'clinically inappropriate' due to the inability to identify those that would be included in the exclusion. Should this change in the future, Plaintiff will wish to revisit this measure and exclusion.
Report Calculation Methodology	All children with an "out-of-home" program assignment and at least one case planning meeting (TDM) during the 6-month report period would be identified. The date of each meeting would be compared to the child's date of birth to determine if the child was 12 years old. The participants of any case planning meeting would then be examined for

	any child at least 12 year old to determine if they were involved in the meeting. Each meeting that occurred during the 6-month report period would be counted. This information would be gathered at the end of each 6-month report period to determine the percentage.
Exit Criteria	N/A Internal Success
Source/Criteria	
L.J. Consent Decree	LJ v. Massinga, Modified Consent Decree (MCD), pgs. 13 – 14:
	<p>1. Families Involved in Decision-Making: BCDSS shall utilize a planning and decision-making model in which BCDSS makes reasonable efforts to fully involve the family of origin, the extended family members, the child (as clinically appropriate), the child’s attorney, and other individuals able to contribute to positive outcomes for the child at each critical decision-making point.</p> <p>a. Definitions:</p> <p>(1) Unless there is clinical evidence to the contrary, it shall be considered “clinically appropriate” for a child twelve years or older to participate in decision-making meetings about the child.</p> <p>(2) “Critical decision-making point” means at risk of removal, permanency plan change, placement change, and transitioning to independence.</p> <p>b. Internal Success Measures:</p> <p>(3) Percent of children ages twelve and over who participated in case planning meetings.</p>
Federal Law & Reg (including CFR)	42 U.S.C. § 675(1)(B)
	<p>As used in this part or part B of this subchapter:</p> <p>(1) The term “case plan” means a written document which meets the requirements of section 675a of this title and includes at least the following:</p> <p>...</p>

	<p>(B) A plan for assuring that the child receives safe and proper care and that services are provided to the parents, child, and foster parents in order to improve the conditions in the parents' home, facilitate return of the child to his own safe home or the permanent placement of the child, and address the needs of the child while in foster care, including a discussion of the appropriateness of the services that have been provided to the child under the plan. With respect to a child who has attained 14 years of age, the plan developed for the child in accordance with this paragraph, and any revision or addition to the plan, shall be developed in consultation with the child and, at the option of the child, with up to 2 members of the case planning team who are chosen by the child and who are not a foster parent of, or caseworker for, the child. A State may reject an individual selected by a child to be a member of the case planning team at any time if the State has good cause to believe that the individual would not act in the best interests of the child. One individual selected by a child to be a member of the child's case planning team may be designated to be the child's advisor and, as necessary, advocate, with respect to the application of the reasonable and prudent parent standard to the child.</p>
	<p>42 U.S.C. § 675(5)(C)</p>
	<p>As used in this part or part B of this subchapter:</p> <p>...</p> <p>(5) The term "case review system" means a procedure for assuring that—</p> <p>...</p> <p>(C) with respect to each such child, . . . (iii) procedural safeguards shall be applied to assure that in any permanency hearing held with respect to the child, including any hearing regarding the transition of the child from foster care to a successful adulthood, the court or administrative body conducting the hearing consults, in an age-appropriate manner, with the child regarding the proposed permanency or transition plan for the child; and (iv) if a child has attained 14 years of age, the permanency plan developed for the child, and any revision or addition to the plan, shall be developed in consultation with the child and, at the option of the child, with not more than 2 members of the permanency planning team who are selected by the child and who are not a foster parent of, or caseworker for, the child, except that the State may reject an individual so selected by the child if the State has good cause to believe that the individual would not act in the best interests of the child, and 1 individual so selected by the child may be designated to be the child's advisor and, as necessary, advocate, with respect to the application of the reasonable and prudent standard to the child;</p>
	<p>45 C.F.R. § 1355.34(b)(1)(iii)(A)</p>
	<p>(b) Criteria related to outcomes.</p> <p>(1) A title IV-E agency's substantial conformity will be determined by its ability to substantially achieve the following child and family service outcomes:</p> <p>...</p> <p>(iii) In the area of child and family well-being:</p> <p>(A) Families have enhanced capacity to provide for their children's needs;</p>

	Children's Bureau, Child and Family Services Reviews, Round 3, Reviewer Brief - Understanding the Federal Expectations for Rating Cases, Well-Being Outcome 1, Item 13: Child and Family Involvement in Case Planning
	<p>Purpose of Assessment: To determine whether, during the period under review, concerted efforts were made (or are being made) to involve parents and children (if developmentally appropriate) in the case planning process on an ongoing basis.</p> <p>Strength Rating Defined During the period under review, concerted efforts were made to actively involve the children (if developmentally appropriate) and parents/caretakers in case planning activities.</p>
	Children's Bureau, Child and Family Services Reviews, Round 3, Item Targets
	With two exceptions, an item is assigned an overall rating of Strength if 90% or more of the applicable cases reviewed were rated as a Strength. Because Item 1 is the only item for Safety Outcome 1 and Item 16 is the only item for Well-Being Outcome 2, the requirement of a 95% Strength rating applies to those items.
State Law	Courts and Judicial Proceedings Art. § 3-823(j)(1)
	<p>(j) Annual consultation on record with child; use of video conferencing or related technology. --</p> <p>(1) At least every 12 months at a hearing under this section, the court shall consult on the record with the child in an age-appropriate manner to obtain the child's views on permanency.</p>
State Regulations	N/A
SSA Policy	SSA #10-08: Family Involvement Meetings (FIMs)
Other Relevant Standards or Requirements	N/A



LJ v. Massinga Reporting: **Measure 18**

Internal Success

Measure #	Measure
18	% of all new entrants for whom a Family Involvement Meeting was held within 72 hours of placement
	Key Data
Source	CJAMS
Data	All children with an "out-of-home" program assignment that started during the 6-month reporting would be examined to identify if a FIM was documented in the contacts along with the date of the FIM to determine if it was held within 72 hours of the child's removal.
	Measure Calculation Method
Definition(s)	New entrants into OHP for whom a FIM was held within 72 business hours of placement
Denominator	All children who entered OHP during the reporting period
Numerator	All children in the denominator for whom a FIM was held within 72 business hours before or after placement during the reporting period
Exclusion(s)	None
Report Calculation Methodology	All children who have a start date for their "out-of-home" program assignment during the 6-month reporting period will be identified. Contacts would be examined to determine if there was a FIM conducted either prior to the removal or within 72 hours of the start date for "out-of-home" program assignment (which is the same as the removal date). This would be compiled at the end of each 6-month reporting period to determine the percentage of children.
Exit Criteria	N/A Internal Success

	Source/Criteria
L.J. Consent Decree	LJ v. Massinga, Modified Consent Decree (MCD), pgs. 13 – 14:
	<p>Families Involved in Decision-Making: BCDSS shall utilize a planning and decision-making model in which BCDSS makes reasonable efforts to fully involve the family of origin, the extended family members, the child (as clinically appropriate), the child's attorney, and other individuals able to contribute to positive outcomes for the child at each critical decision-making point.</p> <p>a. Definitions (1. – 2.)</p> <p>b. Internal Success Measures: (1)...</p> <p>(2) Percent of all new entrants for whom a family involvement meeting was held within seventy-two hours of placement.</p>
Federal Law & Reg (including CFR)	42 U.S.C. § 627(a)(3)
	<p>(a) In general The Secretary of Health and Human Services may make matching grants to State, local, or tribal child welfare agencies, private nonprofit organizations that have experience in working with foster children or children in kinship care arrangements, and institutions of higher education (as defined under section 1001 of title 20), for the purpose of helping children who are in, or at risk of entering, foster care reconnect with family members through the implementation of—</p> <p>...</p> <p>(3) family group decision-making meetings for children in the child welfare system, that—</p> <p>(A) enable families to make decisions and develop plans that nurture children and protect them from abuse and neglect, and</p> <p>(B) when appropriate, shall address domestic violence issues in a safe manner and facilitate connecting children exposed to domestic violence to appropriate services, including reconnection with the abused parent when appropriate;</p>
State Law	Family Law Art. § 5-1308(c)(3)(i), (iii)
	<p>(c) In-depth child and family case reviews. --</p> <p>...</p> <p>(3) The performance reviews shall determine whether:</p> <p>(i)</p> <p>1. the family participated in the development of the service agreement and</p>

