



# LOS ANGELES COUNTY COMMISSION FOR CHILDREN AND FAMILIES

Kimberly A. Foster  
Executive Director

**COMMISSIONERS:**  
CAROL O. BIONDI  
PATRICIA CURRY, VICE CHAIR  
ANN FRANZEN  
SUSAN F. FRIEDMAN  
HELEN A. KLEINBERG  
DR. LA-DORIS MCCLANEY  
REV. CECIL L. MURRAY  
STEVEN M. OLIVAS, ESQ, VICE CHAIR  
TINA PEDERSEN, LCSW, VICE CHAIR  
MARTHA TREVINO POWELL  
SANDRA RUDNICK  
STACEY SAVELLE  
ADELINA SORKIN, LCSW/ACSW, CHAIR  
DR. HARRIETTE F. WILLIAMS

## APPROVED MINUTES

The General Meeting of the Commission for Children and Families was held on Monday, **September 21, 2009**, in Room 739 of the Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles. **Please note that these minutes are intended as a summary and not as a verbatim accounting or transcription of events at this meeting.**

### **COMMISSIONERS PRESENT (Quorum Established)**

Carol O. Biondi	Tina Pedersen, LCSW
Patricia Curry	Martha Trevino Powell
Ann Franzen	Sandra Rudnick
Susan Friedman	Adelina Sorkin, LCSW/ACSW
Helen Kleinberg	Dr. Harriette F. Williams
Dr. La-Doris McClaney	

### **COMMISSIONERS ABSENT (Excused/Unexcused)**

Rev. Cecil Murray	Stacey Savelle
Steven M. Olivas, Esq.	

#### **I. CALL TO ORDER**

The meeting was called to order by Chair Sorkin.

#### **II. INTRODUCTIONS**

Self introductions were made.

#### **III. APPROVAL OF AGENDA**

##### **Action**

Motion by Commissioner McClaney, seconded by Commissioner Williams, the Agenda for September 21, 2009 was unanimously approved.

**IV. APPROVAL OF MINUTES**

- **August 17, 2009**

**Action**

Motion by Commissioner Franzen, seconded by Commissioner McClaney, the Minutes for August 17, 2009 were unanimously approved.

Commissioner Kleinberg expressed concern about a statement made in the August 3, 2009 Commission Minutes (page 3, last paragraph) that gives the impression that the Commission would take a position contrary to the Board of Supervisors. Though these Minutes have been approved, Commissioner Kleinberg requested a clarification statement indicating the Commission would not take a position contrary to the Board of Supervisors.

**V. CHAIR'S REPORT**

- **Action to Cancel October 19, 2009 Regular Commission Meeting and Schedule a Special Commission Meeting**

Prior to the vote on the Motion, Chair Sorkin reported that the Commission Retreat has been rescheduled from November 2, 2009 to October 19, 2009. She also stated due the change in venue from the Regular Commission Meeting location (Hahn Hall of Administration, Room 739) to the Estate of Commissioner McClaney, action is required to schedule a Special Commission Meeting. Chair Sorkin expressed her appreciation to Commissioner McClaney for hosting the Commission's Retreat.

**Action**

Motion by Commissioner Rudnick, seconded by Commissioner Williams, to cancel the Regular Commission Meeting on October 19, 2009 and schedule a Special Commission Meeting on October 19, 2009 was unanimously approved.

Chair Sorkin informed the Commission that since the last Commission meeting, she met with DCFS Director Trish Ploehn, Executive Officer Sachi Hamai, Chief Deputy Executive Officer Patrick Ogawa, Deputy Executive Officer Don Ashton, and Commission Services Division Chief, Sandra Barbee to discuss the Commission's 50% budget reduction. Chair Sorkin informed the Commission that 100% of the Commission's funding allocation comes from DCFS. As a result of this reduction, the Commission will no longer have two dedicated staff members. Effective October 1, 2009, staff support for the Commission will be provided by the Commission Services Division of the Executive Office of the Board.

