

HUMBOLDT COUNTY CHILD WELFARE SERVICES AND THE COURTS:

LATE REPORTS, DYSFUNCTIONAL SYSTEMS, AND TRAUMITIZED CHILDREN

Released May 1, 2023

“Safety and security don’t just happen, they are the result of collective consensus and public investment. We owe our children, the most vulnerable citizens in our society, a life free of violence and fear.”

Nelson Mandela

SUMMARY

The Humboldt County Civil Grand Jury received a complaint that Child Welfare Services routinely misses statutory deadlines for submitting reports to the Humboldt County Superior Court. These delays create an unnecessary amount of stress for children and families.

Over the last decade the Humboldt County Civil Grand Jury has investigated numerous complaints about the Department of Health and Human Services. While the nature of those complaints have differed, the introduction to the 2015-2016 Humboldt County Civil Grand Jury report stating “those complaints conveyed dysfunctional work guidelines, distrustful working relationships, unresponsive upper management, mass resignations, and an unsupportive work environment” largely reflects the essence of our current report. This report will once again argue for significant changes in Child Welfare Services.

Child Welfare Services is charged with one of the most valued functions of our county government. Their job is to intervene when abuse or neglect is suspected or evident and make the best decisions for that child’s well-being. Not having enough social workers has resulted in case overload and missed mandated court reports. Institutional roadblocks regarding staffing, overtime, and child and family attorney interactions with County Counsel have all slowed the court process and possible family reunification.

Everyone we interviewed connected with CWS for this investigation has demonstrated a genuine passion for improving the lives of children here in Humboldt County. However, they all confirmed that the lack of staffing, recruitment and retention, lengthy hiring and vetting processes, high caseloads, long hours, high staff turnover, absenteeism, moral injury, and bureaucratic red tape is causing job burnout.

The Humboldt County Civil Grand Jury finds that a workforce shortage is a problem that must be remedied. This report examines the causes and effects of the court report delays and the understaffed departments at CWS. It looks at ways CWS can employ non-traditional ways to improve staff recruitment, hiring, and retention, which ultimately will lead to the timely permanent placement of our children, Humboldt County’s most precious resource.

We didn't just investigate CWS, we examined many aspects of child dependency law in Humboldt County. Much of the dysfunction lies with CWS, but we found problems throughout the system.

The intent of the 2022-23 Humboldt County Civil Grand Jury is to support an understaffed and overworked Child Welfare Services agency and the child dependency legal system by informing the citizens of Humboldt County of its findings and making a long-term positive impact through our recommendations.

GLOSSARY

ACE	Adverse Childhood Experience
BASW	Bachelors of Social Work
CalHR	California Department of Human Services
CalPoly	California State Polytechnic University, Humboldt
CalSWEC	California Social Work Education Center
CASA	Court Appointed Special Advocates
CWS	Child Welfare Services
DHHS	Department of Health and Human Services
FTE	Full Time Equivalent
ICWA	Indian Child Welfare Act
MSP	Merit Services Program
MSW	Masters of Social Work
PCW	Public Child Welfare
QIP	Quality Improvement Program
WIC 300	California Welfare & Institutions Code section 300

BACKGROUND

Children's health and well-being are a vital concern in Humboldt County. They are the future. Our investigation began with a complaint about Humboldt County Child Welfare Services (CWS) and delays in court cases.

A CWS case is established when a child or children have been removed from their home due to abuse. A priority for CWS is to work with the family to reunite the child and family. Sometimes, however, it is established that it is not safe for the child to return to their family, and that legal intervention is required. The matter then moves into the civil division of the Humboldt County Superior Court. The child may live away from their family home for years, as this can be a lengthy process.

There are multiple court hearings involved in this process. All of them require attorneys who represent CWS, the child, family members, and tribes, as well as reports from CWS Social Workers, Tribal Social Workers, foster families, counselors, and medical staff. At the final placement hearing a decision is made about whether the child is going to be reunified with the family or be placed permanently in adoption, long-term foster care, or guardianship.

We discovered that every step in the legal process is often delayed by CWS not being prepared to move forward. These delays can be traumatic for both the child and the family, as well as the individuals in all the involved parties.

We also discovered inefficiencies and adversarial relationships throughout the child dependency legal system, and that there are no penalties or sanctions for late CWS reports by the State of California or the Superior Court system, providing no disincentive for CWS to avoid submitting late reports.

METHODOLOGY

The Humboldt County Civil Grand Jury's investigation of Child Welfare Services (CWS) and timely court filings included interviews with employees of CWS, with people who regularly interact with CWS, and with employees of other county departments. It also included the review and study of numerous documents, including:

- CWS Policies & Procedures
- The California Welfare and Institutions Code
- Oversight reports resulting from the 2018 stipulated judgment in the State of California v. Humboldt County Department of Health and Human Services
- Documents about staffing provided by CWS
- Documents about court filings provided by CWS
- Documents from the California Department of Social Services
- Humboldt County budget documents
- The federal Indian Child Welfare Act
- Reports from the federal Centers for Disease Control and Prevention
- Numerous articles, reports, and papers related to childhood trauma

For a complete listing of sources please see the bibliography at the end of this report.

DISCUSSION

INTRODUCTION

Children need stability, nurturing, and protection. When parents, family members, or other guardians cannot meet the responsibility of raising children in a healthy and stable environment, the government has taken the responsibility of intervening.

In Humboldt County the agency responsible for these interventions is Child Welfare Services (CWS). The Humboldt County Civil Grand Jury investigated the sections of CWS that handle the most critical cases in the agency, those that must involve Family Court. These are cases of neglect, abandonment, and mental, physical, and sexual abuse. These are cases that result in children and families being separated sometimes briefly, sometimes for many months, and sometimes permanently.

We found that short-staffing and institutional roadblocks regularly delay these cases. Although the process is meant for the long-term benefit of the child, by its very nature it creates additional trauma for that child. Getting children through the court process and into family reunification or permanent placement as soon as possible is the only way to minimize the trauma caused by this process.

This report will detail the problems we found and the solutions we recommend. It is a complex system so we thought it best to walk the reader through how it works in order to better understand the issues.

ABOUT CHILD WELFARE SERVICES

The Humboldt County Department of Health and Human Services (DHHS) has a large portfolio of responsibilities, including the Public Health, Behavioral Health, and Social Services Branches. Child Welfare Services (CWS) falls under the Social Services Branch.

CWS provides services “including emergency response, family maintenance, family reunification and permanent placement, an Independent Living Skills Program, and a Transition Age Youth” program.¹ They provide services for children and youth from birth to the age of 22. CWS is a large agency. For fiscal year 2022-2023 the total adopted budget for all of Humboldt County government was \$664 million. CWS was allocated over \$34.2 million and Foster Care and Aid to Adoption services, components of CWS, were allocated another \$29.9 million. Combined, CWS has a budget of over \$64 million, just short of 10% of the County budget.²

¹ Quote from DHHS Proposed Budget 2022-2023:

<https://humboldt.gov/DocumentCenter/View/107852/Section-D---Health--Human-Services>

² 2022-2023 Humboldt County adopted budget:

<https://humboldt.gov/DocumentCenter/View/113045/Schedule--08-Detail-of-Financing-Uses-by-Function>

For personnel, CWS was allocated 226.50 Full Time Equivalent (FTE) positions.³ In addition to other staff this includes:

- 29 positions in the Social Service Aides classification
- 20 positions in the Social Worker I/II/III classifications
- 87 positions in the Social Worker IV A/B/C/D classifications
- 23 positions in the Social Worker Supervisor II classification

These 159 FTE positions are the primary service providers for CWS clients. As of January 1, 2023, 59 of those positions were unfilled.

DEFINITIONS: Adverse Childhood Experiences, Moral Injuries, and the Indian Child Welfare Act

Before proceeding to a discussion of conditions and procedures within CWS it is important to define some terms.

Adverse Childhood Experiences and Toxic Stress:

Adverse Childhood Experiences (ACE's)⁴ happen when someone under the age of 18 experiences certain forms of physical or emotional abuse, neglect, or household dysfunction, all of which can result in Toxic Stress.⁵ Toxic Stress happens when the brain endures repeated or extreme instances of stress or danger, triggering the fight-or-flight hormones. Toxic Stress significantly increases the chance that children will have mental health, physical health, and substance abuse issues later in life.