	<p>the case plan;</p> <p>(iii) all members of the team of professionals working with the family and the child met at regular intervals to make changes to services and supports as necessary;</p>
State Regulations	N/A
SSA Policy	N/A
Other Relevant Standards or Requirements	N/A



LJ v. Massinga Reporting: Measure 19

Internal Success

Measure #	Measure
19	Percent of all children for whom case planning meetings included family members
	Key Data
Source	CJAMS
Data	All children with an "out-of-home" program assignment also have relationships with family members identified. For every case planning meeting (TDM), participants in the meeting are identified as part of the documentation for the meeting.
	Measure Calculation Method
Definition(s)	"Family" is defined in COMAR and will be derived based on the person's role and/or relationship as defined in CJAMS, reasonably similarly defined individuals as these lists may be updated from time to time.
Denominator	The number of children for whom family meetings were held during the reporting period
Numerator	The number of children for whom family meetings were held and family members were included as participants
Exclusion(s)	Voluntary Placements
Report Calculation Methodology	Every child with an "out-of-home" program assignment and a TDM documented in the contacts as having occurred during the 6-month report period will be identified. The participant list will be compared with the relationships documented for each child to determine if family members participated in the meeting. This information will be collected at the end of the 6-month report period for every TDM that occurred for each child.
Exit Criteria	N/A Internal Success

	Source/Criteria
L.J. Consent Decree	LJ v. Massinga, Modified Consent Decree (MCD), pgs. 13 – 14:
	<p><u>Families Involved in Decision-Making</u>: BCDSS shall utilize a planning and decision-making model in which BCDSS makes reasonable efforts to fully involve the family of origin, the extended family members, the child (as clinically appropriate), the child's attorney, and other individuals able to contribute to positive outcomes for the child at each critical decision-making point.</p> <p>a. Definitions:</p> <p>(1) Unless there is clinical evidence to the contrary, it shall be considered "clinically appropriate" for a child twelve years or older to participate in decision-making meetings about the child.</p> <p>(2) "Critical decision-making point" means at risk of removal, permanency plan change, placement change, and transitioning to independence.</p> <p>b. Internal Success Measures:</p> <p>(1. – 2.)</p> <p>(3.) Percent of all children for whom case planning meetings included family members</p>
Federal Law & Reg (including CFR)	N/A
State Law	N/A
State Regulations	<u>COMAR: 07.02.01.02</u>
	<p>.02 Definitions.</p> <p>A. In this chapter, the following terms have the meanings indicated.</p> <p>B. Terms Defined.</p> <p>(1. – 9.)</p> <p>(10) "Family" means:</p> <p>(a) One or more parents and children related by blood, marriage, or adoption, and residing in the same household; or</p> <p>(b) A parent substitute, such as a related or unrelated caregiver or legal guardian, who has responsibility for the 24-hour care and supervision of a child.</p>
SSA Policy	<u>SSA Policy 10-08 (8/14/09)</u> Family Involvement Meetings (FIMS).
Other Relevant Standards or Requirements	N/A



LJ v. Massinga Reporting: Measure 20

Exit Standard

Measure #	Measure
20	Beginning July 1, 2010, for 85% of children, BCDSS had a Family Involvement Meeting at each critical decision-making point.
Key Data	
Source	CJAMS
Data	There are specific triggers (critical decision-making points) for children in OHP. For every child with an "out-of-home" program assignment FIM'S are documented in the Contacts which document the purpose, along with the dates of each of the meetings.
Measure Calculation Method	
Definition(s)	<ul style="list-style-type: none"> ● "Critical decision-making point" means: <ol style="list-style-type: none"> 1. removal or risk of removal 2. placement changes; 3. permanency plan changes; and 4. transition planning to independence with youth 14 and over. ● "TDM" means a meeting that involves families and their supports in making critical decisions, also known as a FIM or FTM.
Report Calculation Methodology	The measure will be used to produce the percentage for the reporting period.
Total measure calculation	For every child with an "out-of-home" program assignment during the 6-month report period, it would be determined if any critical decision-making event occurred: removal (documented in child removal), placement change (documented in placements), permanency plan change (documented in permanency plan), or if a youth was 14 years or older (based on the age of the child during the 6-month report period).. If one or more events occurred, Contacts would be reviewed to determine if a FIM occurred close to the date of each of the events during the 6-month report period. Each event would be counted to determine the percentage at the end of the 6-month report period.

Removal or Considered Removal	
Denominator	New entries into OHP
Numerator	New entries into OHP for whom an TDM was held 3 days before or after date of entry into OHP
Exclusion(s)	Voluntary Placement Agreements
Exit Criteria	Compliance will be achieved when 85% of the children BCDSS had a TDM at each critical decision-making point
Change of Placements	
Denominator	Number of placement changes for children in OHP during the report period
Numerator	Number of placement changes for which a TDM was held within 45 days prior to the placement change or up to 10 days after
Exclusion(s)	Voluntary Placement Agreements Respite placements and hospitalizations when the child will be returning to the original placement Note: extenuating circumstances may be addressed
Exit Criteria	Compliance will be achieved when 85% of the children BCDSS had a TDM at each critical decision-making point
Permanency Plan Changes	
Denominator	Number of permanency plan changes for children in OHP during the report period.
Numerator	Number of permanency plan changes for which an FIM was held no more than 120 days and no less than 30 days prior to the change of permanency plan.
Exclusion(s)	Voluntary Placement Agreements
Exit Criteria	Compliance will be achieved when 85% of the children BCDSS had a TDM at each critical decision-making point

Transitional Plan	
Denominator	The number of youth ages 14 and over
Numerator	Number of youth ages 14 and over in OHP for 60 days or more who had a Transitional Planning TDM at least once during the past 180 days
Exclusion(s)	Voluntary Placement Agreements Youth in care less than 60 days Children in OHP turning 14 years old 30 days or less before the end of the reporting period Children in OHP under the age of 14
Exit Criteria	Compliance will be achieved when 85% of the children BCDSS had a TDM at each critical decision-making point
Source/Criteria	
L.J. Consent Decree	Note: For the purpose of this Measure, the parties agree that a "TDM" has the same meaning as a Family Involvement Meeting (FIM). LJ Modified Consent Decree (MCD), pgs. 13-14:
	<p><u>Families Involved in Decision-Making:</u> BCDSS shall utilize a planning and decision-making model in which BCDSS makes reasonable efforts to fully involve the family of origin, the extended family members, the child (as clinically appropriate), the child's attorney, and other individuals able to contribute to positive outcomes for the child at each critical decision-making point.</p> <p>a. Definitions:</p> <p>(1) Unless there is clinical evidence to the contrary, it shall be considered "clinically appropriate" for a child twelve years or older to participate in decision-making meetings about the child.</p> <p>(2) "Critical decision-making point" means at risk of removal, permanency plan change, placement change, and transitioning to independence.</p> <p>b. Internal Success Measures</p> <p>c. Exit Standard:</p>

	(1) Beginning July 1, 2010, for 85 percent of children, BCDSS had a family involvement meeting at each critical decision-making point.
Federal Law & Reg (including CFSR)	42 U.S.C. § 627(a)(3)
	<p>(a) In general The Secretary of Health and Human Services may make matching grants to State, local, or tribal child welfare agencies, private nonprofit organizations that have experience in working with foster children or children in kinship care arrangements, and institutions of higher education (as defined under section 1001 of title 20), for the purpose of helping children who are in, or at risk of entering, foster care reconnect with family members through the implementation of—</p> <p>...</p> <p>(3) family group decision-making meetings for children in the child welfare system, that—</p> <p>(A) enable families to make decisions and develop plans that nurture children and protect them from abuse and neglect, and</p> <p>(B) when appropriate, shall address domestic violence issues in a safe manner and facilitate connecting children exposed to domestic violence to appropriate services, including reconnection with the abused parent when appropriate;</p>
State Law	Family Law Art. § 5-1308(c)(3)(i), (iii)
	<p>(c) In-depth child and family case reviews. --</p> <p>...</p> <p>(3) The performance reviews shall determine whether:</p> <p>(i)</p> <p>1. the family participated in the development of the service agreement and the case plan;</p> <p>...</p> <p>(iii) all members of the team of professionals working with the family and the child met at regular intervals to make changes to services and supports as necessary;</p>
State Regulations	COMAR 07.02.10.08 Service Agreement and Transition Planning
	<p>(A. – C.)</p> <p>D. Youth Transition Plan</p> <p>(1) The caseworker shall prepare a youth for the development of a transition plan 120 days prior to the youth's 14th birthday.</p>

