

Commissioner's Bulletin

Honorable Rudolph W. Giuliani, Mayor Nicholas Scoppetta, Commissioner

Commissioner's Message

Reform Update

What do Cleveland, Philadelphia, Atlanta, and Los Angeles have in common? They all use Family to Family strategies to promote neighborhood-based child welfare. Now, New York City is joining them.

DV 411

The Office of Interagency Affairs highlights a new way for women to protect themselves from violence.

Child Welfare Today

How has *Tenenbaum v. Williams* redefined "emergency removals?"

Resources

Books that you can read with children of incarcerated parents.

The Division of Legal Services held its first annual dinner on November 23, 1999. Top Row: Commissioner Scoppetta, the keynote speaker, the Honorable Judith Kaye, General Counsel Gerald Harris Bottom row: Family Court Judge Susan Larabee and Dr. Trudy Festinger of the NYU School of Social Work, both of whom received awards at the dinner.



Cotton Club
On November 3, 1999, New Yorkers for Children sponsored a benefit night at The Big Apple Circus for New York City foster children. Over 800 ACS children and their families, as well as donors and their families, came to enjoy the acrobats, trapeze artists, dancing dogs – and, of course, the cotton candy.

Who's Afraid of Y2K?

Are you stocking up on canned goods, keeping close track of your bank statements, and preparing for the worst to come on January 1st? Well, put your mind at ease on one count: ACS and the City of New York have taken many precautions to make sure that the year 2000

(Y2K) does not interrupt necessary services to our clients and staff.

This summer, ACS completed testing, adapting, and preparing the 27 most critical computer systems here at the agency. According to Deputy Commissioner of Administration Elizabeth

Cucchiaro, "Since ACS has been working proactively with the Office of Emergency Management, we do not anticipate any serious glitches that would impede our

"We do not anticipate any serious glitches that would impede our operation."

operation."

One of the most frequently asked questions is whether paychecks or direct deposits will be affected by Y2K. The City implemented a Y2K-compliant payroll system in July 1999 and paychecks

(continued on page 4)

Last month, the U.S. Court of Appeals made a ruling about how child welfare caseworkers make removals. In *Tenenbaum v. Williams*, the Court ruled that caseworkers will no longer enjoy qualified immunity for taking a child into protective custody without a court order unless, viewed objectively, it was reasonable for the caseworker to believe that emergency circumstances existed and that there was not sufficient time to obtain a court order.

What does that mean in real terms for ACS caseworkers?

First, you should know that you are fully protected to go about your work as you have been. Any caseworker working within the scope of his or her job responsibilities will be fully protected by the

City should a lawsuit result from a decision you make during an investigation.

Secondly, the decision to remove a child is still about proper assessment. Deciding whether a child is threatened with immediate harm must be done on a case-by-case basis. As always, in making the decision to remove a child without a court order, you should consult with your supervisor and, when necessary, an ACS attorney.

The *Tenenbaum* decision has many practical implications for caseworkers. However, the basic tenet of good case practice remains the same: proper assessment of each child's case.

– Nicholas Scoppetta



Safe and Smart

These two young ladies were able ushers at the November 19, 1999 reception for the Safe and Smart program co-sponsored by the Vera Institute and ACS. The recently piloted program places ACS caseworkers, known as School Specialists, in schools to work with students in foster care.

Child Welfare Today

Court Ruling on Non-Emergency Removals

In 1990, New York City Child Welfare Administration (CWA) caseworkers received a report that a five-year-old girl may have been sexually abused by her father. After visiting the family's home, they decided to make an emergency removal. The child was taken from school to Coney Island Hospital, where a medical examination did not conclusively indicate sexual abuse. The case was unfounded and the girl was returned to her parent's custody.

Nine years later, the U.S. Court of Appeals for the Second Circuit has issued a decision in this case, *Tenenbaum v. Williams*, which makes a court order necessary

before ACS removes any child who is not in imminent danger.

General Counsel Gerald Harris said that this decision is not a radical

The decision should heighten sensitivity to whether or not a removal is an emergency.

departure from current case policy, but it should heighten sensitivity to whether or not a removal is an emergency. The court defined an emergency as a situation that threatens a child with immediate harm. Put another way, if there is enough time to seek a court order without putting the child at risk of immediate harm,

(continued on page 4)

Reform Update

People in Your Neighborhood

ACS and the Annie E. Casey Foundation sponsored the Bronx Family to Family Conference on November 15th and 16th at the Brooklyn Marriott. The Family to Family philosophy is a fundamental part of ACS's move to neighborhood-based services. Its central principle is that children do best when they are supported by strong families, and that families do best when they are supported by strong communities. During the conference, Family to Family participants learned about four core strategies for strengthening communities.