Chair Sorkin introduced Don Ashton, Sandra Barbee, and Martha Arana as the new contacts in the Commission Services Division and the Executive Office. Chair Sorkin also expressed appreciation to Patrick Ogawa for his working with her for the past two years.

Commissioner Kleinberg inquired whether the DCFS Liaison will be interacting with Ms. Arana or the Chair or both. She also voiced concerns regarding the workload of the Chair without an Executive Director. Commissioner Curry informed the Commission that when she and the Chair met with Ms. Hamai and the Commission Services administration, there

was the assurance that the Commission would receive support. The details will be worked out.

Chair Sorkin stated that DCFS has assumed responsibility for placing the current Commission Office staff within DCFS and their last day with the Commission will be September 30, 2009. Commissioner Rudnick expressed her appreciation to Kimberly Foster and Cynthia Ocampo for their work and assistance to the Commission.

## **VI. COMMITTEE REPORTS**

### **• Presentation of 2009-2010 Commission Nomination Slate**

Commissioner Trevino Powell, Chair of the Nomination Committee announced the results of the polling of the Commissioners for the 2009-2010 election. Commissioner Powell informed the Commission that each Commissioner was verbally contacted and polled for the position of Chair and Vice Chair. She reported that the nominee for Chair is Vice Chair Curry. The nominees for Vice Chair are Commissioners' Stacey Savelle, Susan Friedman, and Steven Olivas. The Commission Election will take place at the next Commission Meeting on October 5, 2009.

Commissioner Williams inquired whether the vote could be taken today regarding the number of Vice Chairs. After consulting with County Counsel, it was determined that this action was not on the agenda. Therefore, the vote to determine the number of Vice Chairs will be taken prior to the election at our next meeting.

Vice Chair Curry presented a plaque to Chair Sorkin in appreciation for her two years as Commission Chair.

## **VII. DIRECTOR'S REPORT**

DCFS Director Trish Ploehn stated that as a result of the recent media reports regarding child deaths, there was a Motion on August 4, 2009 by Supervisor Molina, followed by Motions by Supervisors Antonovich, Ridley-Thomas, and Yaroslavsky, requesting reports on Child Safety. The Board then directed the CEO to combine the various reports requested by the Supervisors into one report, which will be presented to the Board on September 29, 2009. Included in the Child Safety Report to the Board will be the Safety Enhancement Plan, which DCFS has been working on for the past year.

Director Ploehn shared some findings regarding data related to the number of child deaths for children in out-of-home care and DCFS' efforts in keeping or returning children to their own homes. She stated that in 1998, when there were the most children in out of home care (50,000), there were 40 deaths due to child abuse and neglect and 20 with a history in DCFS. In 2008, there were 30,000 children in care and 32 deaths due to child abuse and neglect and 14 with a previous history in DCFS. The data indicates when there were more children in care; there were more deaths due to child abuse and neglect. Additionally, the data indicates there is no correlation between DCFS efforts to keep or return children to their own homes and the number of child deaths.

With the passage of SB 39, which became effective on January 1, 2008, more information is accessible to the public. In addition, there has been more media attention.

DCFS is focusing on outcomes for children and keeping children with their families and not in out-of-home care. They are ensuring that children are safe when it is determined they can return home. In addition, DCFS is developing strategies to improve their approach around safety from the first to the last contact with the department.

In the Child Safety Report to the Board, the Safety Enhancement Plan will include the following components:

- Emergency Response (ER) Training Academy - This will be in conjunction with law enforcement and began in August 2009.
- ER Referral Audit - Prior history in County Departments will be reviewed, as well as lessons learned from law enforcement. All available information will be reviewed and the levels of risk for the family will be determined.
- Joint Response with Law Enforcement - The department will partner with law enforcement in responding to calls.
- Enhancement of the Family & Children's Index (FCI) - The department is meeting with the State around legislative reform and confidentiality issues.
- Safe Measures automated system - Director Ploehn will be demonstrating this new automated system at the Board meeting on September 29, 2009, which will flag families with multiple ER referrals.
- Management and Supervisor Accountability - They are also working on increasing management and supervisor accountability by having managers and supervisors accompany the Social Workers on home calls.
- Proposal to Expand Medical HUBs – There are currently seven medical HUBs with the capacity to serve 70% of the children currently in the system. The cost to expand service to 100% of the children in care is approximately \$9.1 million, which would include a proposal for a triage system. The cost to expand the triage system alone is approximately \$1.6 million.