	<p>(2) Once a youth in out-of-home placement reaches the age of 14, the caseworker shall work with the youth to develop an individualized transition plan.</p> <p>(3) For youth 14 years and older, the transition plan shall be updated at least every 180 days.</p> <p>(4) Except as applicable in §D (5) of this regulation, the transition plan shall be finalized 90 days prior to the youth's 18th birthday.</p> <p>(5) For youth 18 to 21 years old, a transition plan shall be updated at least every 180 days and shall be finalized 90 days prior to the youth attaining the age of 21 or exiting care.</p> <p>(6) The youth transition plan shall be:</p> <ul style="list-style-type: none"> (a) Personalized at the direction of the youth; and (b) Detailed with regard to choices and options in: <ul style="list-style-type: none"> (i) Housing; (ii) Health insurance; (iii) Education; (iv) Opportunities for mentors and support services; (v) Employment; and (vi) Health, including mental health, sexual health and family planning; and directives concerning decision making if the youth become unable to make healthcare decisions. <p>(7) The youth transition plan shall be documented in the case plan and incorporated in the permanency hearings.</p>
<p>SSA Policy</p>	<p>SSA-CW 19-04: Maryland Youth Transition Plan</p> <p>SSA 11-16: Maryland Youth Transition Plan</p> <p>SSA #10-08: Family Involvement Meetings (FIMs) (NEW POLICY TO BE SUBSTITUTED ONCE APPROVED)</p> <p>Ready by 21 Manual (July 2016)</p>

	<p>For the purpose of this Measure, the parties agree to the following time frames during which the requisite FIM must occur (calendar days):</p> <ul style="list-style-type: none">a. Risk of removal: within three days prior to or after a new entrant's date of removal.b. Permanency plan change: between 30 days and four months prior to a permanency plan change for a child in OHP.c. Placement change: within 45 days prior to a placement change for a child in OHP, or in the event of an emergency, within 10 days after.d. Youth Transitional Plan: at least semi -annually for a youth in OHP aged 14 – 20 who has been in OHP for at least 180 days.
Other Relevant Standards or Requirements	N/A



LJ v. Massinga Reporting: Measure 21

Internal Success

Measure #	Measure
21	% of children whose case plan was completed within 60 days of placement
Key Data	
Source	CJAMS
Data	All children who have an "out-of-home" program assignment start date during the 6-month report period are to have a case plan completed and administratively approved within 60 days of placement.
Measure Calculation Method	
Definition(s)	"Case plan" is the equivalent of what is now known as the 'permanency progress plan' in CJAMS
Denominator	# of children who entered OHP 60 days or less before the end of the reporting period and remained at least 60 days
Numerator	# of children in OHP who entered OHP 60 days or less before the end of reporting period and remained at least 60 days who have a completed and administratively approved case plan by the 60th day
Exclusion(s)	None
Report Calculation Methodology	All children with an "out-of-home" program assignment with a start date during the 6-month report period will be identified unless it was less than 60 days from the end of report period. Additionally, children with an "out-of-home" program assignment within 60 days of the last date of the previous 6-month report period will be identified. The administrative approval date for the case plan for each of these children will be examined to determine whether these occurred within 60 days of the removal date (start date for "out-of-home" program assignment). This will be completed at the end of each 6-month report period.
Exit Criteria	N/A Internal Success

	Source/Criteria
L.J. Consent Decree	<p>According to the LJ v. Massinga, Modified Consent Decree (MCD), pg. 11:</p> <p>Preservation and Permanence</p> <p>(A. – B.)</p> <p>C. Definitions:</p> <p>(1)...</p> <p>The term “case plan” means the plan developed by BCDSS that identifies the child and family’s needs and the services necessary to:</p> <ul style="list-style-type: none"> a. implement and achieve the child’s permanency plan quickly; b. in the case of youth ages fourteen and over, successfully transition the child to independent living and self-sufficiency by age twenty-one; c. place promptly and maintain the child in the least restrictive appropriate placement type for that child’s needs; and d. meet the child’s needs for well-being, including health and education. <p>(3. – 4.)</p> <p>According to the LJ Modified Consent Decree (MCD), 10/9/09, pgs. 14-15</p> <p>“Each child has a Case Plan that guides the permanency plan: Within sixty days of entering OHP, each child will have a case plan that shall be updated and approved by an internal review team at least once every six months and which shall guide the permanency plan for the child.”</p> <p>a. Definitions:</p> <ul style="list-style-type: none"> 1. A “case plan” must meet the requirements set forth in federal, state and local law, regulation, and policy <p>(2.– 6.)</p> <p>b. Internal Success Measures:</p> <ul style="list-style-type: none"> 1. Percent of children whose case plan was completed within sixty days of placement. <p>(2. – 3.)</p>
Federal Law & Reg (including CFR)	42 U.S.C. § 671(a)(16)
	(a) Requisite features of State plan

	<p>In order for a State to be eligible for payments under this part, it shall have a plan approved by the Secretary which—</p> <p>...</p> <p>(16) provides for the development of a case plan (as defined in section 675(1) of this title and in accordance with the requirements of section 675a of this title) for each child receiving foster care maintenance payments under the State plan and provides for a case review system which meets the requirements described in sections 675(5) and 675a of this title with respect to each such child;</p>
	45 C.F.R. § 1356.21(g)(2)
	<p>(g) Case plan requirements. In order to satisfy the case plan requirements of sections 471(a)(16), 475(1) and 475(5)(A) and (D) of the Act, the title IV-E agency must promulgate policy materials and instructions for use by staff to determine the appropriateness of and necessity for the foster care placement of the child. The case plan for each child must:</p> <p>...</p> <p>(2) Be developed within a reasonable period, to be established by the title IV-E agency, but in no event later than 60 days from the child's removal from the home pursuant to paragraph (k) of this section;</p>
State Law	Family Law Art. § 5-525(g)
	<p>(g) Preparation, notice, and amendment of permanency plan. --</p> <p>(1) The local department shall:</p> <ul style="list-style-type: none"> (i) prepare the permanency plan in writing within 60 days of the date the child comes into care; (ii) if the child is under the jurisdiction of the juvenile court, furnish the plan to the child's parents, the child or the child's counsel, and to the juvenile court; and (iii) maintain the plan in the agency's case record. <p>(2) The local department shall amend the plan promptly as necessary in light of the child's situation and any court orders which affect the child.</p>
State Regulations	COMAR 07.02.11.03
	<p>03. Definitions:</p> <p>(a.)...</p> <p>b. Terms defined</p> <p>(1. – 9.)</p> <p>(10) "Case plan" means the document described in Regulation .13 of this chapter that includes:</p> <p>(a) The reason the child entered care;</p>

	<p>(b) The reasonable efforts that were made to prevent placement or reasons why prevention efforts were not appropriate;</p> <p>(c) The identification of the concurrent permanency plans and projected timeframes for achievement of each plan;</p> <p>(d) Whether the placement is the least restrictive and whether safety issues are addressed;</p> <p>(e) The local department's efforts to achieve permanency for the child;</p> <p>(f) The extent to which the court's orders have been carried out;</p> <p>(g) The services offered to the parents or legal guardian;</p> <p>(h) The services delivered to the parents or legal guardian;</p> <p>(i) The extent to which the parents or legal guardian have participated in the development of a service agreement; and</p> <p>(j) The extent to which the parents or legal guardian have complied with the service agreement outlined in COMAR 07.02.11.</p>
	COMAR 07.02.11.13
	<p>.13 Case Planning for Permanency.</p> <p>A. Within 60 days after removal, the local department, together with the child's parent or legal guardian, shall develop a written case plan for each child in out-of-home placement. The case plan shall include concurrent permanency plans, except as provided in §B of this regulation, and shall:</p> <p>(1) Describe the circumstances that make placement necessary;</p> <p>(2) State with whom the child was living before placement and their relationship to the child;</p> <p>(3) Describe the efforts that were made but were unsuccessful in preventing or eliminating the need for removal from the child's home including the consideration of both in-State and out-of-State placement options, or why such efforts were not possible.</p> <p>(B. – F.)</p>
SSA Policy	<p>SSA #10-21: Case Plan Documentation Clarification</p> <p>SSA #13-2: Case Planning/Concurrent Permanency Planning</p>
Other Relevant Standards or Requirements	N/A



