

Arizona Department of Child Safety

Information Provided to Local Foster Care Review Boards and State Ombudsman

Department did not provide some documents for local board case reviews because of AOC and Department issues, and some caseworkers did not attend case reviews, impacting boards' ability to review children's cases; and Department provided State Ombudsman access to Guardian, with some exceptions

Performance Audit

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A Report to the Arizona Legislature

Lindsey A. Perry
Auditor General





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July 5, 2023

Members of the Arizona Legislature

The Honorable Katie Hobbs, Governor

Mr. David Lujan, Director
Arizona Department of Child Safety

Transmitted herewith is the Auditor General's report, *Arizona Department of Child Safety—Information Provided to Local Foster Care Review Boards and State Ombudsman*. This report is in response to a December 17, 2020, resolution of the Joint Legislative Audit Committee. The performance audit was conducted as part of the sunset review process prescribed in Arizona Revised Statutes §41-2951 et seq. I am also transmitting within this report a copy of the Report Highlights to provide a quick summary for your convenience.

As outlined in its response, the Arizona Department of Child Safety agrees with all the findings and plans to implement or implement in a different manner all the recommendations. My Office will follow up with the Department in 6 months to assess its progress in implementing the recommendations.

My staff and I will be pleased to discuss or clarify items in the report.

Sincerely,

Lindsey A. Perry

Lindsey A. Perry, CPA, CFE
Auditor General

Arizona Department of Child Safety Information Provided to Local Foster Care Review Boards and State Ombudsman

Department did not provide some documents for local board case reviews because of AOC and Department issues, and some caseworkers did not attend case reviews, impacting boards' ability to review children's cases; and Department provided State Ombudsman access to Guardian, with some exceptions

Audit purpose

To determine whether the Department provided information necessary for local foster care review boards (local boards) to complete case reviews of children in out-of-home care and whether Department caseworkers complied with its case review attendance policy; and to provide information related to the Department's provision of access to the Department's case management system, Guardian, to the Arizona Ombudsman–Citizens' Aide (State Ombudsman).

Key findings

- In February 2021, the Department began using Guardian, which includes multiple tools for caseworkers to manage and store information about children's cases.
- Statute and Department policy and guidance require Department and its caseworkers to provide information to help local boards review children's progress toward permanency.
- Department's automated information exchange did not provide some case documents to the Administrative Office of the Courts (AOC) on behalf of local boards to help them review children's cases because of various issues, including AOC staff's errors requesting documents and Department not ensuring documents were stored in Guardian, which has negatively impacted AOC's and local boards' trust and confidence in the Department.
- Some caseworkers did not comply with Department's case review attendance policy, preventing some local boards from conducting complete reviews of children in out-of-home care.
- Department has provided State Ombudsman direct, remote access to Guardian pursuant to statute, with some exceptions, and these agencies will continue to meet to discuss the State Ombudsman's access to Guardian.

Key recommendations

The Department should:

- Ensure it provides all applicable case documents to AOC on behalf of local boards.
- Solicit feedback from AOC about automated information exchange issues and take steps to address these issues.
- Ensure caseworkers comply with Department case review attendance policy requirements, including tracking caseworker attendance at case reviews, and determine what information to provide to AOC when caseworkers cannot attend these reviews.
- Develop and implement guidance for what corrective actions supervisors should take in response to caseworkers' noncompliance with Department policies, such as policies for maintaining case documents in Guardian and attending case reviews.



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INTRODUCTION

The Arizona Auditor General has released the first in a series of 3 audit reports of the Arizona Department of Child Safety (Department) as part of the Department's sunset review. This performance audit determined whether the Department complied with statute by providing information necessary for local foster care review boards (local boards) to complete case reviews of children in out-of-home care (see textbox for information on out-of-home care and other key terms) and whether Department specialists (caseworkers) complied with the Department's local board case review attendance policy. Additionally, this report includes a Questions and Answers section related to the Department's provision of access to the Department's case management system, Guardian, to the Arizona Ombudsman–Citizens' Aide (State Ombudsman). The second performance audit will determine whether the Department has investigated and resolved complaints against and conducted ongoing monitoring of licensed foster and group homes consistent with State law and best practices, and the final audit report will provide responses to the statutory sunset factors.

Key terms

Case—Any instance when the Department becomes involved with a child or family, including when the Department investigates allegations of child abuse or neglect and/or coordinates services for families.

Case document—Record related to a child's case, such as a legal document, case plan, medical records, or a summary of services requested/provided to the child and their family.

Case note—Note in Guardian that provides details about interactions between the Department and other individuals associated with a child's case such as contact with a child's healthcare provider.

Dependent—Determination by a juvenile court that a child is in need of proper and effective parental care and control. The court must decide on the dependent child's services and placement, including out-of-home care.

Out-of-home care—The placement and services involving a dependent child who has been removed from their home and placed with a relative, licensed foster home, or in congregate care such as a group home.

Permanency—The permanent, legal placement of a child after the child is removed from their home. The preferred permanency option is safely reuniting the child with family, but other options include adoption, permanent guardianship, or independent living for older children.

Source: Auditor General staff review of statute, juvenile court rules, Department policy, Department website, federal Children's Bureau website, and case examples in Guardian.

Department statutorily responsible for protecting children

The Department is statutorily responsible for protecting children in Arizona, including by employing staff, such as caseworkers, to help administer and coordinate the Department's child welfare services.^{1,2} These services

¹ Arizona Revised Statutes (A.R.S.) §8-451(B).