A study by the Centers for Disease Control and Prevention and Kaiser Permanente conducted from 1995 to 1997 provides a widely adopted tool for evaluating ACE's which involves 10 questions.⁶ The answers lead to an ACE "score" on a scale of 0 to 10, with 0 meaning no ACE's. 16% of adults reported 4 or more ACE's. Compared to adults with an ACE score of 0, adults with an ACE score of 4 are:

- 4 times more likely to become an alcoholic
- 3 times more likely to suffer from chronic depression
- 2 times more likely to have serious financial problems
- 2 times more likely to have heart disease

³ 2022-2023 Humboldt County adopted budget personnel allocations:

<https://humboldt.gov/DocumentCenter/View/107904/Section-H---Personnel-Allocations>

⁴ Centers for Disease Control and Prevention: <https://www.cdc.gov/violenceprevention/aces/index.html>

⁵ National Library of Medicine:

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4928741/#:~:text=Toxic%20stress%20results%20in%20prolonged,%2C%20reassurance%2C%20or%20emotional%20attachments.>

⁶ CDC/Kaiser Permanente study: [https://www.ajpmonline.org/article/S0749-3797\(98\)00017-8/fulltext](https://www.ajpmonline.org/article/S0749-3797(98)00017-8/fulltext)

*There are just three counties in California where 75% or more of adults reported having one or more ACE's - Humboldt County is one of them.*⁷

This poses a significant public health problem. It creates a cycle where Toxic Stress affects parents in their childhoods, who then as adults are more likely to create similar environments for their children. The types of incidents that lead to Toxic Stress are also those detailed in Welfare and Institutions Code Section 300 (WIC 300), which is described in detail in the next section.

Children and families do not enter the court system unless one or more WIC 300 sections apply. So, by definition, children who enter the court system have experienced some form of Toxic Stress. Being removed from parents, participating in the court process, and being uncertain of your future can be their own forms of Toxic Stress. Getting children and families through the court process as quickly as possible reduces their exposure to Toxic Stress, resulting in better outcomes.

Moral Injuries:

As excerpted from the science journal *The Lancet – Psychiatry*:⁸

“Moral injury is understood to be the strong cognitive and emotional response that can occur following events that violate a person's moral or ethical code.

“Unlike post-traumatic stress disorder, which can occur following threat-based trauma, potentially morally injurious events do not necessarily involve a threat to life. Potentially morally injurious events include ... when their workload is such that they deliver care of a standard that falls well below what they would usually consider to be good enough.

“... morally injurious events threaten one's deeply held beliefs and trust. Moral injury is not considered a mental illness. However, an individual's experiences of potentially morally injurious events can cause profound feelings of shame and guilt, and alterations in cognitions and beliefs (e.g., “I am a failure”, “colleagues don't care about me”), as well as maladaptive coping responses (e.g., substance misuse, social withdrawal, or self-destructive acts).”

⁷ Center for Youth Wellness: <https://centerforyouthwellness.org/wp-content/themes/cyw/build/img/building-a-movement/hidden-crisis.pdf>

⁸ *The Lancet – Psychiatry*: [https://www.thelancet.com/journals/lanpsy/article/PIIS2215-0366\(21\)00113-9/fulltext](https://www.thelancet.com/journals/lanpsy/article/PIIS2215-0366(21)00113-9/fulltext)

The Indian Child Welfare Act:

As excerpted from the U.S. Department of the Interior, Bureau of Indian Affairs:⁹

“The purpose of the Indian Child Welfare Act (ICWA) is "...to protect the best interest of Indian Children and to promote the stability and security of Indian tribes and families by the establishment of minimum Federal standards for the removal of Indian children and placement of such children in homes which will reflect the unique values of Indian culture...". ICWA provides guidance to States regarding the handling of child abuse and neglect and adoption cases involving Native children and sets minimum standards for the handling of these cases.”

Humboldt County is home to eight federally recognized and three unrecognized tribes, the largest tribe in California, and the largest reservation in California.¹⁰ ICWA cases are handled by a specialized ICWA Unit within CWS. According to the most recent U.S. Census, 6.4% of the Humboldt County population reports being “American Indian and Alaska Native alone” with 6.0% being “two or more races”, which aren’t specifically defined.¹¹

Despite their population size, between 30% and 42% of CWS court cases at any given time involve Indigenous children. By a significant degree, ICWA cases have the largest percentage of court cases with late filings. As discussed below, this extends the amount of time before these cases are resolved. We have a Native population over-represented in CWS who endure the longest proceeding in CWS. These are statistical differences of significant importance to the children, the tribes, Indigenous families, and the people of Humboldt County.

WELFARE AND INSTITUTIONS CODE SECTION 300

The California Welfare and Institutions Code, section 300 (WIC 300), dictates when a child can be made a “dependent child of the court”, commonly called a “ward” of the court.¹² It is violations of this code that can lead to parental or guardian rights being limited or terminated by the court. The following is a brief description of the code and its various subsections.

“Welfare and Institutions Code Section 300, Child Abuse and Neglect. Any child who comes within any of the following descriptions is within the jurisdiction of the juvenile court which may adjudge that person to be a dependent child of the court:”

- (a) The child has suffered, or there is a substantial risk that the child will suffer, serious physical harm inflicted non-accidentally by the child's parent or guardian

⁹ U.S. Dept. of the Interior, BIA, 2023: <https://www.bia.gov/bia/ois/dhs/icwa>

¹⁰ Tribes that are not officially recognized by the Federal government do not fall under ICWA.

¹¹ United States Census Bureau: <https://www.census.gov/quickfacts/humboldtcountycalifornia>

¹² WIC 300: https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=300.&lawCode=WIC

- (b) The child has suffered, or there is a substantial risk that the child will suffer, serious physical harm or illness, as a result of the failure or inability of the child's parent or guardian to adequately supervise or protect the child¹³
- (c) The child is suffering from serious emotional damage as a result of the conduct of the parent or guardian
- (d) Sexual abuse
- (e) Serious physical injury or abuse to a child under the age of 5
- (f) The child's parent or guardian caused the death of another child through abuse or neglect
- (g) Child abandonment
- (h) The child has been freed for adoption
- (i) The child has been subjected to an act or acts of cruelty by the parent or guardian or a member of the child's household
- (j) The child's sibling has been abused or neglected and there is a substantial risk that the child will be abused or neglected

THE CWS COURT UNIT

Nationally recognized best practices are to keep families intact whenever possible. Intact, functional families provide the best outcomes for our children. When a child's situation requires an intervention CWS has programs that don't include legal actions to improve the situation for the child and family, and to keep them together. However, if there has been a violation of WIC 300, judicial proceedings may begin.

When this type of intervention is necessary there are teams of CWS Social Workers who work in the best interests of the children. They specialize in three separate but related areas. All of them rely on each other to make the process work smoothly. The three areas are:

- The Emergency Response unit, who are available 24-hours a day to respond to critical situations. They enter the most challenging, active situations, often involving law enforcement, and must make difficult choices about allowing the child to stay in the home, placing the child with a family member, or detaining the child in a temporary foster home situation. Theirs is usually the first report to be written and must follow very specific deadlines.
- Ongoing cases, for those cases that have passed the emergency phase and are headed towards or are in the midst of judicial proceedings. They must monitor the progress or lack thereof of the children and families, and document it in a series of reports throughout the court oversight process. These reports are submitted to the Social Workers in the Court Unit.

¹³ WIC 300 (b) is the most commonly used section, referred to by several interview subjects as a "catch all".

- The Court Unit is the team that works on preparing legal documents and serves as the interface between CWS and the court. They must receive reports from other Social Workers and, based on those reports, write entirely new reports for submission to the court. The Court Unit workers writing these crucial reports are likely to have never met or spoken with the people involved. This is a procedure not found in many other counties, where reports from ongoing case workers are submitted directly to the court.