LJ v. Massinga Reporting: Measure 22

Internal Success

Measure #	Measure
22	% of children whose case plan was updated every six months
	Key Data
Source	CJAMS
Data	All children who have an "out-of-home" program assignment should have case plans updated every 6 months following the first one completed within the first 60 days.
	Measure Calculation Method
Definition(s)	The % of children for whom case plans were updated every six months
Denominator	All children in OHP six months or more
Numerator	All children in OHP six months or more with a completed and administratively approved case plan six months or less from the previous case plan
Exclusion(s)	Children in OHP less than six months Voluntary placements
Report Calculation Methodology	All children with an "out-of-home" program assignment will have the administrative approval date of their case plan during the 6-month report period to determine if there was one during that time. This will be done at the end of each 6-month report period to identify the percentage updated as required.
Exit Criteria	N/A Internal Success

	Source/Criteria
L.J. Consent Decree	<p>LJ v. Massinga, Modified Consent Decree (MCD), pg. 14:</p> <p><u>Each Child Has a Case Plan that Guides the Permanency Plan:</u> Within sixty days of entering OHP, each child shall have a case plan that shall be updated and approved by an Internal review team at least once every six months and which shall guide the permanency plan for the child.</p> <p>a. Definitions:</p> <p>(1) A "case plan" must meet the requirements set forth in federal, state and local law, regulation, and policy.</p> <p>b. Internal Success Measures:</p> <p>(1) ...</p> <p>(2) Percent of children whose case plan was updated every six months.</p>
Federal Law & Reg (including CFSR)	42 U.S.C. § 675(5)(B)
	<p>As used in this part or part B of this subchapter:</p> <p>(5) The term "case review system" means a procedure for assuring that—</p> <p>...</p> <p>(B) the status of each child is reviewed periodically but no less frequently than once every six months by either a court or by administrative review (as defined in paragraph (6)) in order to determine the safety of the child, the continuing necessity for and appropriateness of the placement, the extent of compliance with the case plan, and the extent of progress which has been made toward alleviating or mitigating the causes necessitating placement in foster care, and to project a likely date by which the child may be returned to and safely maintained in the home or placed for adoption or legal guardianship, and, for a child for whom another planned permanent living arrangement has been determined as the permanency plan, the steps the State agency is taking to ensure the child's foster family home or child care institution is following the reasonable and prudent parent standard and to ascertain whether the child has regular, ongoing opportunities to engage in age or developmentally appropriate activities (including by consulting with the child in an age-appropriate manner about the opportunities of the child to participate in the activities);</p>
	45 C.F.R. § 1355.34(c)(2)(ii)

	<p>(c) Criteria related to title IV-E agency capacity to deliver services leading to improved outcomes for children and families. In addition to the criteria related to outcomes contained in paragraph (b) of this section, the title IV-E agency also must satisfy criteria related to the delivery of services. Based on information from the assessment and onsite review, the title IV-E agency must meet the following criteria for each systemic factor in paragraphs (c)(2) through (c)(7) of this section to be considered in substantial conformity: All of the plan requirements associated with the systemic factor must be in place, and no more than one of the plan requirements fails to function as described in paragraphs (c)(2) through (c)(7) of this section. . . .</p> <p>...</p> <p>(2) Case review system: The title IV-E agency has procedures in place that:</p> <p>...</p> <p>(ii) Provide for periodic review of the status of each child no less frequently than once every six months by either a court or by administrative review (sections 422(b)(8)(A)(ii), 471(a)(16) and 475(5)(C) of the Act);</p>
State Law	Family Law Art. § 5-525(h)
	(h) Administrative review. -- Unless a child has received a review from the local board of review of foster care under § 5-544 of this subtitle, the local department shall perform an administrative review every 6 months to determine the success of the efforts to meet the goals set out in the permanency plan or the agreement with the parents or guardians in voluntary placements.
	Courts and Judicial Proceedings Art. § 3-816.2(a)
	<p>(a) In general. --</p> <p>(1) Except as provided in subsection (b) of this section, the court shall conduct a hearing to review the status of each child under its jurisdiction within 6 months after the filing of the first petition under this subtitle and at least every 6 months thereafter.</p> <p>(2) At a review hearing under this section, the court shall:</p> <ul style="list-style-type: none"> (i) Evaluate the safety of the child; (ii) Determine the continuing necessity for and appropriateness of any out-of-home placement; (iii) Determine the appropriateness of and extent of compliance with the case plan for the child; (iv) Determine the extent of progress that has been made toward alleviating or mitigating the causes necessitating the court's jurisdiction; and (v) Project a reasonable date by which the child may be returned to and safely maintained in the home or placed for adoption or under a legal guardianship.
	Courts and Judicial Proceedings Art. § 3-823(h)(1)
	<p>(h) Periodic reviews. --</p> <p>(1)</p> <ul style="list-style-type: none"> (i) Except as provided in subparagraphs (ii) and (iii) of this paragraph, the court shall conduct a hearing to review the permanency plan at least every 6 months until commitment is rescinded or a voluntary placement is terminated.

State Regulations	COMAR 07.02.11.13
	<p>.13 Case Planning for Permanency.</p> <p>A. Within 60 days after removal, the local department, together with the child's parent or legal guardian, shall develop a written case plan for each child in out-of-home placement. The case plan shall include concurrent permanency plans, except as provided in §B of this regulation</p> <p>(B.)</p> <p>C. The case plan shall be reassessed within 120 days of the initial plan, and every 180 days after that.</p> <p>(D. – F.)</p>
SSA Policy	<p>SSA #10-21: Case Plan Documentation Clarification</p> <p>SSA #13-2: Case Planning/Concurrent Permanency Planning</p>
Other Relevant Standards or Requirements	N/A



LJ v. Massinga Reporting: Measure 23

Exit Criteria

Measure #	Measure
23	% of children for whom BCDSS reported to the child's parents, the parents' attorney, and the child's attorney, any intention to request a change in the permanency plan at least 10 days prior to the court review where the change would be requested
	Key Data
Source	Legal Services via court report (hand count)
Data	% of children for whom BCDSS reported to the child's parents, the parents' attorney, and the child's attorney, any intention to request a change in the permanency plan at least 10 days prior to the court review where the change would be requested
	Measure Calculation Method
Definition(s)	Any intention to request a change in the permanency plan must be reported to the child's parents, the parents' attorney and the child's attorney at least ten days prior to the court review, at which the change will be requested.
Denominator	All children in OHP who have a permanency plan that can be changed by the Court at the next scheduled review hearing
Numerator	All children for whom BCDSS reported to the child's parents, the parents' attorney, and the child's attorney, any intention to request a change in the permanency plan at least 10 days prior to the court review where the change would be requested.
Exclusion(s)	Voluntary placements; For purposes of this measure a report provided to the attorney for a represented parent will be presumed to be notice to the parent and only unrepresented parents will receive notice directly from BCDSS
Report Calculation Methodology	The measure will be used to produce the percentage for the reporting period.
Exit Criteria	N/A Internal Success

	Source/Criteria
L.J. Consent Decree	LJ Consent Decree (MCDT), 10/09/09, pgs. 14-15
	<p><i>4. Each Child Has a Case Plan that Guides the Permanency Plan</i></p> <p><i>a. Definitions</i></p> <p>(1.) ...</p> <p>(2) BCDSS must request that the permanency plan be changed promptly from reunification pursuant to the regulations, rules, guidelines, circular letters, and Standard Operating Procedures of BCDSS, the Social Services Administration ("SSA"), and DHR.</p> <p>(3) Any intention to request a change in the permanency plan must be reported to the child's parents, the parents' attorney and the child's attorney at least ten days prior to the court review, at which the change will be requested.</p> <p>(4. - 6.)...</p> <p><i>b. Internal Success Measures:</i></p> <p>(1. - 2.)...</p> <p>(3) Percent of children for whom BCDSS reported to the child's parents, the parents' attorney, and the child's attorney any intention to request a change in the permanency plan at least ten days prior to the court review where the change would be requested.</p>
Federal Law & Reg (Including CFR)	42 U.S.C. § 675(5)(C)
	<p>(5)The term "case review system" means a procedure for assuring that—</p> <p>...</p> <p>(C) with respect to each such child, . . . (ii) procedural safeguards shall be applied with respect to parental rights pertaining to the removal of the child from the home of his parents, to a change in the child's placement, and to any determination affecting visitation privileges of parents;</p>
State Law	Courts and Judicial Proceedings Art. § 3-823(d)
	<p>(d) Distribution of permanency plan. -- At least 10 days before the permanency planning hearing, the local department shall provide all parties and the court with a copy of the local department's permanency plan for the child.</p>

