

**Maine Justice for Children Task Force**  
**June 11, 2024, 10:00 a.m. – 12:00 p.m.**  
**Via Zoom**

**MINUTES**

**In attendance:** Chief Justice Stanfill, Justice Lawrence, Chief Judge Brent, Davis, Kaela Scott, Caroline Jova, Ahmen Cabral, Bobbi Johnson, Chris Bicknell, Bette Hoxie, Christine Thibeault, Travis Bryant, Xi Chen, Kelly Dell'Aquila, Mark Moran, Hayley Rice, Jamie Brooks, Jean Haynes, Jim Billings, Christine Alberi, Mary Bonauto, Cassie Rodgers, Ariel Piers-Gamble, Darcy Fisher, Rebecca Millett, Norma Saulis, Jean Hayes, Esther Anne.

**Welcome (10:00 a.m.-10:05 a.m.)- Chief Justice Valerie Stanfill**

- Minutes from March 12, 2024 meeting approved

**Citizen Review Panel Updates: (10:05 a.m.-10:15 a.m.)**

- **Maine Child Death and Serious Injury Review (CDSIRP):** Dr. Amanda Brownell, Child Abuse Pediatrician, Medical Director, Spurwink Center for Safe and Healthy Families, CDSIRP Co-Chair and Mark Moran, LCSW, Manager, Social Services, Northern Light Eastern Maine Medical Center, Coordinator, Pediatric Forensic Clinical
  - Updates by Mark Moran
    - Dr. Brownell has expressed a desire to step back as vice-chair, but will remain on the panel. Her partner, Dr. Nicholas Miles, was elected as vice-chair. He will begin in September 2024.
    - The panel's report timeline will now follow the state fiscal year, instead of the calendar year. By the end of the calendar year 2024, the panel will present the next report that covers the prior state fiscal year.
    - Mark will provide an updated roster of the panel to Betsy and Chief Justice Stanfill to share with the Task Force.
- **Maine Child Welfare Advisory Panel (MCWAP) 2023 Annual Report:** Ahmen Cabral, MCWAP Co-Chair, Senior Policy Associate, Catherine Cutler Institute, University of Southern Maine
  - Annual report presentation shared with the Task Force (a copy of the report was provided with the agenda and is attached to minutes; the presentation slides are attached as **Appendix A**).
  - **About MCWAP:**
    - Charged with meeting federal mandates under CAPTA.
    - MCWAP receives input from citizens about the child welfare system and makes recommendations on how to further protect the State's children through DHHS policy, rulemaking, and legislation.

- No case reviews are conducted.
- Meetings are public and minutes are public.
- MCWAP meets as a full panel 10 times per year and has an annual retreat in September that focuses on the panel's recommendations.
- MCWAP makes two types of recommendations: system recommendations and panel goals.
- **Structure of 2024 work:**
  - Sub-committees that will continue:
    - Family team meetings
    - Family centered policy and practice
    - Citizen engagement
  - The lived experience subcommittee from MCWAP will merge with the work being done by the Maine Child Welfare Advocacy Network.
  - **Discussion:**
    - **Would the Office of Parent Counsel be part of PDS or separate?** The intent of the recommendation was unclear to the MCWAP members present at today's meeting. Jim Billings shared that PDS does not support a separate entity for an office of parent counsel, but is working on a statewide parent counsel division chief position to have statewide leadership and report to Jim. This would have it be on par with other district attorney offices. There are 6 Rural Defender Unit positions that will likely transition to public defender positions.
    - **Is the recommendation for a best practice guide for judges on talking with children a suggestion that a guide be developed to address the manner in which judges engage, or rather to address when and under what circumstances judges should engage?** MCWAP will note the question and report back. Ahmen Cabral will send a response to Betsy, and Betsy will circulate to the full panel.

**Updates (10:45 a.m.-11:15 a.m.)**

- **Maine Supreme Judicial Court- Chief Justice Valerie Stanfill**
  - **Maine eCourts and eFiling Expansion:** On April 1<sup>st</sup>, Maine eCourts and eFiling expanded to Rumford, Farmington, and South Paris. This includes most family and civil case types in those district courts as well as Franklin and Oxford County Superior Courts. As a reminder, attorneys, governmental agencies, and others who file more than six court cases in a calendar year are now required to electronically file in these courts. For now, juvenile, criminal, and civil violations cases continue to be filed in paper. Self-represented litigants are not required to eFile.
  - **Protection from Abuse and Protection from Harassment Cases:** As of yesterday, attorneys filing protection from abuse and harassment cases in Bangor, Lewiston, Rumford, Farmington, and South Paris courts are required to eFile using the eFile Maine platform.