Each of these teams consist of Social Workers in the I/II/III series, who usually start at entry-level positions and progress with acquired knowledge and experience, and Social Worker IV's, who must possess a Masters Degree. Each unit has a Supervising Social Worker who reports to a Program Manager. Not all emergency responses result in court proceedings, and not all court proceedings are initiated by the emergency response team.

If a case enters the legal system it is assigned to a Social Worker in ongoing cases. They prepare reports on the status and progress of a case. Only after these reports are completed can the Court Unit create their own reports and move forward with judicial proceedings.

WIC 300 court proceedings take place in civil family court, not criminal court. There is no goal of punishing the parents or guardians – the goal is safe, successful family reunification whenever possible. If there is evidence that criminal activity has taken place law enforcement will investigate. If necessary, the District Attorney will prosecute in proceedings entirely separate from family court.

When a case moves into the judicial system the county is represented by a lawyer from the County Counsel's office who focuses on CWS cases. The child will have an attorney appointed or hired from a private legal firm that specializes in cases involving children and WIC 300. The parents and/or guardians are also represented by appointed or hired attorneys, who are separate from the child's attorneys.

Minors found to be a “dependent child of the court” are not necessarily placed outside of their homes. They may remain in the home, be sent to live with relatives or, as a last resort, put in foster care while their parents receive training, rehabilitation, or other services. Courts do not take these cases lightly - they are carefully scrutinized.

THE COURT CASE PROCESS

When CWS determines sufficient evidence exists that a child has been or is at risk of abuse as defined by WIC 300, and they are ready to move forward in the legal process, a series of procedures and specific timelines begins. These are dictated by the state law and CWS Policies & Procedures.¹⁴ Due to the inclusion of juveniles these matters are not public record. The only people with knowledge of the case are the Judge, the attorneys, the families, and the Social Workers. A flowchart of this process is included in Appendix A.¹⁵

¹⁴ CWS Policies & Procedures (incomplete): <https://humboldt.gov/2454/CWS-Policies-Procedures>

¹⁵ Flowchart data from California Courts: https://www.courts.ca.gov/documents/Dependency_Flow_chart.pdf

- **The Warrant:** If CWS determines that a child needs to be removed from the home a Social Worker must prepare a warrant, have it approved by County Counsel, and submit it to a judge for approval. The warrant must establish probable cause that the child’s situation places them in imminent danger and that removing the child from the home will alleviate that danger.
- **The Petition:** The first step after the warrant is to submit a “petition” to the court. The petition is a document asking the court to approve legal action under the appropriate subsection of WIC 300. The petition is produced by a Court Unit Social Worker, usually reviewed and approved by County Counsel, and then submitted to the court. It must include enough evidence that a section of WIC 300 has been violated to convince the judge that there is probable cause to proceed.

There are different petition deadlines depending on the status of the child. The first deadline is for a child who has been “detained” or “taken into protective custody”, meaning they have been removed by CWS from the parent or guardian. In these cases, a petition must be filed with the court within 48 hours of the child having been taken into custody.

The second deadline is for when violations of WIC 300 have taken place, but the child has *not* been taken into protective custody and is in a safe home environment. CWS policy dictates that in this case the petition must be filed within two weeks of the decision to move forward.

When a petition has been filed the Social Worker must notify the parents or guardians. Under the Indian Child Welfare Act, if the child is Native American and a member of a federally recognized Tribe, the Tribe must also be notified.

- **The Detention Hearing:** The next step is the Detention Hearing, which takes place when the child has been removed from the home. At this hearing lawyers representing CWS, the child, and the parent(s) appear. The parent(s) are arraigned, meaning they are brought before the judge where they must admit to or deny the allegations of abuse.

The detention hearing must be held within 72 hours of the child being taken into custody. A separate Detention Report is provided by the Court Unit, is usually submitted along with the petition, and will include:

- The reason for the hearing
- The names of the children and parents/guardians
- The children(s) whereabouts
- The involved attorneys
- Whether there are any ICWA requirements in the case
- Legal history
- Medical, mental, and emotional status of the child

- Prior child welfare history
- Criminal history
- Intervention services that have been previously offered
- Witness and family statements
- A recommendation on how the issue should proceed

At the close of the Detention Hearing the judge will determine whether the child can return home, be placed temporarily with other family members, or be placed in short-term foster care.

- **The Jurisdictional Hearing:** In this step the judge determines if the allegations are true and if the child is safe. If the allegations are found to be true the child becomes a “dependent of the state”, and the judge has further authority to make binding orders about the child’s care.

This does not necessarily mean that the child will be removed, or remain removed, from the family. If the judge finds a low risk of harm to the child they may go home.

If the facts of the case indicate that living with any parent or family guardian poses an immediate threat to the child they are likely to be placed in long-term foster care. No matter the placement, the child will be a dependent of the court until the entire legal process is resolved.

- **The Dispositional Hearing:** This is where the judge decides what should be done to make things better for the children and their families. This involves a reunification plan and is based on all the information the Judge has learned from previous hearings and reports. The reunification plan can include:
 - Where the child should live
 - If the child is living elsewhere, when, where, and under what conditions the parent(s) may visit
 - What reunification and other services will be mandated by the court and provided by CWS to the child and family, with the goal being a safe, healthy environment for the child

The Dispositional Hearing has a long-term impact on the health and welfare of the child. It essentially lays out the entire plan to address the problem, and the CWS report in support of the hearing must be very detailed and precise. This will be explored in the section titled “Timely Filings and Late Filings”.

- **Reunification Services:** Except where the child has been removed due to extreme circumstances the court will mandate that reunification services take place. These are a variety of programs run by CWS that have the goal of improving the situation of the families to the point where the child is safe, the parents have learned parenting skills, and the likelihood of repeated incidents is significantly reduced.

In most cases the parents and/or guardians have 12 months to complete the court requirements and demonstrate sufficient progress to allow reunification. Under certain circumstances this can be extended to 18 months. For children under three years old the program must be completed within six months. If the parent/guardian unilaterally terminates services the reunification process will end and the process of finding a new, permanent placement for the child will begin. In addition, even if the reunification plan has been completed, the judge may determine that the risk to the child remains too great, which can also lead to a new permanent placement.

- **Review Hearings:** While the family is still in the system the court will have a review hearing every six months to examine the status of the case and any progress that has been made. After the review the child may be returned to the family, six more months of reunification services may be ordered, or the child may remain out of parental care and potentially head towards a new permanent placement.
- **Permanency Plans:** If the court terminates reunification services, meaning that the child will not be returned to the family, they must make a permanent plan for the child. This plan can include adoption, legal guardianship, or long-term foster care.

TIMELY FILINGS AND LATE FILINGS

The previous section described the details of the court process. In this section the focus will be on timelines that are mandated by CWS policy and state law, which are at the heart of this report.

Once the petition and detention hearings have taken place all steps in the process are scheduled by the court. Each step of the process requires a different report from the Court Unit that must be filed before any hearing. Some of the time requirements for the filing of reports are:

- Petition: No more than 48 hours after detention
- Detention hearing: No more than 72 hours after detention
- Jurisdictional hearing: No more than 15 days after detention per CWS policy, 30 days per state law
- Dispositional hearing: 60 days after the detention hearing
- 6, 12, and 18-month reviews: Two weeks prior to the hearing
- Post-permanency planning hearing: Two weeks prior to the hearing

When a report meets these requirements it is considered “timely filed”, and the case may proceed. Failure to not timely file a report means the case cannot go forward and must be “continued”, meaning postponed until a later date. The importance of the timely filing of CWS reports cannot be overstated. Without these reports the entire legal process comes to a halt.

CWS regularly requests continuances due to reports not being ready. Repeated continuances can result in delays of 120 days or more. The court has no choice but to grant these continuances – they cannot proceed without the reports. If a child has been removed from the home, lengthy delays for initial hearings or between hearings may violate the parent/guardian right to procedural due process under the 14th Amendment of the United States Constitution.¹⁶ In theory the court can “sanction” CWS or levy fines for non-compliance with deadlines. In practice, nobody we spoke with knew of that happening, and all expressed doubt that it would be effective.