	Courts and Judicial Proceedings Art. § 3-826(a)(1)-(2)
	<p>(a) Reports prior to hearings. --</p> <p>(1) Unless the court directs otherwise, a local department shall provide all parties with a written report at least 10 days before any scheduled disposition, permanency planning, or review hearing under § 3-819 or § 3-823 of this subtitle.</p> <p>(2) The time requirements specified in paragraph (1) of this subsection do not apply to an emergency review placement hearing under § 3-820 of this subtitle.</p>
State Regulations	COMAR 07.02.11.13 - Case Planning for Permanency
	<p>(A. - D.)...</p> <p>E. Within 60 days following placement and whenever the plan is amended, or upon request, the local department shall give a copy of the permanency plan and service agreement to the:</p> <p style="padding-left: 40px;">(1) Child's parents or legal guardian; and</p> <p style="padding-left: 40px;">(2) Child or the child's attorney.</p> <p>(F.)...</p>
SSA Policy	N/A
Other Relevant Standards or Requirements	N/A



LJ v. Massinga Reporting: Measure 24

Exit Criteria

Measure #	Measure
24	90% of children had a case plan that was completed within 60 days of the child's entry into OHP and which was updated every six months
	Key Data
Source	CJAMS
Data	All children with an "out-of-home" program assignment are to have an initial administratively approved case plan at 60 days and then every 6 months.
	Measure Calculation Method
Definition(s)	Within 60 days of entry into OHP, 90% of the children have a completed and administratively approved case plan
Denominator	# of children with an OHP program assignment for at least 60 days from the date of removal
Numerator	# of children with an OHP program assignment for at least 60 days whose case plan is completed and administratively approved within the first 60 days
Exclusion(s)	Children under a Voluntary Placement Agreement Children in OHP less than 60 calendar days
Report Calculation Methodology	For all children with an "out-of-home" program assignment, the dates of each of their administratively approved case plans will be examined to determine if each child had plans at each of the required intervals since they entered care. This will be completed at the end of each 6-month report period to determine the percentage who had all of their case plans.
Exit Criteria	Compliance will be achieved when 90% of children had a case plan completed within 60 days of the child's entry into OHP and updated every six months
Definition 2	90% of all children in OHP for longer than 180 days have an updated and administratively approved case plan completed every six months
Unit of Analysis 2	Unique children's records

Denominator 2	# of children with an OHP program assignment for six or more months
Numerator 2	# of children in OHP for six months or more who have an updated and administratively approved case plan every six months
Exclusions 2	Children under a Voluntary Placement Agreement Children in OHP less than 180 calendar days
Report Calculation Methodology 2	The measure will calculate the percentage for the reporting period
Exit Criteria 2	Compliance will be achieved when 90% of children had a case plan completed within 60 days of the child's entry into OHP and updated every six months
Source/Criteria	
L.J. Consent Decree	LJ v. Massinga, Modified Consent Decree (MCD), pp. 11 and 14
	<p>According to the MCD, p.11,</p> <p>Preservation and Permanence</p> <p>(A. – B.)</p> <p>C. Definitions:</p> <p>(1)...</p> <p>2. The term "case plan" means the plan developed by BCDSS that identifies the child and family's needs and the services necessary to:</p> <ol style="list-style-type: none"> a. implement and achieve the child's permanency plan quickly; b. in the case of youth ages fourteen and over, successfully transition the child to independent living and self-sufficiency by age twenty-one; c. place promptly and maintain the child in the least restrictive appropriate placement type for that child's needs; and d. meet the child's needs for well-being, including health and education. <p>3. The term "permanency plan" includes all applicable permanency plans established for a child.</p> <p>4. "Families" means those families that come to the attention of DHR/BCDSS. "Family" includes immediate family and kinship arrangements.</p> <p>2. According to the LJ Modified Consent Decree (MCD), 10/9/09, p. 14</p> <p>"Each child has a Case Plan that guides the permanency plan: Within sixty days of entering OHP, each child will have a case plan that shall be updated</p>

	<p>and approved by an internal review team at least once every six months and which shall guide the permanency plan for the child.”</p> <p>a. Definitions:</p> <ol style="list-style-type: none"> 1. 2A “case plan” must meet the requirements set forth in federal, state and local law, regulation, and policy 2. The term “case plan” means the plan developed by BCDSS that identifies the child and family’s needs and the services necessary to:
<p>Federal Law & Reg (including CFR)</p>	<p>42 U.S.C. § 671(a)(16)</p>
	<p>(a) Requisite features of State plan</p> <p>In order for a State to be eligible for payments under this part, it shall have a plan approved by the Secretary which—</p> <p>...</p> <p>(16) provides for the development of a case plan (as defined in section 675(1) of this title and in accordance with the requirements of section 675a of this title) for each child receiving foster care maintenance payments under the State plan and provides for a case review system which meets the requirements described in sections 675(5) and 675a of this title with respect to each such child;</p>
	<p>42 U.S.C. § 675(5)(B)</p>
	<p>As used in this part or part B of this subchapter:</p> <p>(5) The term “case review system” means a procedure for assuring that—</p> <p>...</p> <p>(B) the status of each child is reviewed periodically but no less frequently than once every six months by either a court or by administrative review (as defined in paragraph (6)) in order to determine the safety of the child, the continuing necessity for and appropriateness of the placement, the extent of compliance with the case plan, and the extent of progress which has been made toward alleviating or mitigating the causes necessitating placement in foster care, and to project a likely date by which the child may be returned to and safely maintained in the home or placed for adoption or legal guardianship, and, for a child for whom another planned permanent living arrangement has been determined as the permanency plan, the steps the State agency is taking to ensure the child’s foster family home or child care institution is following the reasonable and prudent parent standard and to ascertain whether the child has regular, ongoing opportunities to engage in age or developmentally appropriate activities (including by consulting with the child in an age-appropriate manner about the opportunities of the child to participate in the activities);</p>
	<p>45 C.F.R. § 1356.21(g)(2)</p>

	<p>(g) Case plan requirements. In order to satisfy the case plan requirements of sections 471(a)(16), 475(1) and 475(5)(A) and (D) of the Act, the title IV-E agency must promulgate policy materials and instructions for use by staff to determine the appropriateness of and necessity for the foster care placement of the child. The case plan for each child must:</p> <p>....</p> <p>(2) Be developed within a reasonable period, to be established by the title IV-E agency, but in no event later than 60 days from the child's removal from the home pursuant to paragraph (k) of this section;</p>
State Law	Family Law Art. § 5-525(g)
	<p>(g) Preparation, notice, and amendment of permanency plan. --</p> <p>(1) The local department shall:</p> <ul style="list-style-type: none"> (i) prepare the permanency plan in writing within 60 days of the date the child comes into care; (ii) if the child is under the jurisdiction of the juvenile court, furnish the plan to the child's parents, the child or the child's counsel, and to the juvenile court; and (iii) maintain the plan in the agency's case record. <p>(2) The local department shall amend the plan promptly as necessary in light of the child's situation and any court orders which affect the child.</p>
	Family Law Art. § 5-525(h)
	<p>(h) Administrative review. -- Unless a child has received a review from the local board of review of foster care under § 5-544 of this subtitle, the local department shall perform an administrative review every 6 months to determine the success of the efforts to meet the goals set out in the permanency plan or the agreement with the parents or guardians in voluntary placements.</p>
	Courts and Judicial Proceedings Art. § 3-816.2(a)
	<p>(a) In general. --</p> <p>(1) Except as provided in subsection (b) of this section, the court shall conduct a hearing to review the status of each child under its jurisdiction within 6 months after the filing of the first petition under this subtitle and at least every 6 months thereafter.</p> <p>(2) At a review hearing under this section, the court shall:</p> <ul style="list-style-type: none"> (i) Evaluate the safety of the child; (ii) Determine the continuing necessity for and appropriateness of any out-of-home placement; (iii) Determine the appropriateness of and extent of compliance with the case plan for the child; (iv) Determine the extent of progress that has been made toward alleviating or mitigating the causes necessitating the court's jurisdiction; and (v) Project a reasonable date by which the child may be returned to and safely maintained in the home or placed for adoption or under a legal guardianship.