- **Maine District Court - Chief Judge Brent Davis**
  - **2 new judges:** Judge Jeff Wilson and Judge Theodore Irwin. They will be assigned to a specific court location in the next 30 days.
  - **Latest Court Filing Data:** Statewide PC filings for the period of January 1 – June 7 were down 5% as compared to the same time last year (447 filings in 2023, 423 filings in 2024).
  - **CASA/GAL Update:**
    - Next CASA training will be the week of August 12<sup>th</sup>.
    - Next GAL Core Training is scheduled the week of October 21<sup>st</sup>.
    - Any questions about GAL or CASA can be directed to Kaela Scott, GAL Service Coordinator for the Maine Judicial Branch.
  
- **An Organizational Update from the Office of the Attorney General- Ariel Piers-Gamble, Assistant Attorney General, Chief of the Child Protective Division**
  - The OAG is handling about 2,400 cases statewide, with 27 trial attorneys, and 17 support staff.
  - The OAG is doing a variety of training, panels, and workgroups across the state on an ongoing basis.
  
- **An Organizational Update from the Office of Child and Family Services at DHHS- Bobbi Johnson, Director**
  - Jean Haynes is the new associate director for Child Welfare at OCFS; starting in the role this week.
  - Updates from OCFS for the Task Force (see slides, **Appendix B**):
    - Response to MCWAP recommendations:
      - OCFS noted 3 recommendations were not directed to OCFS.
      - **Report of Children in Hotels or District Offices – Response**
        - OCFS is focused on seeking solutions that eliminate the need to utilize hotel settings overnight and district offices during the day for children awaiting placement / access to child care services.
        - OCFS now employs a dedicated Child Welfare Coordinator responsible for helping coordinate coverage and match youth to potential resource homes.
        - OCFS is also working with a contracted provider to actively recruit prospective resource parents and regularly engages with existing resource parents to explore opportunities to retain current resource parents and attract new placement resources.
  
- **Ongoing Review of Homebuilders Program Implementation - Response**

- The Department continues to fulfill its responsibilities under the contract and meet contract management expectations with regard to all contracted providers, including Bethany Christian Services (BCS) which is the provider for Homebuilders.
  - OCFS has provided the panel with a copy of the contract and coordinated a presentation on the program by the provider's staff.
  - OCFS recently provided a copy of the BCS Homebuilders Annual Report 2023.
- **Review and alignment of available economic supports - Response**
    - OCFS continues to provide transportation reimbursement, fund services not otherwise covered by MaineCare, and provide financial support for parents during trial home placement.
    - The Child Welfare Contingency Funds also provide an opportunity for OCFS to provide temporary assistance to families during investigations or trial home placements to ensure they are able to safely care for their children.
- **Evaluation of Family Team Meetings - Response**
    - Unfortunately, the bill related to the evaluation of Family Team Meetings was not funded in the last legislative session.
    - OCFS is continuing to explore opportunities to use data to evaluate and improve FTM practice. Given the current demands on frontline staff, OCFS is carefully considering how to implement this type of continuous quality improvement effort related to FTMs in a manner that minimizes the impact on staff and maximizes the opportunities for training and improvement that can be integrated into existing training efforts.
- **Contingency funding update:**
    - Jan - June 2023 - 18 families, average expenditure of \$1,291.42/ family
    - July - December 2023 - 28 families, average expenditure of \$1,005.28/ family
    - January - May 2024- 41 families, average expenditure of \$1,210.90
- **Child Welfare Priorities:**
    - Staffing and workforce;
    - Improvement of organizational management; and
    - Focus on strategic priorities.
- **OCFS Strategic Priorities for 2023-2026**
    - Safety;
    - Permanency and Well-being; and
    - Consistency.