Repeated delays may cause the children and families to grow skeptical of the process, creating more stress. Even if they are in the home with their parents, participating in reunification services and making progress, prolonged doubt about their future can expose children to Toxic Stress resulting in Adverse Childhood Experiences. The timelines dictated by law and policy are not arbitrary – they are meant to make the entire unpleasant process as short as possible while achieving good results.

¹⁶ American Bar Association: <https://www.americanbar.org/groups/litigation/committees/childrens-rights/articles/2013/social-services-constitutional-rights-balancing-act/>

CWS provided us with recent data documenting the timely filing of court reports.¹⁷ The data is from July 1, 2021 through December 30, 2022, a period of 18 months. In that time, the percentage of all court reports filed on or before the court filing date for hearings was just 35%. 65% of all CWS reports were late.

All Court Reports: Compliance with Timely Filing		
Jul. 2021 – Dec. 2022, reported quarterly	Lowest Compliance Rate	Highest Compliance Rate
Family Maintenance and Family Reunification:	19% (2022 Q1)	45% (2021 Q4)
Permanency Planning and Extended Foster Care:	27% (2022 Q1)	42% (2021 Q3)
Indian Child Welfare Act:	0% (2021 Q4)	32% (2022 Q4)
All Court Reports: Average Days Late		
Jul. 2021 – Dec. 2022	Lowest Average Days Late	Highest Average Days Late
Family Maintenance and Family Reunification:	10 (2022 Q4)	24 (2022 Q2)
Permanency Planning and Extended Foster Care:	9 (2022 Q3)	35 (2021 Q4)
Indian Child Welfare Act:	12 (2022 Q4)	34 (2021 Q3)
All Disposition Reports: Days Late & Timely Filing		
Jul. 2021 – Dec. 2022	Lowest Average Days Late	Highest Average Days Late
Disposition Reports, Average Days Late:	6 (2022 Q1)	23 (2021 Q4)
Disposition Reports, Median Timely Filing:	67% (Jul. 21 – Dec. 22)	

If a child has been made a dependent of the court following the Jurisdictional Hearing many more reports will be filed. From the Dispositional Hearing to final resolution there are reports for reunification plans, review hearings, and permanency plans. One case can have a dozen or more hearings, all accompanied by new reports from the Court Unit. Looking at the data in the above chart it is easy to see how late report filings can add up.

Some cases may never be delayed, though the data suggests otherwise. Some cases may only be extended a few weeks, some by several months. In the worst of circumstances, the delay can be a year or more. These delays create uncertainty, frustration, loss of faith in the system, Toxic Stress, and, ultimately, more damage to an already bad situation.

¹⁷ Data from CWS QIP dated 12/16/22. Some numbers have been extrapolated from graphs that had limited detail. Where a precise number wasn't available a good-faith estimate was made.

Of special concern is the filing of late Dispositional Reports. In many ways this is the “tipping point” of the entire process, where late or timely filings can make the largest difference in creating successful outcomes. In many cases the issues that led to a child’s detention have been quickly and satisfactorily addressed - late Dispositional Hearings create unnecessarily lengthy separations. In cases where continued separation is appropriate there is no plan to address the situation until the Dispositional Hearing - without a plan there can be no progress. Without progress, reunification or permanent placement is delayed.

It should be noted that there appears to be a direct correlation between the total number of cases timely filed and the vacancy rate for Social Workers in the Court Unit. As staffing goes down, late filings go up. It should also be noted that CWS has already started a Quality Improvement Program (QIP) to address these specific issues.¹⁸

We applaud CWS for recognizing a problem and implementing possible solutions. We also believe that no matter what efficiencies are put in place, the most effective measure by far is addressing low staffing issues. Low staffing leads to late reports, late filings, and extended time in the system that indisputably harms the children.

COURT UNIT SOCIAL WORKER ROTATION

The tasks of the Social Workers in the Court Unit are highly specialized. They must synthesize information from multiple sources within CWS, then write the reports that go to court.

There are 2 primary classifications of Social Workers at CWS. The first is Social Worker I/II/III, which starts as an entry-level position, advancing through the steps with experience and knowledge. The second and most experienced is Social Worker IV.

We found that entry-level Social Workers are often assigned to the Court Unit. After about 2 years, when they have achieved the status of Social Worker III and have begun to have a mastery of their specialty, they are transferred to another unit within CWS. The work in the Court Unit is perhaps the most difficult assignment within CWS. It takes considerable experience, training, and talent to compile an effective report for use in court. This is a unit that requires experienced Social Worker IV’s.

Keeping Social Workers in this crucial unit for longer periods will result in more knowledgeable, more efficient employees, which leads to higher productivity, less late court filings, and better outcomes.

¹⁸ CWS QIP #22-02

THE STAFFING CRISIS

We reviewed staffing data provided by CWS, discovering that Social Services Aide, Social Worker I-IV, and Social Worker Supervisor jobs agency-wide are staffed at just 64% of the allocated positions.¹⁹ Following are historical staffing averages and current staffing:

Child Welfare Services Staffing		
Position	Average from Feb. 2018 to Jan. 2023	Staffing as of January 1, 2023
Social Services Aide	59%	59%
Social Worker I-IV	74%	62%
Social Worker Supervisor	88%	83%

Our investigation indicated some of the leading causes for this problem. While salary and benefits remain a significant issue, our investigation revealed more critical issues. We discovered two separate but closely related prime contributors to low staffing:

- There is a high level of stress from handling unrealistically high caseloads due to understaffing
- There is a high level of repeated Moral Injuries sustained by workers in CWS

These factors cause CWS to lose productive and dedicated workers.

CWS operates day and night - there is no option to turn away business. When a case is referred to CWS it must be investigated and, if needed, acted upon. When you are missing one-third of your workforce, caseloads for everyone who remains grow by 50%. CWS workers are forced to rush through cases, fall further behind in their work, or work extra hours. Dedicated workers are sometimes denied the opportunity to work overtime. This is the classic recipe for burnout, “a state of physical or emotional exhaustion that also involves a sense of reduced accomplishment and loss of personal identity.”²⁰

The Social Workers of CWS demonstrate dedication and passion. People do not get into this line of work for the salary, they get into it wanting to do the right thing and protect children. Their moral values revolve around accomplishing this mission. When circumstances beyond their control violate their moral or ethical code, CWS workers suffer repeated Moral Injuries.

¹⁹ Staffing Updates Dashboard, 2/28/2018 to 1/1/2023, released 12/30/2022.

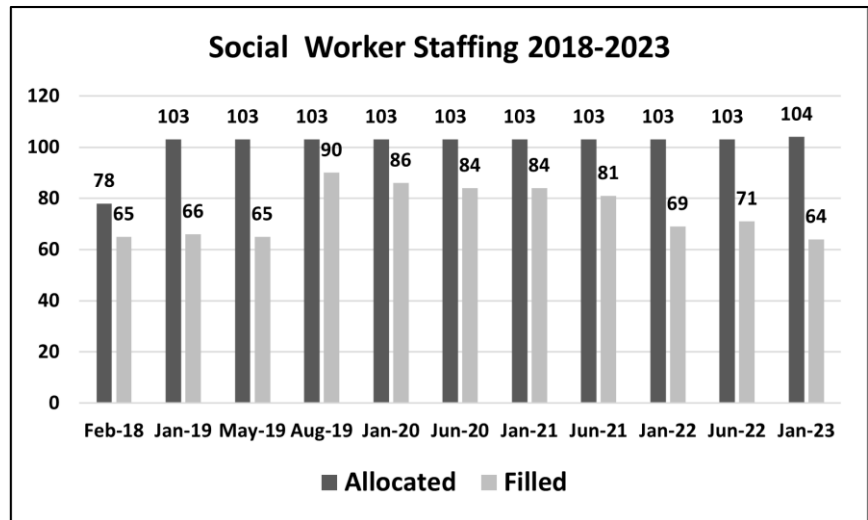
²⁰ Excerpted from the Mayo Clinic: <https://www.mayoclinic.org/healthy-lifestyle/adult-health/in-depth/burnout/art-20046642#:~:text=Job%20burnout%20is%20a%20special,as%20depression%2C%20are%20behind%20burnout.>

Burnout and repeated Moral Injuries result in a loss of focus at work, high absenteeism, high rates of medical leave, and behavioral health challenges. This creates a self-perpetuating cycle: A worker suffers burnout and Moral Injury, causing them to leave CWS, contributing to understaffing. This means larger workloads for the new and remaining employees, resulting in more burnout, more Moral Injury, and more people leaving CWS. Without intervention this is a cycle without end.