	Courts and Judicial Proceedings Art. § 3-823(h)(1)
	<p>(h) Periodic reviews. --</p> <p>(1)</p> <p>(i) Except as provided in subparagraphs (ii) and (iii) of this paragraph, the court shall conduct a hearing to review the permanency plan at least every 6 months until commitment is rescinded or a voluntary placement is terminated.</p>
State Regulations	COMAR 07.02.11.03
	<p>.03 Definitions:</p> <p>(10) "Case plan" means the document described in Regulation .13 of this chapter that includes:</p> <ul style="list-style-type: none"> (a) The reason the child entered care; (b) The reasonable efforts that were made to prevent placement or reasons why prevention efforts were not appropriate; (c) The identification of the concurrent permanency plans and projected timeframes for achievement of each plan; (d) Whether the placement is the least restrictive and whether safety issues are addressed; (e) The local department's efforts to achieve permanency for the child; (f) The extent to which the court's orders have been carried out; (g) The services offered to the parents or legal guardian; (h) The services delivered to the parents or legal guardian; (i) The extent to which the parents or legal guardian have participated in the development of a service agreement; and (j) The extent to which the parents or legal guardian have complied with the service agreement outlined in COMAR 07.02.11.
	COMAR 07.02.11.13
	<p>.13 Case Planning for Permanency.</p> <p>A. Within 60 days after removal, the local department, together with the child's parent or legal guardian, shall develop a written case plan for each child in out-of-home placement. The case plan shall include concurrent permanency plans, except as provided in §B of this regulation, and shall:</p> <ul style="list-style-type: none"> (1) Describe the circumstances that make placement necessary; (2) State with whom the child was living before placement and their relationship to the child; (3) Describe the efforts that were made but were unsuccessful in preventing or eliminating the need for removal from the child's home including the consideration of both in-State and out-of-State placement options, or why such efforts were not possible.

	<p>(B.)...</p> <p>C. The case plan shall be reassessed within 120 days of the initial plan, and every 180 days after that.</p> <p>D. The local department shall amend the case plan, as necessary, in light of the child's situation and of any court orders which affect the child.</p> <p>(E. - F.)...</p>
<p>SSA Policy</p>	<p>SSA #10-21: Case Plan Documentation Clarification</p> <p>SSA #13-2: Case Planning/Concurrent Permanency Planning</p>
<p>Other Relevant Standards or Requirements</p>	<p>N/A</p>



LJ v. Massinga Reporting: Measure 25

Internal Success

Measure #	Measure
25	% of Children ages 14 and over who had a transition plan for independence included the child's case plan and were timely receiving the services identified in the case plan.
	Key Data
Source	CJAMS
Data	All children with an "out-of-home" program assignment who are age 14 or older should have a youth transition plan documented in their case plan and updated with each case plan which is administratively approved.
	Measure Calculation Method
Definition(s)	<ul style="list-style-type: none"> "Transition plan" means an individualized written plan detailing the youth's preparations for transitioning from foster care to a satisfying, stable and productive life post-foster care exit "Case plan" is the equivalent of the Permanency Progress Plan in CJAMS
Denominator	# of children ages 14+ with an OHP program assignment for at least 60 days from the date of removal
Numerator	Youth in the denominator who have a an administratively approved youth transition plan documented in the case plan
Exclusion(s)	<p>Children under a Voluntary Placement Agreement</p> <p>Children in OHP less than 60 calendar days</p> <p>Children under age 14</p>
Report Calculation Methodology	All youth with an "out-of-home" program assignment who are at least 14 years old will have their administratively approved case plans examined to determine if they contained a youth transition plan and the date of the plan would be identified. This would be done at the end of each 6-month report period.
Exit Criteria	N/A Internal Success

The measurement of timely received services identified in the case plan is captured through QSR.	
Source/Criteria	
Denominator	Youth ages 14+ with a program assignment of OHP for 60 days or more
Numerator	# of children in OHP for six months or more who have an updated and administratively approved case plan every six months
Exclusions	Children under a Voluntary Placement Agreement Children in OHP less than 180 calendar days
Report Calculation Methodology 2	The measure will calculate the percentage for the reporting period
Exit Criteria 2	90% of children had a case plan that was completed within 60 days of the child's entry into OHP and which was updated every six months
Source/Criteria	
L.J. Consent Decree	LJ v. Massinga, Modified Consent Decree, pp. 14 and 15
	<p>5. <u>BCDSS Will Provide Services Consistent with a Comprehensive Plan to Prepare Youth in OHP for Independence</u>: Each child ages fourteen and over shall receive services, including independent living services, that are reasonably calculated to successfully transition the child to adulthood by age twenty-one.</p> <p style="padding-left: 40px;">a. Definitions:</p> <p style="padding-left: 80px;">(1) Each child ages fourteen and over shall have a plan for transition to independent living and self sufficiency.</p> <p style="padding-left: 80px;">(2) "Independent living services" means a continuum of learning opportunities, supports, and services to enable children in OHP to reach independence by age twenty-one.</p> <p style="padding-left: 80px;">(3. - 6.)</p> <p style="padding-left: 40px;">b. Internal Success Measures:</p> <p style="padding-left: 80px;">(1) Percent of children ages fourteen and over who had a transition plan for independence included in the child's case plan and were timely receiving the services identified in the case plan.</p>

Federal Law & Reg (including CFSR)	N/A
State Law	N/A
State Regulations	COMAR 07.02.10.04 Program Requirements
	<p>A. Youth transitional services shall be made available to all eligible youth and shall include the following components:</p> <ul style="list-style-type: none"> (1. – 2.) (3) Case plan; (4) Transition plan
	COMAR 07.02.10.08 Service Agreement and Transition Plan
	<p>(A. – C.)</p> <p>D. Youth Transition Plan.</p> <ul style="list-style-type: none"> (1) The caseworker shall prepare a youth for the development of a transition plan 120 days prior to the youth's 14th birthday. (2) Once a youth in out-of-home placement reaches the age of 14, the caseworker shall work with the youth to develop an individualized transition plan. (3) For youth 14 years and older, the transition plan shall be updated at least every 180 days. (4) Except as applicable in §D(5) of this regulation, the transition plan shall be finalized 90 days prior to the youth's 18th birthday. (5) For youth 18 to 21 years old, a transition plan shall be updated at least every 180 days and shall be finalized 90 days prior to the youth attaining the age of 21 or exiting care. (6) The youth transition plan shall be: <ul style="list-style-type: none"> (a) Personalized at the direction of the youth; and (b) Detailed with regard to choices and options in: <ul style="list-style-type: none"> (i) Housing; (ii) Health insurance;

	<p>(iii) Education;</p> <p>(iv) Opportunities for mentors and support services;</p> <p>(v) Employment; and</p> <p>(vi) Health, including: mental health, sexual health and family planning; and directives concerning decision making if the youth becomes unable to make healthcare decisions.</p> <p>(7) The youth transition plan shall be documented in the case plan and incorporated in the permanency hearings.</p>
SSA Policy	SSA Policy Directive 19-04 (2/20): CW – Youth Transition Plan
	SSA Policy Directive 11-16 (2/20): Youth Transition Plan
	Ready By21 Manual – March, 2017
Other Relevant Standards or Requirements	N/A



LJ v. Massinga Reporting

QSR Measures 25



LJ v. Massinga Reporting: Measure 26

Internal Success

Measure #	Measure
26	% of emancipated youth who reported receiving services designed to prepare them for independence.
	Key Data
Source	Maryland's Ready by 21 Survey and entered into CJAMS
Data	Each youth who exited care due to aging out is to complete the Ready by 21 survey which will then be entered in the assessment section for that youth.
	Measure Calculation Method
Definition(s)	Each child ages fourteen and over shall have a plan for transition to independent living and self-sufficiency.
Denominator	Emancipated Youth who exited care during the reporting period and responded to the survey
Numerator	Emancipated Youth who exited care during the reporting period, responded to the survey, and reported receiving services designed to prepare them for independence.
Exclusion(s)	Youth who left care but were not emancipated Youth who did not complete the survey
Report Calculation Methodology	Each youth who exited care due to aging out during the 6-month reporting period is expected to complete the Ready by 21 survey located in the assessment section. The results from these surveys will be reviewed at the end of each 6-month reporting period to determine what services were provided.
Exit Criteria	N/A Internal Success