The Commission was also informed that Director Ploehn and Dr. Southard recently released a joint memo to both of their staffs indicating that DMH and DCFS will be working in co-located offices and how they will be consulting on both adults and children. In her presentation to the Board, Director Ploehn will include more information on how this collaboration will work.

Vice Chair Curry asked if a copy of the Child Safety Report could be provided to the Commission and requested clarification regarding the statistics Director Ploehn shared regarding child deaths. Vice Chair Curry expressed concern that by looking at the numbers, the percentages do not appear to prove the conclusion presented. Director Ploehn stated that the point she is attempting to make regarding the child deaths is the issue of children being returned or remaining in their homes as the cause of the child deaths. Director Ploehn also stated that the Child Safety Report has been filed and is available to the Commission.

Commissioner Kleinberg inquired if in DCFS's evaluation of the 14 child deaths in 2008, the problem was found to be in the investigation process. Director Ploehn acknowledged that errors were made in the investigation process and the implementation of existing policies. Commissioner Kleinberg proposed that there might be a violence component that

was possibly missed during the investigation; and the lack of a treatment plan when these issues were found. Director Ploehn stated that three major factors of child abuse and neglect are domestic violence, substance abuse, and mental health issues. She stated that information is not always available to the Social Workers on these issues and the Family and Children's Index (FCI) will be a way for Social Workers to see past involvements with County Departments. She also stated that immediate treatment is critical.

Chair Sorkin inquired how many of the 14 child deaths had Structured Decision Making (SDM) completed. Director Ploehn stated that a Safety SDM is conducted on all referrals. In addition, Risk Assessment SDMs are now being done.

Commissioner Friedman inquired if looking at the number of prior referrals and potential risk factors came about as a result of investigating the 14 child deaths or as a result of the ER Referral Audit. Director Ploehn stated that the attention to the prior referrals and risk factors resulted from both the ER Referral Audit and the investigation of the child deaths. Commissioner Friedman also requested to see the Reports to the Board on the 14 child deaths. Director Ploehn stated that there have been two reports submitted to the Board on the child deaths, which are available to the Commission. Chair Sorkin reiterated that in the August 17, 2009 Commission Minutes, it was stated that the child death reports would be made available to the Commission. Cassandra Turner, DCFS Commission Liaison, was asked to forward the requested reports to the Commission Executive Director on child deaths along with the Report on Child Safety to the Commission office.

Commissioner Biondi inquired if the Probation Department will be included in DCFS and DMH efforts on child safety. She stated that Supervisor Burke made a motion about a year ago instructing Probation to investigate deaths in facilities and search for AWOLs. Director Ploehn informed the Commission that Supervisor Ridley-Thomas made a motion last week referring to Supervisor Burke's motion and has requested an update.

Vice Chair Pedersen inquired about the recruitment of professional Social Workers and the status of the Department's continued efforts to hire Masters of Social Work (MSWs). Director Ploehn stated that the only program required by law to hire MSWs is Adoptions and they hire most of the available MSWs. She stated that all Social Workers have a Bachelors Degree and they hire as many MSWs as possible. They are also looking at different ways of utilizing MSW staff in front end assignments rather than secondary or specialized assignments.

Chair Sorkin inquired how information on prior referrals with other County Departments will be put in place. Director Ploehn stated that the FCI will provide this information and currently there are three departments actively on the system: DCFS, the District Attorney and the Sheriffs Department. However, 90% of the time the only information on the system is DCFS information. She stated that the Board of Supervisors is going to begin to authorize and then mandate other departments to use the system. Director Ploehn also stated that they are working with the State on changing the Multi-Disciplinary Team from three to two people and possibly standardizing the two people for the FCI.