Building Community Partnerships

Public child welfare agencies, private providers, community providers, and community members are often at odds within the community, which makes it difficult to provide coordinated, comprehensive care for children in their own neighborhoods. In both workshops and Community District Group Sessions, conference participants discussed ways to break down those traditional barriers and empower the community to share in the work of the child welfare agency.

Recruitment and Support of Family Caregivers

Family to Family encourages birth and foster parents to work together. There are many challenges involved in this common sense yet radical idea. The conference pre-



Teens in foster care attended the Family to Family conference to share ideas on how the strategies might work for them.

sented some effective mechanisms for recruiting, training, and supporting foster parents within a child's community.

Family Team Decision Making

Involving families in the decisions made about their children is something ACS already does through new initiatives such as 72-hour case conferencing and 30-day permanency case conferencing. Implementing these initiatives has raised challenges. At the conference, participants learned about the Family Team Decision Making model that can at once improve internal agency coordination and make the agency's decision-making process accessible to families.

Self-Evaluation

The last component of the Family to Family philosophy is self-evaluation. One conference workshop focused on building structures for self-evaluation teams, and linking data to planning and management.

With the recent award of neighborhood-based contracts to all five boroughs, the City child welfare system is moving into the new century with the most common sense approach available: families helping families, and neighborhoods

DV 411

VINE Keeps Victims Safe

The good news is, increasing numbers of batterers are answering to the criminal justice system for their violent behavior. The bad news is, even if a batterer is serving time in jail for his crime, a victim and her family can still be at risk:

A typical batterer is a repeat offender.

Upon release from jail, a batterer is often very angry and can find his victim relatively quickly and easily, given his intimate knowledge of her life.

Victims are not necessarily aware of the release date of their batterers.

Thanks to a new program, a woman can now take one easy step to increase the security of herself and her family. The NYC Department of Correction has established a Victim Information and Notification Everyday Program (VINE) that will alert a victim when an offender has been released from a New York City jail. This program does not include offenders held at police facilities, state prisons, or juvenile detention centers.

To register, a victim must call 1-888-VINE4NY with the inmate's New York State ID number or the inmate's name and date of arrest or date of birth. The program will then request that the victim provide a phone number where she would like to be notified and a PIN number. When the status of the inmate changes, VINE will call the victim with that information until the victim acknowledges receipt of the call by entering the PIN number.

For more information on VINE, email or call Susan Urban at (212) 341-2958.

– Maribeth Suprock
Office of Interagency Affairs

Books for parents, caregivers, and professionals to read with children of incarcerated parents:

My Mother and I Are Growing Stronger, by Inez Maury. (New Seed Press)

When Andy's Father Went to Prison, by Martha Whitmore Hickman. (Albert Whitman and Co.)

A Visit to the Big House, by Oliver Butterworth. (Houghton Mifflin Company)

I Know How You Feel Because This Happened to Me

Just For You -- Children With Incarcerated Parents

Published by the Center for Children of Incarcerated Parents.

For copies, call (626) 449-8796.

For additional resources, please call Tanya Krupat at (212) 676-6943

Child Welfare Today

(continued from page 2)

then there is no emergency according to the court's ruling.

The Division of Legal Services and the Division of Child Protection will be taking steps to ensure that staff understand the practical implications of this decision. They will be issuing a memo of guidelines speci-

fying when medical examinations require a court order. In addition, for staff with specific questions there will be an attorney on call 24 hours a day, 7 days a week.

If you would like more information on the Tenenbaum decision, please call Martin Baron at (212) 341-9005.

Y2K

(continued from page 1)

were successfully produced in August 1999. In the unlikely event of failure with direct deposits, the City will have backup checks immediately available. If you are concerned about your bank's preparedness, you can call their customer

service line directly.

If you have any further questions, you can call 1-877-ACS-5566 after December 15th for Y2K information about ACS. If you want to know more about about citywide Y2K compliance, call New York City's Y2K hotline at 1-888-4NYC-Y2K.

NYC Administration for Children's Services

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Place stamp here

The *Bulletin* wishes you a very happy holiday season. We'll see you after the millennium!

ACS SNAPSHOTS