It should be noted that the effects of the COVID-19 pandemic have contributed to staffing issues. This has been an issue throughout the public and private sectors. We found no evidence that this contributes to staffing problems at CWS more than anywhere else.

The staffing shortage is not limited to those who work directly for CWS. The County Counsel’s office

provides the lawyers who represent CWS in court proceedings. These attorneys typically have 400-450 open cases at any given time. The County Counsel’s office has three positions allocated for these CWS attorneys. As of this writing one of those positions is unfilled, resulting in caseloads of 200+ for the remaining lawyers. Even with full staffing the workload makes it difficult to provide adequate representation within a 40-hour week.



COURT UNIT STAFFING PRIORITY

The Court Unit is also affected by staffing issues. As of February 2023, just two of five positions were filled.

CWS court cases involve the most critical situations - the serious nature of any WIC 300 violation makes this clear. By achieving full staffing and retaining experienced Social Worker IV’s, along with the efficiencies already being implemented as part of the QIP, delays can be minimized, and better outcomes achieved.

We recognize that filling these positions means other positions remain unfilled, and we don’t mean to downplay the importance of any other part of CWS. However, if this is thought as a “return on investment” situation, with the “return” being healthier children now and into adulthood, the decision is clear.

We also feel that this could eventually have a positive influence on staffing throughout CWS. As discussed above, many Social Workers leave the agency due to burnout and repeated Moral Injuries. If the court unit is made whole and can function as designed these workers will be more likely to remain with CWS. Once that unit is stabilized the same process can be implemented with the next most critical unit, and so on.

PANEL ATTORNEYS

The private attorneys who represent parents and children are commonly referred to as “panel” attorneys. There are currently five such attorneys, assigned cases in a random order. Their fees are paid by the State of California. In other California counties these attorneys may be part of the Public Defender's Office, be a separate government agency, or be a private law firm that wins a contract with the courts in a competitive bidding process. There are also private attorneys specializing in dependency who are paid directly by the client.

PRIVATE ATTORNEY / CWS COMMUNICATION

CWS County Counsel attorneys represent the Social Workers themselves. The State Bar of California rule 2-100 states, in summary, that an attorney representing one party may not speak with another party who they know to be represented.²¹ Under the strictest interpretation, this means private attorneys representing children and families may not speak to the Social Workers without the CWS attorney being present.

Many counties, including Mendocino County, allow this communication without prior permission from County Counsel. Instead, they rely on all parties acting ethically and, as a check against abuse of this privilege, County Counsel is copied on these communications.

No mutual understanding about the “rules of engagement” exists between local private attorneys and County Counsel, effectively prohibiting these communications. This extends to Child and Family Teams (CFT) meetings, which consist of children, family, foster parents, Social Workers, Juvenile Probation Officers, and others.²²

Allowing open communication between private attorneys and CWS has advantages. Sharing valuable information early, rather than waiting for a court date, can lead to understandings and agreements outside of the formal court process, reducing paperwork and court time for all involved.

A simple checks-and-balances procedure involving notifications, copying on communications, and training, as well as an understanding of the privilege and responsibility that comes with greater access, will allow open and productive communication.

²¹ State Bar rule 2-100: <https://www.calbar.ca.gov/Attorneys/Conduct-Discipline/Rules/Rules-of-Professional-Conduct/Previous-Rules/Rule-2-100>

²² About Child and Family Teams: <https://www.cdss.ca.gov/inforesources/foster-care/child-and-family-teams/about>

RECRUITING

The recruiting methods used by CWS are not sufficient to address the staffing crisis.²³ There has been “passive” recruiting, such as published or posted advertisements, and minimal “active” recruiting, such as presence at a California Polytechnic State University, Humboldt (CalPoly) job fair. These methods have inadequately addressed the issue of historically low staffing.

CWS is not prevented by policy or regulation from using a wide variety of proactive, in-house recruiting techniques, and should do so at every opportunity.

- **Recruiting from Universities and Colleges:**

There is strong competition in the public and private sectors for new Social Workers. CWS cannot afford to wait for qualified candidates to come to them, they must actively and aggressively reach out to make the case for Humboldt County. We could find no evidence that, aside from CalPoly and College of the Redwoods, CWS has made this effort with universities and community colleges outside Humboldt County.

There are 21 state public universities that offer Bachelor of Social Work and/or Master of Social Work degrees. Many community colleges offer Associate of Arts Degrees in Social Work, which can lead to entry-level Social Worker Aide positions and serve as a “feeder” to a four-year degree program.

By establishing an early, active, and continuing presence on these campuses CWS can better recruit graduates and make Humboldt County an attractive destination for graduates. This presence can be in many forms, such as job fairs, guest lecturing, and using alumni resources to make contact with potential employees.

- **The California Social Work Education Center (CalSWEC) Title IV-E Program:**

“The CalSWEC Title IV-E Program provides professional education and monetary support to undergraduate and graduate social work students who intend to pursue or continue a career in the field of public child welfare.^{24 25} The goals of the CalSWEC Title IV-E Program:

- To increase the number of public child welfare (PCW) workers in California with BASW and MSW degrees
- To prioritize the enrollment of current state/county/Tribal social services staff
- To prioritize the enrollment of students who reflect the diversity of California’s child welfare population
- To provide specific program support through the provision of monetary support to students

²³ CWS internal document, *Child Welfare Services Recruitment Efforts 2022 & 2023*

²⁴ California Social Work Education Center: <https://calswec.berkeley.edu/home>

²⁵ CA Department of Social Services: <https://www.cdss.ca.gov/inforesources/child-welfare-training>

- To provide specific program support through a specialized competency-based child welfare curriculum”²⁶

CWS has participated in the Title IV-E program with CalPoly for many years. The program provides an \$18,500 per year stipend for two years to full-time students working towards a Masters in Social Work Degree. In exchange, the student must work as a full-time regular employee for the sponsoring agency for one or two years, depending on how many years of assistance they received. For students already employed by a public welfare agency such as CWS the Title IV-E program provides \$14,164 for each of three years for tuition, fees, and books. The student must be a part-time employee of CWS during their schooling.^{27 28}

An additional benefit is that new Social Workers must receive a large amount of “supervision” hours to help achieve their appropriate license, which can be very expensive in the private sector. With county employment these hours are provided free of charge.

21 universities statewide participate in this program. We could find no evidence that CWS has participated in the Title IV-E program with any university aside from CalPoly, nor any evidence that CWS would be prohibited from participating with other universities. The number of positions in the CalSWEC Title IV-E program is limited to 20 per university.

The Title IV-E program provides an attractive alternative to student debt, and it is unrealistic to think that all of the needed Social Workers can be found locally. Title IV-E should be used in conjunction with robust, proactive recruiting at universities aside from CalPoly who offer this program.

- **CWS Online Presence:**

The CWS online presence for recruiting and hiring new employees is inadequate. Online resources are usually the first place that jobseekers look, and CWS is missing significant opportunities.

At the bottom of the DHHS homepage there is a link labelled “DHHS is HIRING”. This link leads to the Humboldt County Human Resources job listings page. This is the only reference to job opportunities we could find on any DHHS webpage. CWS, with 36% of their allotted positions unfilled, should be making their job opportunities as visible and attractive as possible.

²⁶ Quote from UC Berkeley School of Social Welfare: <https://calswec.berkeley.edu/programs-and-services/calswec-title-iv-e-program#:~:text=The%20CalSWEC%20Title%20IV%20DE,field%20of%20public%20child%20welfare.>

²⁷ CalPoly CalSWEC brochure: https://socialwork.humboldt.edu/sites/default/files/calswec_brochure_0.pdf

²⁸ CalSWEC FAQ's: https://socialwork.humboldt.edu/sites/default/files/msw-calswecinfo_0.pdf

Depending on the job there are two different online portals for applications with CWS, which can lead to confusion and missed opportunities. Many open CWS positions are advertised through the Humboldt County Department of Human Resources online presence.