	Source/Criteria
L.J. Consent Decree	LJ v. Massinga, Modified Consent Decree (MCD), pp. 15 and 16
	<p>D. Outcomes:</p> <p>(1. – 4.)</p> <p>5. BCDSS Will Provide Services Consistent with a Comprehensive Plan to Prepare Youth in OHP for Independence: Each child ages fourteen and over shall receive services, including independent living services, that are reasonably calculated to successfully transition the child to adulthood by age twenty-one.</p> <p>a. Definitions:</p> <p>(1) Each child ages fourteen and over shall have a plan for transition to independent living and self-sufficiency.</p>
Federal Law & Reg (including CFR)	42 U.S.C. § 675(1)(D)
	<p>As used in this part or part B of this subchapter:</p> <p>(1) The term "case plan" means a written document which meets the requirements of section 675a of this title and includes at least the following:</p> <p>....</p> <p>(D) For a child who has attained 14 years of age or over, a written description of the programs and services which will help such child prepare for the transition from foster care to a successful adulthood.</p>
	42 U.S.C. § 675(5)(H), (I)
	<p>As used in this part or part B of this subchapter:</p> <p>....</p> <p>(5) The term "case review system" means a procedure for assuring that—</p> <p>....</p>

	<p>(H) during the 90-day period immediately prior to the date on which the child will attain 18 years of age, or such greater age as the State may elect under paragraph (8)(B)(iii), whether during that period foster care maintenance payments are being made on the child's behalf or the child is receiving benefits or services under section 677 of this title, a caseworker on the staff of the State agency, and, as appropriate, other representatives of the child provide the child with assistance and support in developing a transition plan that is personalized at the direction of the child, includes specific options on housing, health insurance, education, local opportunities for mentors and continuing support services, and workforce supports and employment services, includes information about the importance of designating another individual to make health care treatment decisions on behalf of the child if the child becomes unable to participate in such decisions and the child does not have, or does not want, a relative who would otherwise be authorized under State law to make such decisions, and provides the child with the option to execute a health care power of attorney, health care proxy, or other similar document recognized under State law, and is as detailed as the child may elect;</p> <p>(I) each child in foster care under the responsibility of the State who has attained 14 years of age receives without cost a copy of any consumer report (as defined in section 1681a(d) of title 15) pertaining to the child each year until the child is discharged from care, receives assistance (including, when feasible, from any court-appointed advocate for the child) in interpreting and resolving any inaccuracies in the report, and, if the child is leaving foster care by reason of having attained 18 years of age or such greater age as the State has elected under paragraph (8), unless the child has been in foster care for less than 6 months, is not discharged from care without being provided with (if the child is eligible to receive such document) an official or certified copy of the United States birth certificate of the child, a social security card issued by the Commissioner of Social Security, health insurance information, a copy of the child's medical records, and a driver's license or identification card issued by a State in accordance with the requirements of section 202 of the REAL ID Act of 2005, and any official documentation necessary to prove that the child was previously in foster care.</p>
	<p>42 U.S.C. § 677(a)</p>
	<p>(a) Purpose</p> <p>The purpose of this section is to provide States with flexible funding that will enable programs to be designed and conducted—</p> <p>(1) to support all youth who have experienced foster care at age 14 or older in their transition to adulthood through transitional services such as assistance in obtaining a high school diploma and post-secondary education, career exploration, vocational training, job placement and retention, training and opportunities to practice daily living skills (such as financial literacy training and driving instruction), substance abuse prevention, and preventive health activities (including smoking avoidance, nutrition education, and pregnancy prevention);</p> <p>(2) to help children who have experienced foster care at age 14 or older achieve meaningful, permanent connections with a caring adult;</p>

	<p>(3) to help children who have experienced foster care at age 14 or older engage in age or developmentally appropriate activities, positive youth development, and experiential learning that reflects what their peers in intact families experience;</p> <p>(4) to provide financial, housing, counseling, employment, education, and other appropriate support and services to former foster care recipients between 18 and 21 years of age (or 23 years of age, in the case of a State with a certification under subsection (b)(3)(A)(ii) to provide assistance and services to youths who have aged out of foster care and have not attained such age, in accordance with such subsection) to complement their own efforts to achieve self-sufficiency and to assure that program participants recognize and accept their personal responsibility for preparing for and then making the transition from adolescence to adulthood;</p> <p>(5) to make available vouchers for education and training, including postsecondary training and education, to youths who have aged out of foster care;</p> <p>(6) to provide the services referred to in this subsection to children who, after attaining 16 years of age, have left foster care for kinship guardianship or adoption; and</p> <p>(7) to ensure children who are likely to remain in foster care until 18 years of age have regular, ongoing opportunities to engage in age or developmentally-appropriate activities as defined in section 675(11) of this title.</p>
<p>State Law</p>	<p>Family Law Art. § 5-525(j)(7), (k)</p>
	<p>(j) Rules and regulations. -- The Administration shall adopt regulations that:</p> <p>...</p> <p>(7) ensure that all children in foster care who are at least 18 years of age have a birth certificate, a Social Security card, health insurance information, medical records, and a driver's license or State-issued identification card at emancipation.</p> <p>(k) Providing information annually to children 13 years old and older. --</p> <p>(1) At least one time each year, the Administration shall provide to a child in an out-of-home placement who is at least 13 years old information regarding benefits available to the child on leaving out-of-home care.</p> <p>(2) The information provided under paragraph (1) of this subsection shall include information regarding tuition assistance, health care benefits, housing, job training and internship opportunities, and the right to reenter care and procedures for reentering care under subsection (b)(3) of this section.</p> <p>(3) The Administration may provide to the child the information required under paragraph (1) of this subsection:</p> <p style="padding-left: 40px;">(i) at a permanency planning hearing or review hearing held in accordance with § 3-823 of the Courts Article; or</p> <p style="padding-left: 40px;">(ii) by certified mail.</p>
	<p>Family Law Art. § 5 527.1(c)</p>

	<p>(c) Responsibilities of Department as representative payee or fiduciary. -- Consistent with federal law, when the Department serves as the representative payee or in any other fiduciary capacity for a child receiving Veterans Administration benefits, Supplemental Security Income, or Social Security benefits, the Department shall:</p> <p>(1) use or conserve the benefits in the child's best interest, . . .</p> <p>...</p> <p>(5) provide an annual accounting to the child and the child's attorney of how the child's resources, including Veterans Administration benefits, Supplemental Security Income, and Social Security benefits, have been used or conserved in accordance with this section; and</p> <p>(6) provide the child with financial literacy training when the child has attained the age of 14 years.</p>
	<p>Courts and Judicial Proceedings Art. § 3-816.1(b)(2)(ii)-(iii)</p>
	<p>(b) Findings required. --</p> <p>....</p> <p>(2) In a review hearing conducted in accordance with § 3-823 of this subtitle or § 5-326 of the Family Law Article, the court shall make a finding whether a local department made reasonable efforts to:</p> <p>...</p> <p>(ii) Meet the needs of the child, including the child's health, education, safety, and preparation for independence; and</p> <p>(iii) For a child who is at least 18 years of age:</p> <ol style="list-style-type: none"> 1. Before the child is emancipated, enroll the child in health insurance that will continue after the child is emancipated; 2. Before the child is emancipated, screen the child for eligibility for public benefits and assist the child with applications for public benefits; 3. Work with appropriate individuals to establish a plan for stable housing that is reasonably expected to remain available to the child for at least 12 months after the date of emancipation; and 4. Work with appropriate individuals to engage the child in education, training, or employment activities that will prepare the child to have appropriate and sufficient income to live independently after emancipation.
	<p>Courts and Judicial Proceedings Art. § 3-823(e)(1)(ii)</p>
	<p>(e) Determinations to be made at hearing. --</p> <p>(1) At a permanency planning hearing, the court shall:</p> <p>....</p> <p>(ii) For a child at least 14 years old, determine the services needed to assist the child to make the transition from placement to successful adulthood.</p>
<p>State Regulations</p>	<p>COMAR 07.02.10.04</p>