- In January, OCFS had 84 caseworker vacancies and that number is presently 46.
- **OCFS Organizational Redesign**
  - OCFS contracted with Public Consulting Group, LLC to develop a list of goals and identify key changes that will be necessary.
  - OCFS heard from those in the field that the ability to be effective and efficient in their work was difficult, with three different managers to report to. Now there will be one person responsible for field operations.
  - **Discussion:** Is the medical director the same medical director for all of DHHS? No, there is a separate medical director for OCFS and child behavioral service.
- **OCFS Strengths and Challenges**
  - Strengths: workforce; support for leadership to promote changes and improvements; reorganization creates opportunities to increase effectiveness in management and district practice; strong community partnerships help advocate for a systemic approach to child safety and family wellbeing, and implementation of safety science principles in child welfare operations.
  - Challenges: Workforce (vacancies, recruitment and retention); lack of services and supports across the continuum of care for children and families; hotel/Emergency Department stays for children; substance use disorder/opioid epidemic; public narrative (e.g., media, advocates, legislature) related to child welfare and the impact this has on the public's perception.
    - With respect to public narrative, this has manifested in 3 different ways: (1) lack of trust from families in engaging with services, (2) misinformation, and (3) more challenges with engaging with families and providers.
- **Looking Forward**
  - What is OCFS currently most focused on with respect to the child welfare system? Ensuring child safety through improving quality and consistency in practice; strengthening management structure and office culture, staffing.
  - What changes have been made? Completed management audit and redefining roles within child welfare; joining the National Partnership for Child Safety; hired a significant number of staff.
  - What is still to come? Increased work with Collaborative Safety; implementation of Alia Innovations, and expanded efforts to address substance use.
  - How will OCFS use new positions? Assistant Program Administrator (D3-Lewiston), CPS Supervisor Trainer/Coaches.

- **An Organizational Update from the Maine Commission on Public Defense Services, Jim Billings, Executive Director**
  - Jim Billings provided an update. The name was changed from MCILS to PDS in the last legislative session.
  - PDS is in the process of creating a parent counsel division. The parent counsel division chief position is with HR and they hope to post it this summer. After that position is filled, PDS may have 1-2 vacant positions. In FY 26 biennial budget, PDS anticipates asking for more positions for parents counsel to take a more significant number of cases in the protective custody setting.
  - There are also 2 new public defender offices that will go into effect on August 9 (Lewiston and Ellsworth, most likely) for criminal defense attorneys. But PDS envisions a large enough group of parent attorneys that will use the public defender offices and report to the statewide parent attorney operations chief. Do not plan to use the parent attorney unit like they use RDU which covers huge geographic areas. More efficient than RDU because people taking those positions are in central and lower parts of Maine and closer to the courts that need the services the most so less travel.

#### **Strategic Plan Updates (11:15 a.m.-11:45 a.m.)**

- **Race and Equity Committee: Mary Bonauto & Regina Phillip**
  - Mary Bonauto provided an update. By way of background, the MJB obtained grant funds through the Court Improvement Program for the courts and other agencies to collaborate on a report on data—what data are being collected and what fields are being used. That report was very important as the Legislature considered next steps in its own data governance program. As part of an effort for another bill, DAFS conducted a survey and found that there 1800 ways that the agencies are collecting data in Maine and they are not consistent. DAFS has been charged with development of a plan, in consultation with the agencies, the Secretary of State, and the permanent commission, to explore several data points to collect and establish a way to maintain consistency. A next step might be for members of the Justice for Children subcommittee to speak with DAFS because the PCG report focused only on child protection and DAFs’ focus has been broader.
  - July 4 is the next race equity committee meeting. The meeting will be canceled and Mary suggests that the committee meet again in September to allow more time for DAFs to do its work and the conversations to continue.
  - Chief Justice Stanfill had a meeting with the Speaker of the House to discuss data and where to go next. This meeting was very much the result of the report and work of this subcommittee.
  - Christine Thibeault asked whether the subcommittee had been in contact with the Associate Commissioner Scott Landry. Christine will connect Associate Commissioner Scott Landry with the subcommittee.