However, CWS Social Worker positions are federally funded, with a requirement that job applications be processed through a Merit System Services Program (MSS).²⁹ Some counties use an in-house MSS system – Humboldt County does not. For these positions the county uses the California Department of Human Resources (CalHR), a state system. These are two distinct systems that don't reference each other in any public way.

We could find no reference on any county website to CalHR, MSS, or any other outside portal where someone could apply for Social Worker positions. Potential new CWS Social Workers, who naturally look at official Humboldt County websites for opportunities, can get the impression that CWS is never looking for them. DHHS and CWS should work to make all job openings easy to find from county webpages and engage in a robust social media program, including paid targeted advertising.

APPLICATION PERIODS

Applications for CWS employees are only accepted for short and infrequent periods of time. CWS positions typically have no more than a two-week open application period, and in 2022 there were at most three application periods per position. Potential employees who miss this small window must wait until the next available window. They have no way of knowing when or if this window will open again.

This short application period makes it somewhat easier for the professionals in Human Resources to process applications than if they were accepted on a continual basis. With CWS so critically short on staffing it is well worth the minimal extra effort to continually accept applications, resulting in a larger pool of qualified candidates.

HIRING PROCESS SPEED

We have heard anecdotal evidence from multiple sources that the hiring process for CWS takes too long, to the point where otherwise qualified applicants become frustrated and seek employment elsewhere. Human Resources and CWS play active parts in the process, which currently ranges between 1½ and 2 months, sometimes longer. CWS should do everything within their control to streamline this process.

²⁹ CalHR MSS: <https://www.calhr.ca.gov/pmd>

OFFICE OF THE OMBUDSPERSON

CWS has an Office of the Ombudsperson prominently referenced on their website.^{30 31} As related on that site, the Ombudsperson provides:

- Independent review of concerns or complaints related to Humboldt County Child Welfare Services
- Information, consultation, and facilitation related to Humboldt County Child Welfare Services
- Assistance with problem resolution related to Humboldt County Child Welfare Services

The Office of the Ombudsperson has been vacant for two years. Currently any communication with that office is handled by a CWS Deputy Director or their designee. When the office is filled the Ombudsperson reports directly to a Deputy Director. This suggests a conflict of interest, where the person conducting an “independent review of concerns” is subservient to the very person who oversees the areas the complaint may be about.

CWS CULTURE AND COMPLACENCY

In conducting our interviews several themes emerged. They are difficult to quantify but were repeated often enough that they cannot be ignored.

The culture at CWS was described as “toxic”, with leadership that isn’t in touch with the work of those they are leading. Stress-related absenteeism and medical leave are common and multiple people describe CWS leadership as taking a “defensive posture” when faced with questions and criticism. The CWS approach to hiring Social Workers was described as “churn them out and burn them out”.

CWS has been an insular department for decades. Supervisors and upper management largely consist of people who have risen through the ranks at CWS or other branches within the Department of Health and Human Services. Few if any of them have hands-on experience in Child Welfare agencies outside of Humboldt County. There is much to be said for retaining institutional knowledge, but that must be refreshed with new ideas and fresh, critical eyes. The phrase “that’s the way we’ve always done it” is poison in any institution.

³⁰ CWS Office of the Ombudsperson: <https://humboldt.gov/2360/CWS-Office-of-the-Ombudsperson>

³¹ CWS Policy & Procedure 10-75: <https://humboldt.gov/DocumentCenter/View/87241/10-75-Complaint-Resolution-and-Grievance-Review>

STAKEHOLDERS

There are many entities outside Child Welfare Services involved in the court process, all of them with the best interests of the child at heart. These include but are not limited to:

- The court itself, including the Family Law Judge
- Attorneys from County Counsel who represent CWS in court
- Private attorneys who represent the children and families
- All of the Tribes in Humboldt County
- Court Appointed Special Advocates (CASA)

We applaud CWS for being proactive with a Quality Improvement Program. However, improvement in a system such as this is best achieved in a holistic way, where all stakeholders have input. There are many valid perspectives and fresh ideas outside CWS that should be considered in efforts to improve services.

There have been “court improvement meetings” that included the Family Law Judge, CWS, and attorneys for the children and families. These had the goal of meeting to discuss ways to make the court process proceed more smoothly. These had started as monthly meetings, then became quarterly meetings, and as of this writing have ceased to exist.

There is very little oversight of the Department of Health and Human Services or Child Welfare Services. They report directly to the elected Board of Supervisors, who ask few critical questions and generally receive at face value reports and recommendations made by DHHS and CWS .

CONCLUSION

Child Welfare Services is essential for children in need of protection. The people who work in CWS demonstrate knowledge of their jobs and passion for their mission. They know that the health and welfare of our children is important now and in the future.

There are many internal efficiencies that CWS can implement to improve the situation. They can accept constructive criticism from and collaborate with primary stakeholders.

The single largest contributing factor to CWS not successfully actualizing its mission is they are trying to do so with just two-thirds of the workforce they have been allocated. This is a difficult if not impossible task.

No portion of CWS has more impact on the health and welfare of endangered children than the Court Unit, handling the most critical cases with the most endangered children. Proper staffing is the single most critical item needed to create better outcomes.

The Humboldt County Civil Grand Jury recognizes that providing full staffing to the Court Unit results in minor shortages elsewhere in the system. We also recognize that the only way to improve outcomes in the most critical cases is with full staffing. The leadership of CWS is faced with very difficult decisions. We believe that fully staffing the Court Unit is a difficult decision that needs to be made no later than October 1, 2023.

Our recommendations are realistic and achievable. They will result in better outcomes now and they will help with staffing issues in the future. We urge Child Welfare Services leadership, County Counsel, and the Humboldt County Board of Supervisors to adopt them and want to thank all involved for their cooperation in this investigation.

FINDINGS

The Humboldt County Civil Grand Jury finds that:

- **F1:** The Humboldt County Department of Health and Human Services' Child Welfare Services Branch is understaffed, with only 64% of positions filled as of January 2023. This causes delays in providing services to children and families.
- **F2:** Using their current methods, Child Welfare Services has been unsuccessful in recruiting new workers, contributing to missed opportunities to attract new employees and understaffing.
- **F3:** Understaffing at Child Welfare Services leads to high caseloads and low worker morale, contributing to high worker turnover and a lack of experienced workers.
- **F4:** Child Welfare Services employs Social Services Aides, Social Workers, Social Worker Supervisors, and other employees who demonstrate a genuine passion for the work of improving the lives of children but suffer from repeated moral injuries and burnout.
- **F5:** The stress due to understaffing and overwork has led to a rise in health-related absenteeism for employees of the Child Welfare Services Court Unit.
- **F6:** Child Welfare Services employs recently graduated Social Workers from California Polytechnic State University, Humboldt, using the California Social Worker Education Center Title IX-E program. They do not use this program in cooperation with any other universities. This results in missed opportunities to recruit and sponsor new Social Workers.
- **F7:** Applications for new county employees within Child Welfare Services takes longer to process than necessary, resulting in some interested and capable workers choosing to abandon the process and seek employment elsewhere.

- **F8:** Applications for employment in Child Welfare Services are accepted for short periods of time and only two or three times per year. This results in potential workers who might be interested in employment not applying for these jobs.
- **F9:** Child Welfare Services web pages do not include any mentions of or links to open jobs, leading potential new employees to believe these positions are not available.
- **F10:** Open positions for Social Workers in Child Welfare Services can only be applied for through a State of California portal that is not referenced in any County of Humboldt web pages. This leads potential new employees to believe that positions are not available even when applications are being accepted.
- **F11:** The Child Welfare Services Court Unit regularly receives newer employees in the Social Worker I and II classifications. Upon achieving the status of Social Worker III, after two years of experience, these employees are rotated to new assignments, creating a perpetual training cycle and inefficiencies in worker output.
- **F12:** Child Welfare Services regularly fails to meet the legally mandated timelines for court filings. This results in court proceedings being extended, to the detriment of children, families, and the court.
- **F13:** When a worker in the Court Unit is absent on leave, on vacation, or the position is unfilled, there is no regular provision to fill the open position. This contributes to a backlog of cases being filed with the court.
- **F14:** When Child Welfare Services fails to meet legally mandated timelines for court filings they are not providing the children and families with due process. This could create a federal civil rights violation liability for the County of Humboldt.
- **F15:** Court cases initiated by Child Welfare Services involve families in crisis who require interventions and supervision, and sometimes foster homes and adoption, all of which contribute to Adverse Childhood Experiences. Subjecting children to delays in court proceedings can make that trauma more severe.
- **F16:** In recognition of the lack of timeliness in court filings Child Welfare Services has started a Quality Improvement Plan without the inclusion of other stakeholders aside from the court and County Counsel. Excluding major participants in the court process leads to an incomplete evaluation of the problems and potential solutions.
- **F17:** Monthly Improvement Meetings, involving the court, private attorneys, and CWS have happened regularly in the past but as of April of 2023 are happening sporadically, if at all. This misses an opportunity to have regular discussions on specific issues that can help to streamline the entire court process.