	<p>.04 Program Requirements. A. Youth transitional services shall be made available to all eligible youth and shall include the following components: (1. – 2.) (3) Case plan; (4) Transition plan;</p>
	<p>COMAR 07.02.10.08</p>
	<p>(A. – C.) D. Youth Transition Plan.</p> <p>(1) The caseworker shall prepare a youth for the development of a transition plan 120 days prior to the youth's 14th birthday.</p> <p>(2) Once a youth in out-of-home placement reaches the age of 14, the caseworker shall work with the youth to develop an individualized transition plan.</p> <p>(3) For youth 14 years and older, the transition plan shall be updated at least every 180 days.</p> <p>(4) Except as applicable in §D(5) of this regulation, the transition plan shall be finalized 90 days prior to the youth's 18th birthday.</p> <p>(5) For youth 18 to 21 years old, a transition plan shall be updated at least every 180 days and shall be finalized 90 days prior to the youth attaining the age of 21 or exiting care.</p> <p>(6) The youth transition plan shall be:</p> <p> (a) Personalized at the direction of the youth; and</p> <p> (b) Detailed with regard to choices and options in:</p> <p> (i) Housing;</p> <p> (ii) Health insurance;</p> <p> (iii) Education;</p> <p> (iv) Opportunities for mentors and support services;</p> <p> (v) Employment; and</p> <p> (vi) Health, including: mental health, sexual health and family planning; and directives concerning decision making if the youth becomes unable to make healthcare decisions.</p>

	(7) The youth transition plan shall be documented in the case plan and incorporated in the permanency hearings.
SSA Policy	SSA-CW 19-4: Maryland Youth Transition Plan SSA 11-16: Maryland Youth Transition Plan Ready By 21 Manual (July 2016)
Other Relevant Standards or Requirements	N/A



LJ v. Massinga Reporting

QSR Measures 27



LJ v. Massinga Reporting: Measure 28

Internal Success

Measure #	Measure
28	Number of youth, ages eighteen to twenty-one, who exited OHP through rescission.
	Key Data
Source	Legal Services Records maintained by the Deputy Director of Legal Services
Data	Number of youth ages eighteen to twenty-one who exited OHP through rescission.
	Measure Calculation Method
Definition(s)	<ul style="list-style-type: none"> “Rescission” means a court action terminating the child’s commitment to the Agency, and the end of the episode of OHP. <p>NOTE: BCDSS shall retain custody of each child not adopted or placed in the custody and guardianship of a third party until age twenty-one and shall maintain the transition plan for each child. The parties agree that within three months from the Court’s entry of an Order approving this Consent Decree, BCDSS may propose and the parties shall negotiate in good faith possible changes to this definition.</p>
Denominator	The number of youth ages eighteen to twenty-one who exited OHP through rescission
Numerator	N/A Numerical count only
Exclusion(s)	N/A
Report Calculation Methodology	The number will be tracked monthly and compiled at the end of the 6 month reporting period.
Exit Criteria	N/A Internal Success

	Source/Criteria
L.J. Consent Decree	LJ v. Massinga, Modified Consent Decree (MCD), pp. 15 and 16
	<p>a. Definitions:</p> <p>(1. - 3.)</p> <p>(4) BCDSS shall retain custody of each child not adopted or placed in the custody and guardianship of a third party until age twenty-one, and shall maintain the transition plan for each child. The parties agree that within three months from the Court's entry of an Order approving this Consent Decree, BCDSS may propose and the parties shall negotiate in good faith possible changes to this definition.</p> <p>Internal Success Measures:</p> <p>(1. - 3.)...</p> <p>(4) Number of youth, ages eighteen to twenty-one, who exited OHP through rescission.</p>
Federal Law & Reg (including CFR)	N/A
State Law	Family Law Art. § 5-525(b)(3)(i)
	<p>(b) Established. --</p> <p>....</p> <p>(3) (i) The Administration shall establish a program of out-of-home placement for former CINAs:</p> <ol style="list-style-type: none"> 1. whose commitment to a local department was rescinded after the individuals reached the age of 18 years but before the individuals reached the age of 20 years and 6 months; and 2. who did not exit foster care due to reunification, adoption, guardianship, marriage, or military duty.
State Regulations	N/A
SSA Policy	N/A
Other Relevant Standards or Requirements	N/A



LJ v. Massinga Reporting: Measure 29

Exit Criteria

Measure #	Measure
29	90% of children ages 14 and over had a transition plan included in the child's case plan and timely received the services identified in the case plan.
	Key Data
Source	CJAMS
Data	All children with an "out-of-home" program assignment who are age 14 or older should have a youth transition plan documented in their case plan and updated with each case plan which is administratively approved.
	Measure Calculation Method
Definition(s)	<ul style="list-style-type: none"> "Transition plan" means an individualized written plan detailing the youth's preparations for transitioning from foster care to a satisfying, stable and productive life post-foster care exit and documented in the case plan/permanency progress plan "Case plan" is the equivalent of the Permanency Progress Plan in CJAMS
Denominator	Youth ages 14+ with a program assignment of OHP for 60 days or more
Numerator	Youth in the denominator who have a youth transition plan documented in the case plan as evidenced by administrative approval of the plan
Exclusion(s)	<p>Children under the age of 14</p> <p>Youth age 14 or older who have not yet been in care for 60 days</p> <p>Voluntary Placement for Disabilities</p>
Report Calculation Methodology	All youth with an "out-of-home" program assignment who are at least 14 years old will have their administratively approved case plans examined to determine if they contained a youth transition plan and the date of the plan would be identified. This would be done at the end of each 6-month report period.
Exit Criteria	Compliance will be achieved when 90% of children ages 14 and over have a transition plan included in the case plan/permanency progress review, and timely received the services identified in the case plan/permanency progress review.

The measurement of timely received services identified in the case plan is captured through QSR.	
Source/Criteria	
L.J. Consent Decree	LJ v. Massinga, Modified Consent Decree (MCD), pp. 15 and 16
	<p>5. <u>BCDSS Will Provide Services Consistent with a Comprehensive Plan to Prepare Youth in OHP for Independence</u>: Each child ages fourteen and over shall receive services, including independent living services, that are reasonably calculated to successfully transition the child to adulthood by age twenty-one.</p> <p>a. Definitions:</p> <p>(1) Each child ages fourteen and over shall have a plan for transition to independent living and self-sufficiency.</p> <p>(2) "Independent living services" means a continuum of learning opportunities, supports, and services to enable children in OHP to reach independence by age twenty-one.</p> <p>(3. - 6.)</p> <p>b. Internal Success Measures:</p> <p>(1) Percent of children ages fourteen and over who had a transition plan for independence included in the child's case plan and were timely receiving the services identified in the case plan.</p>
Federal Law & Reg (including CFR)	N/A
State Law	N/A
State Regulations	COMAR 07.02.10.04 Program Requirements
	<p>A. Youth transitional services shall be made available to all eligible youth and shall include the following components:</p> <p>(1. - 2.)</p> <p>(3) Case plan;</p> <p>(4) Transition plan</p>
	COMAR 07.02.10.08 Service Agreement and Transition Plan
	<p>(A. - C.)</p> <p>D. Youth Transition Plan.</p> <p>(1) The caseworker shall prepare a youth for the development of a transition plan 120 days prior to the youth's 14th birthday.</p>

	<p>(2) Once a youth in out-of-home placement reaches the age of 14, the caseworker shall work with the youth to develop an individualized transition plan.</p> <p>(3) For youth 14 years and older, the transition plan shall be updated at least every 180 days.</p> <p>(4) Except as applicable in §D (5) of this regulation, the transition plan shall be finalized 90 days prior to the youth's 18th birthday.</p> <p>(5) For youth 18 to 21 years old, a transition plan shall be updated at least every 180 days and shall be finalized 90 days prior to the youth attaining the age of 21 or exiting care.</p> <p>(6) The youth transition plan shall be:</p> <ul style="list-style-type: none"> (a) Personalized at the direction of the youth; and (b) Detailed with regard to choices and options in: <ul style="list-style-type: none"> (i) Housing; (ii) Health insurance; (iii) Education; (iv) Opportunities for mentors and support services; (v) Employment; and (vi) Health, including: mental health, sexual health and family planning; and directives concerning decision making if the youth becomes unable to make healthcare decisions. <p>(7) The youth transition plan shall be documented in the case plan and incorporated in the permanency hearings.</p>
SSA Policy	SSA Policy Directive 19-04 (2/20): CW – Youth Transition Plan
	SSA Policy Directive 11-16 (2/20): Youth Transition Plan
	Ready By21 Manual – March, 2017
Other Relevant Standards or Requirements	N/A



LJ v. Massinga Reporting

QSR Measures 29