Vice Chair Pedersen inquired if the FCI will include contact information making it possible for the Social Worker to obtain a release of information, if appropriate. Director Ploehn

stated that the FCI is merely a pointer system that does not include any actual case information. A contact to request information will be included and the case will need to be pulled, etc. Director Ploehn stated that she hopes in the future, they will be able to have a data mark that would include the actual information.

Vice Chair Curry inquired who the Chief Information Office (CIO) lead person is for the FCI and other general automated systems. Director Ploehn stated that Rick Sanchez is the CIO lead.

Commissioner Franzen suggested that Director Ploehn inform the Commission about the event the two of them attended on Saturday. Director Ploehn stated that she attended the Focus on the Family function at the Calvary Chapel in Downey. This was an adoption recruitment event for families who would consider adopting either siblings or older children. She also stated that with over 1,000 people in attendance and many people who signed up as interested persons, the event was very successful.

#### **Follow-Up**

DCFS Liaison Cassandra Turner will provide the reports submitted to the Board on the 14 child deaths and the Report on Child Safety that will be presented to the Board on September 29, 2009.

### **VIII. PRESENTATION – ALLIANCE FOR CHILDREN’S RIGHTS**

Laura Streimer and Lara Holtzman of the Alliance for Children’s Rights gave a brief overview of the legal services that the Alliance provides for foster children aging out of care through the Next Steps Program. The focus of their presentation was on the recent Los Angeles Times article regarding children exiting foster care without birth certificates or other forms of identification.

There is a law, the Welfare and Institutions (W&I) Code Section 391, which requires the County to provide documents including birth certificates before youth exit County services. DCFS has recently updated their policy and released an FYI notice reminding Social Workers of the law to provide birth certificates. However, the Alliance is concerned that this law will not be enough and that it places an unrealistic burden on the County.

As a result of not having their vital records (birth certificate), when youth age out they are unable to obtain a Social Security Card, California Identification, obtain legal employment, enroll in school, open a bank account, or apply for financial aid, Social Security Income (SSI), and Native Americans can not register with their tribe to receive benefits. In addition, aging out youth cannot apply for County services such as the Independent Living Program (ILP) or Transitional Housing.

The Alliance indicated that there are different types of cases involving children without a birth certificate: those aging out of foster care, those leaving the system at a young age to legal guardianship, and youth aging out of Probation facilities. Since W&I Code Section 391 only pertain to youth emancipating out of foster care, there is a need for broader legislation that includes all circumstances. At times, there is also a need to create birth certificates (Delayed Registration of Birth) when they don't exist. Creating a Delayed Registration of Birth involves having the parents and 2 witnesses over 5 years old verify the birth and submitting the form to the Department of Vital Records. If for some reason the form is incomplete, it will be rejected and it could take several months to complete the process. A better and expedited process is to request a Verified Fact of Birth through the Court that requires some documentary evidence. Once submitted to the Department of Vital Records, it can take two months to receive. However, this process requires an Attorney and cannot be completed by the youth or the Social Worker alone.

The Alliance stated that at the same time they are at Court for the Delayed Registration of Birth, they also request an Order of Identity. Any Court or Judge can provide the Order of Identity, which can be immediately taken to the DMV to obtain a California ID. This can be done by a paralegal that works across both Dependency and Delinquency Courts.

The Alliance stated that vigilance is required to identify the lack of a birth certificate at the earliest point, which makes the process much easier. They stated that some possible solutions would be: 1) Expanding W&I Code Section 391 to include youth leaving detention facilities and children leaving for legal guardianship; 2) Revisiting AB 270 which would require the courts to maintain jurisdiction of children until a birth certificate is provided; 3) Legislation to change the burden to hospitals requiring them to obtain a birth certificate not only for babies born at the hospital but also for those taken to the hospital within 24-48 hours after birth; and 4) Change DCFS process so when Children's Social Workers (CSWs) screen children and do not find a birth certificate, they can refer the case to the Children's Law Center or County Counsel to begin the process for a Delayed Registration of Birth through Dependency Court. The Alliance only handles cases for youth that have aged out of care and since the dependency case is closed, they have to go through Probate Court.