- **F18:** Attorneys who represent children and families in Child Welfare Services cases are effectively prevented from speaking directly with the Social Workers involved in particular cases. This results in delayed or nonexistent communication.
- **F19:** There are three attorney positions allocated to the County Counsel's office for specialists in Child Welfare cases, one of which was unfilled as of April 2023. Even when fully staffed there are not enough attorneys in the County Counsel's office to represent Child Welfare Services in a timely and effective manner.
- **F20:** The Child Welfare Services Office of the Ombudsperson is vacant, providing no dedicated independent investigator and advocate for complaints from those involved in the Child Welfare System. This creates doubt that complaints are adequately investigated and addressed.
- **F21:** When there is an Ombudsperson they report to the Deputy Director who supervises them, who also may supervise areas that are the subject of complaints. This creates the potential for a conflict of interest.
- **F22:** The Department of Health and Human Services and Child Welfare Services are ultimately overseen by the Humboldt County Board of Supervisors. The Board has no way of receiving independent information on the status of the situation within the dependency court process. Having this information would be critical for the Board of Supervisors to make informed decisions regarding Child Welfare Services.

RECOMMENDATIONS

The Humboldt County Civil Grand Jury recommends that:

- **R1:** Starting no later than January 1, 2024, Child Welfare Services actively recruit new Social Workers, not just from Cal Poly Humboldt but from universities throughout California. For funding recommendations see the wording below recommendation #4. **(F1, F2, F3, F4, F5)**
- **R2:** Starting the academic year 2024/25, Child Welfare Services sponsor all Social Services Aides who show interest and meet minimum requirements through the College of the Redwoods and/or California State Polytechnic University, Humboldt, to earn a Bachelors of Social Work degree. For funding recommendation see the wording below recommendation #4. **(F1, F2, F3, F4, F5)**
- **R3:** Starting in time for the 2024/25 academic year, Child Welfare Services sponsor all Social Worker I, II, and III employees who show interest and meet minimum requirements through the California State Polytechnic University, Humboldt, Masters of Social Work program. This will be for those unable to use the California Social Work Education Center Title IX-E program. For funding recommendations see the wording below recommendation #4. **(F1, F2, F3, F4, F5)**

- **R4:** By the academic year 2024/25 Child Welfare Services take full advantage of the California Social Work Education Center Title IX-E program by working with universities throughout the state of California.. For funding recommendations see the wording below. **(F1, F2, F3, F4, F5, F6)**
 - **Funding Recommendation:** The Grand Jury recommends that Child Welfare Services fund the educational expenses listed in **R1, R2, R3, R4, R16** and **R17** with existing appropriations in the current fiscal year. If current appropriations are not sufficient, the Grand Jury recommends that Child Welfare Services, at its next earliest opportunity, pursue additional funding from an appropriate agency, including state or federal agencies, or submit to the Humboldt County Board of Supervisors, a request for additional funding, sufficient to fund the above recommendations.
- **R5:** Child Welfare Services work with County Human Resources and the Department of Health and Human Services Employee Services to streamline the hiring process so that it takes no more than two months between a candidate’s application and a decision by the county. This streamlining process to be in effect no later than April 1, 2024. **(F7)**
- **R6:** The Department of Health and Human Services Employee Services make personal contact with potential employees upon receipt of their application and at regular intervals during the hiring process, keeping them up to date on their status. This practice will be operable no later than November 1, 2024. **(F7)**
- **R7:** There be a permanent open application process to create a pool of qualified people for all CWS Social Services Aide, Social Worker, and Social Worker Supervisor positions. This to be in effect no later than January 1, 2024. **(F8)**
- **R8:** Child Welfare Services increase their internet presence for all job openings. This recommendation to be implemented by November 1, 2023. **(F9, F10)**
- **R9:** The practice of moving Social Workers out of the Court Unit after just a few years cease. Employees should not start their careers in the Court Unit. This procedural change to take place no later than October 1, 2023. **(F11, F12)**
- **R10:** When an opening is created within the Court Unit a Social Worker from another unit be temporarily assigned until the position can be filled full-time. This practice to be operable no later than October 1, 2023. **(F12, F13)**
- **R11:** The Child Welfare Services Court Unit should be the top priority for full staffing now and into the future. This procedural change to take place no later than October 1, 2023. **(F11, F12, F13, F14, F15)**

- **R12:** Child Welfare Services convene a diverse working group of stakeholders in the Dependency Court process to address quality improvement. These meetings are distinct from those described in R13 in that they will focus on internal Child Welfare Services Quality Improvement Plans. This working group to be convened no later than January 1, 2024. **(F16)**
- **R13:** Child Welfare Services should advocate that Monthly Improvement Meetings involving the court, private attorneys, and Child Welfare Services be reinstated. This advocacy to begin no later than October 1, 2023. **(F17)**
- **R14:** Child Welfare Services and County Counsel enact a blanket exemption to the procedure of Social Workers being required to have County Counsel present whenever they speak with an attorney representing a child or parent. This recommendation to be in place no later than October 1, 2023. **(F18)**
- **R15:** The Humboldt County Board of Supervisors fund two additional attorneys assigned to work with Child Welfare Services. For funding recommendations see the wording below recommendation #4. The process of hiring new attorneys to begin no later than December 1, 2023. **(F19)**
- **R16:** The Humboldt County Board of Supervisors retain a consultant unrelated to Humboldt County Government or Agencies to provide a comprehensive evaluation of and recommendations for Child Welfare Services. This independent consultant to be retained no later than January 1, 2024. For funding recommendations see wording below recommendation #4 **(F5, F12, F14, F15, F16, F17, F18, F19, F20, F21, F22)**
- **R17:** By January 1, 2024, the position of Child Welfare Services Office of the Ombudsperson be filled. **(F20)**
- **R18:** By April 1, 2024, the Humboldt County Board of Supervisors remove the Ombudsperson position from the Child Welfare Services organizational structure, reallocating the position to the County Administrative Officer, to whom they will directly report. **(F21)**
- **R19:** The Humboldt County Board of Supervisors create a committee whose sole mission is to independently and accurately evaluate the status of timely court filings by Child Welfare Services. They will report their findings quarterly to the Board of Supervisors. This committee to be operational no later than January 1, 2024. **(F22)**

REQUEST FOR RESPONSES

Pursuant to California Penal Code sections 933 and 933.05, the Grand Jury requests each entity or individual named below to respond to the enumerated Findings and Recommendations within specific statutory guidelines.

Responses to Findings shall be either:

- The respondent agrees with the finding
- The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor

Responses to Recommendations shall be one of the following:

- The recommendation has been implemented, with a summary regarding the implemented action
- The recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation
- The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a time frame for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency where applicable. This time frame shall not exceed six months from the date of the publication of the Grand Jury report.
- The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

REQUIRED RESPONSES - Within 90 days

The Humboldt County Board of Supervisors
(All findings, all recommendations)

INVITED RESPONSES - Within 60 days

County Administrative Officer, County of Humboldt
(F1, F2, F7, F8, F9, F19, and F21) and (R1, R2, R3, R4, R5, R6, R7, R15, and R16)

Director of Humboldt County Human Resources
(F7 and F8) and (R5 and R7)

Director of the Humboldt County Department of Health and Human Services
(All findings, all recommendations)

Director of Humboldt County Child Welfare Services
(All findings, all recommendations)

Office of the County Counsel
(F14, F19, and R15)

Responses are to be sent to:

The Honorable Judge Neel
Humboldt County Superior Court
825 5th Street, Eureka, CA 95501

The Humboldt County Civil Grand Jury
825 5th Street, Eureka, CA 95501

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.