- Chief Justice Stanfill stressed the importance of collecting data in a consistent manner so it can be used across the agencies.
- Thought partners from experts in this Task Force are welcomed in this effort.
- **Parent Curriculum Workgroup: Kelly Dell'Aquila, Jamie Brooks, and Karen Tompkins**
  - Kelly Dell'Aquila and Jamie Brooks provided an update. (see slides, **Appendix C**)
  - Child protective services 101 is a pilot project for a one-time, two-hour virtual informational session for parents as facilitated by parents. Helps inform parents about Maine CPS, roles of all the professionals, and provides tips about how to navigate the system as well as helpful resources/ contact information for parents.
  - Various referral sources, with OCFS, attorneys, and parent educators being the top 3 referral sources.
  - 15 out of 16 counties in Maine are represented with the top three being Cumberland, Penobscot and York counties. Washington county is the only county that is currently not represented.
  - They have received very positive feedback from parents showing an increased understanding of the child protective system.
  - Expanded to offer CPS 201, still in its infancy but have offered 2 quarterly sessions and will continue.
  - They also provide quarterly sessions for providers.
  - Bimonthly drop in sessions for OCFS staff, particularly new caseworkers as a way to pass along the information to parents who they may be supporting.
  - There is also continued parent and community outreach.
  - **Discussion:**
    - Is capacity an issue? If they got an influx of parents or providers, would capacity be a limitation? If it became a problem, they would offer more sessions to accommodate the numbers. This has not been an issue yet.
    - Could expansion of the provider program as a way to help improve understanding of the system help improve public perception of OCFS and move toward a more collaborative approach? Kelly and Jamie agree this course is a helpful tool in that effort. The parents facilitating the course promote this message of collaboration.
    - OCFS sees the distrust manifest in issues about compliance with subpoenas and information sharing. Providing more information of the process and the importance of complying with information sharing for investigative purposes and to ensure proceedings are well-evidenced and informed is critical and should be a part of community outreach. Kelly notes that messaging in the provider sessions stresses information sharing and collaboration.
- **Continuing Education Subcommittee: Caroline Jova, Family Division Manager**

- Even with a Nor'easter the conference occurred on April 4<sup>th</sup> and 5<sup>th</sup>. We were able to open room reservations for all attendees who wanted to arrive early and stay at Sunday River in order to attend the conference.
  - There were some presenters that were unable to present but enough sessions were offered throughout the two days for attendees to obtain all general CLE credits for the year.
  - The two keynote speakers were able to attend virtually.
  - Approximately 820 general CLE credits were awarded and 475 CPE credits for GALs.
- **Parent Attorney/GAL Retention and Recruitment Subcommittee: Kaela Scott, GAL Services Coordinator and Maine Commission on Public Defense Services**
    - **GAL retention update:**
      - The subcommittee continues to meet monthly and is in the process of finalizing recommendations, with the hope of presenting those recommendations at the September Task Force meeting. That said, the subcommittee has already implemented changes, where possible, to existing processes.
      - To illustrate, the subcommittee discussed a concern that GALs in at least one court were not being contacted before being appointed to child protection cases. The Family Division was able to coordinate with Court Operations to clarify the appointment process, which requires the clerk to contact a GAL to confirm they are available for appointment prior to facilitating that appointment. The subcommittee discussed the difficulties presented not only to the GAL if appointed to a case without prior notice (e.g., on vacation, too many cases already, etc.), but also the effect on child safety if a GAL must file a motion to withdraw because they are unavailable. The subcommittee also continues to discuss GAL billing, including the history of the Administrative Order governing billing, JB-05-05, and the manner in which GAL vouchers are submitted to the court for payment. That to say, stay tuned for more formal recommendations at the next meeting.
    - **Parent attorney retention update:**
      - PDS has put together a series of training to help with self care (for example, mindfulness). They also worked with MAPP for a “meet up” for parent attorneys to talk through their struggles.
      - 2 interns for the summer, including a Maine law student, to build a connection with the law school.
      - There is a lot of confusion around the eligibility requirements to handle child protective cases. Darcy prepared a document with an overview of the eligibility requirements to help clarify confusion. Darcy will share it with Betsy/Caroline so that it can be shared with members of this Task Force, clerks, and judicial officers as a way to help get the message out.



- There is PC resource counsel available to serve as co-counsel for those who are not on the roster. Anyone with questions, should reach out to Darcy to make those connections.
- As a result of some outreach by the SJC, some former law clerks have acted as parent attorneys on appeal and they have done a great job.

**Miscellaneous/Open Discussion (11:45 a.m. -12:00 p.m.)**

2024 Meeting Dates: March 12th, June 11th, September 10th, December 12th.

**Subcommittee Meeting Schedule:**

- Race and Equity Subcommittee: First Thursday of the month from 3:00 to 4:00 p.m.
- Parent Curriculum Subcommittee: Quarterly on the second Monday of the month from 11:30 a.m. to 12:30 p.m.
- Continuing Education Subcommittee: Second Thursday of the month from 12:00 to 1:00 p.m.
- Parent Attorney/GAL Retention and Recruitment Subcommittee: First Monday of the month from 12:00 to 1:00 p.m.