Commissioner Williams stated that the cases in KinGAP without birth certificates would not happen if a determination is made by the Department beforehand. She also inquired if there is a list of agencies, such as the Alliance, that are familiar with the process and can help youth when they apply for services that require a birth certificate. The Alliance stated that they would prefer to train a unit or designated persons within the County rather than receiving referrals.

Commissioner Biondi suggested in addition to State legislation, some local solutions might include: 1) Judge Nash ordering that they cannot close a case without a birth certificate; 2) The Board of Supervisors ordering County Hospitals to provide birth certificates; 3) The Delinquency Court ordering that they cannot close a case without a birth certificate.

Commissioner Kleinberg asked if they have spoken to the Children's Law Center or to Judge Nash regarding this issue. Additionally she asked whether schools require birth

certificates. Commissioner Trevino Powell stated that schools require a physical, immunizations, and a utility bill to show proof of residence; and although a birth certificate is preferred, children cannot be turned away for the lack of one. The Alliance stated that they have communicated with the Children's Law Center, however because the dependency cases are closed it is a challenge to get the records, as the youth must show identification to prove who they are, which they don't have. Judge Henry and County Counsel have been working with the Alliance on this issue; but cases could be handled much easier if jurisdiction has not been terminated in Dependency or Delinquency Court. Commissioner Kleinberg stated that since this is a problem in Probation as well as DCFS, there should be someone in the courts to handle these cases; and suggested communicating with Judge Nash and the Children's Law Center.

Vice Chair Curry stated the Emancipation Committee recommended that children by age 14 have birth certificates and at age 16 have a California Identification Card. She recommended that this protocol should be extended or another protocol developed that includes youth that crossover to Probation or are going to Adoption. She also recommended taking advantage of the training offered by the Alliance and suggested the Commission draft a letter to the Board of Supervisors with recommendations on this issue.

Commissioner Biondi inquired if the Alliance has been involved in the Juvenile Reimbursement Workgroup. The Alliance stated that they do not have access to the Workgroup. The Juvenile Reimbursement Workgroup was created by the Board, who directed the CEO to address issues with the Probation Reimbursement process because foster parents, legal guardians, and caregivers, many of which are on SSI, General Relief, or homeless, were being billed if a youth in their care was sent to a Probation facility. Commissioner Biondi stated that there was a presentation give to the Public Safety Cluster recently and there is currently a moratorium not to bill parents or guardians.

## **IX. EXECUTIVE DIRECTOR'S REPORT**

- **2008-2009 Annual Report**

Executive Director Kimberly Foster distributed the Draft Annual Report to the Commission. She informed the Commission that the first draft was reviewed and edited by Commissioners Trevino Powell and Williams and then submitted to the Chair on September 4, 2009. Ms. Foster also thanked the Committee Chairs and liaisons for their input and stated that the final Annual Report will be discussed for approval at the October 5, 2009 Commission meeting.

Ms. Foster announced the upcoming Mentoring Symposium.

Ms. Foster also announced that Commission McClaney was recently honored by Senator Curren Price for her community service; and the information appeared in a local free newspaper. In addition, she announced there was an article in same paper regarding DCFS.

**X. PUBLIC COMMENT**

No public comment.

**XI. ANNOUNCEMENTS**

Chair Sorkin announced that Carol Sanchez is retiring after 37 years with the Probation Department. She also announced the following events in October: Janet Teague will be honored by Optimist; Rising Stars will be having their annual event that benefits foster children; and the Inter-Agency Council on Child Abuse and Neglect (ICAN) is having their annual conference.

**XII. ADJOURN**

The meeting was adjourned by Chair Sorkin.