This report was issued by the Humboldt County Civil Grand Jury with the exception of one juror who asked to be recused.

BIBLIOGRAPHY

American Bar Association

- **Social Services and Constitutional Rights, a Balancing Act**
<https://www.americanbar.org/groups/litigation/committees/childrens-rights/articles/2013/social-services-constitutional-rights-balancing-act/>

American Journal of Preventive Medicine

- **Relationship of Childhood Abuse and Household Dysfunction to Many of the Leading Causes of Death in Adults - The Adverse Childhood Experience (ACE) Study**
[https://www.ajpmonline.org/article/S0749-3797\(98\)00017-8/fulltext](https://www.ajpmonline.org/article/S0749-3797(98)00017-8/fulltext)

Archives of Psychiatric Nursing

- **Trauma-Informed Care for Youth in Foster Care**
<https://www.sciencedirect.com/science/article/abs/pii/S0883941716000170>

Brodinsky et al., 2021 David Brodinsky, Megan Gunnar, & Jesus Palacios

- **Adoption and trauma: Risks, recovery, and the lived experience of adoption**
The International Journal, a publication of the International Society for Prevention of Child Abuse and Neglect. <https://www.sciencedirect.com/science/article/abs/pii/S0145213421003781>

California Center for Rural Policy, 2021 and 2022 (2 documents)

- **Performance of Corrective Actions of the Stipulated Supplemental Judgment - The People of the State of California v. Humboldt County Department of Health and Human Services.**
California State Polytechnic University, Humboldt
<https://ccrp.humboldt.edu/research/humboldt-county-child-welfare-services-compliance-monitoring>

Child Welfare Council

- **2018-2019 Annual Report**
<https://cdn-west-prod-chhs-01.dsh.ca.gov/chhs/uploads/2020/08/27153702/CWC-Annual-Report-18-19.pdf>

California Courts

- **Guide to Dependency Court - For Parents**
<https://www.courts.ca.gov/1205.htm?rdeLocaleAttr=en>

California Department of Human Resources

- **California Merit System Services**
<https://www.calhr.ca.gov/pmd/Documents/about-merit-system-services.pdf>

California Polytechnic State University, Humboldt

- **Cal Poly Humboldt CalSWEC Title IV-E**
https://socialwork.humboldt.edu/sites/default/files/calswec_brochure_0.pdf

California Department of Social Services

- **Child Welfare Policies**
<https://www.cdss.ca.gov/inforesources/child-welfare-protection/policies>
- **Training Support Unit**
<https://www.cdss.ca.gov/inforesources/child-welfare-training>

California Social Work Education Center

- **CalSWEC Title IV-E Program**
<https://calswec.berkeley.edu/programs-and-services/calswec-title-iv-e-program>
- **CalSWEC Title IV-E FAQ's**
https://socialwork.humboldt.edu/sites/default/files/msw-calswecinfo_0.pdf

California Welfare and Institutions Code

- **Section 300, inclusive**
https://leginfo.ca.gov/faces/codes_displaySection.xhtml?sectionNum=300.&lawCode=WIC

Centers for Disease and Control and Prevention

- **Violence Prevention - Adverse Child Experiences**
<https://www.cdc.gov/violenceprevention/aces/index.html>
- **ACES Infographic**
<https://vetoviolence.cdc.gov/apps/aces-infographic/home>

Center for the Study of Social Policy, 12/14/2018, 6/5/2019, 12/16/2019, 6/30/2020, 12/14/2020, and 6/25/2021 (6 documents)

- **Performance of Corrective Actions in the Judgment in The People of the State of California v. Humboldt County Department of Health and Human Services and Humboldt County Sheriff's Office.**
<https://cssp.org/?s=humboldt&submit=>

Center for Youth Wellness

- **Data Report: A Hidden Crisis**
<https://centerforyouthwellness.org/wp-content/themes/cyw/build/img/building-a-movement/hidden-crisis.pdf>

Concordia University, St. Paul

- **Trauma & Children in Foster Care: A Comprehensive Overview**
<https://www.csp.edu/publication/trauma-children-in-foster-care-a-comprehensive-overview/>

County of Humboldt

- **FY 2022-23 Proposed Budget, Section D, Department of Health and Human Services**
<https://humboldtgov.org/DocumentCenter/View/107852/Section-D---Health--Human-Services>

County of Humboldt

- **2022-23 Adopted Budget**
<https://humboldtgov.org/DocumentCenter/View/113045/Schedule--08-Detail-of-Financing-Uses-by-Function>
- **2022-23 Adopted Budget Personnel Allocations**
<https://humboldtgov.org/DocumentCenter/View/107904/Section-H---Personnel-Allocations>
- **Memorandum of Understanding between the County of Humboldt & the American Federation of State, County, and Municipal Employees, AFL-CIO, Local 1684**
<https://humboldtgov.org/DocumentCenter/View/55518/AFSCME-MOU-?bidId=>
- **Humboldt County Merit System Rules**
<https://humboldtgov.org/DocumentCenter/View/665/Merit-System-Rules-PDF?bidId=>

County of Humboldt, Department of Health and Human Services, Child Welfare Services

- **Child Protection Reporting Guide**
<https://cprg.app.evidentchange.net/humboldt/>
- **Policy and Procedure, Policy Numbers 01-16 to 22-10, inclusive.**
<https://humboldtgov.org/2454/CWS-Policies-Procedures> (Not all policies available)
- **Quality Improvement Project 22-02, published 12/16/2022**
- **Recruitment Efforts 2022-2023**
- **Staffing Updates Dashboard, published 12/30/2022**
- **Transition Organizational Assessment Study**
<https://wbcpinc.com/wp-content/uploads/2017/06/Humboldt-DHHS-Assessment-Report.pdf>

College of the Redwoods

- **Humboldt County Child Welfare Services 101 Foster & Kinship Care Education**
<https://www.redwoods.edu/Portals/52/Class%20Packets/Humboldt%20County%20Child%20Welfare%20Services%20101%20cherie-1.pdf?ver=2020-09-23-201549-930>

Journal of Aggression, Maltreatment, and Trauma, Volume 24, Issue 4, 2015

- **Foster Care Youth Share Stories of Trauma Before, During, and After Placement: Youth Voices for Building Trauma-Informed Systems of Care**
<https://www.tandfonline.com/doi/abs/10.1080/10926771.2015.1009603>

Mayo Clinic

- **Job Burnout: How to Spot it and Take Action**
<https://www.mayoclinic.org/healthy-lifestyle/adult-health/in-depth/burnout/art-20046642#:~:text=Job%20burnout%20is%20a%20special,as%20depression%2C%20are%20behind%20burnout.>

National Library of Medicine

- **Toxic Stress: Effects, Prevention, and Treatment**
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4928741/#:~:text=Toxic%20stress%20results%20in%20prolonged,%2C%20reassurance%2C%20or%20emotional%20attachment>
[s.](#)

The Lancet - Psychiatry

- **Moral Injury: The Effect on Mental Health and Implications for Treatment**
[https://www.thelancet.com/journals/lanpsy/article/PIIS2215-0366\(21\)00113-9/fulltext](https://www.thelancet.com/journals/lanpsy/article/PIIS2215-0366(21)00113-9/fulltext)

The Marshall Project

- **The Hidden Trauma of “Short Stays” in Foster Care**
<https://www.themarshallproject.org/2020/02/11/the-hidden-trauma-of-short-stays-in-foster-care>

United States Bureau of Indian Affairs

- **Indian Child Welfare Act**
<https://www.bia.gov/bia/ois/dhs/icwa>

United States Code

- **25 USC Ch. 21: Indian Child Welfare**
<https://uscode.house.gov/view.xhtml?path=/prelim@title25/chapter21&edition=prelim>

APPENDIX A