² A.R.S. §8-802(A) requires the Department to employ child safety workers, which, according to A.R.S. §8-801(1) and (2), are individuals trained by the Department whose responsibilities include helping administer the Department's child welfare services.

include investigating allegations of abuse and neglect; preventing, intervening in, and treating abuse and neglect; promoting the well-being of children in a permanent home; and coordinating services to strengthen families. The Department is also responsible for helping ensure that children who have been adjudicated dependent by the juvenile court and placed under the Department's legal custody while in out-of-home care achieve permanency.^{3,4}

Department has implemented case management information system to help meet its statutory responsibility

The Department is statutorily required to develop a data system with all relevant information relating to a child's case.⁵ In February 2021, the Department began using a new child welfare information technology (IT) system, Guardian, that includes multiple tools for caseworkers and other Department staff to manage cases opened by the Department, including receiving reports and tracking investigations of child abuse and neglect, and creating and storing case documents and case notes.^{6,7}

Statute and Department policy require Department to provide case information to some external entities

Statute and Department policy and guidance require Department and its caseworkers to provide information to local foster care review boards that review children's progress toward permanency—

Statute and Department policy and guidance require the Department and its caseworkers to provide information to local boards throughout the State to help local boards periodically review dependent children's cases and provide recommendations to the juvenile court (see textbox for more information about local boards and Appendix B, pages b-1 through b-4, for more information about the juvenile court dependency adjudication and review process). Specifically:

- Statute requires the Department to provide AOC information necessary for local boards to perform their statutory duties through an

Local boards—Volunteer boards statutorily required to periodically review cases of children placed in out-of-home care to determine what efforts the Department has made to carry out a child's case plan for achieving permanency and provide its findings and recommendations to the juvenile court.^{1,2} Local boards receive administrative support from the Arizona Supreme Court, Administrative Office of the Courts (AOC).³ AOC reported there were 109 local boards established throughout the State as of February 2023 (see Appendix A, page a-1, for information on the number of local boards by county).

¹ A.R.S. §8-515.03(1) and (4).

² Each local board should include 5 members appointed by the presiding juvenile court judge in each Arizona county. See A.R.S. §8-515.01(A).

³ The State Foster Care Review Board is responsible for reviewing and coordinating the activities of local boards and is established within AOC's Dependent Children's Services Division. See A.R.S. §8-515.04. An AOC staff member facilitates each local board review.

Source: Auditor General staff analysis of statute and AOC-provided information.

³ Pursuant to A.R.S. §8-201(15), dependent children include those whose parents or guardians are unwilling or incapable of exercising parental care and control, and children whose home is unfit because of abuse, neglect, cruelty, or depravity by a parent or any other person having custody or care of the child.

⁴ As of February 2023, the Department reported 11,643 children and young adults in out-of-home care, and 898 of these were 18 years or older and were primarily placed in either a group home or an independent living arrangement. See Department's March 2023 *Monthly Operational and Outcome Report*.

⁵ A.R.S. §8-453(A)(3).

⁶ The Department previously used an IT system called CHILDS. As of March 2022, caseworkers were no longer able to access CHILDS, and it was fully decommissioned in July 2022.

⁷ Guardian also includes other functionalities such as tracking investigations of licensed foster and group homes and administering services for and payments to children and families.

automated information exchange.⁸ Consistent with this requirement, the Department has developed a process for providing local boards information electronically using Guardian (see Finding 1, pages 5 through 6, for additional information about this process), and Department guidance instructs caseworkers to provide local boards various case documents that should contain information to help local boards review children's progress toward permanency and develop findings and recommendations reports for the juvenile court (see textbox for additional information about local board review areas).⁹ For example, prior to a local board's review of a child's case, Department caseworkers are instructed to provide the local board with the child's case plan. According to Department policy, case plans should outline the child's permanency goal, tasks the Department and parents/guardians should complete to help the child achieve the goal, and any progress that has been made toward achieving the goal. As a result, case plans can help local boards determine whether the child's permanency goal is appropriate and evaluate whether children and parents/guardians are following the tasks outlined in the case plan and progressing toward achieving the goal. See Finding 1, pages 5 through 12, for issues we identified with the Department's process for providing children's case information to local boards.

Local board review areas

During case reviews, local boards make determinations in various areas to include in findings and recommendations reports to the juvenile court, including whether:

- Reasonable efforts, or active efforts in an Indian Child Welfare Act case, were made to prevent the child's removal from home and that remaining at home would be contrary to the child's welfare.
- The child's continuation in out-of-home placement is necessary.
- The child's placement is safe, appropriate, and the least restrictive.
- There is a written case plan that establishes an appropriate permanency goal and outlines tasks for each case participant, such as the child and parents.
- Each case participant is following the tasks outlined in the case plan.
- Progress is being made toward establishing permanency for the child.
- The established target date for the completion of the child's permanency goal is realistic.
- A judge should determine that reasonable efforts, or active efforts in an Indian Child Welfare Act case, are being made by the Department to implement the child's permanency plan.
- The child's education and/or other services to address developmental needs are being implemented.
- There are significant service gaps or system problems in the child's case.

Additionally, local board findings and recommendations reports indicate which case documents the local board reviewed; which parties attended the case review and any information they provided, such as the child's parents or relatives, the child's foster placement, the child's or parents' attorneys, and/or caseworkers; and any local board observations or concerns regarding the case.

Source: Auditor Auditor General staff analysis of local board findings and recommendations reports.

- Department policy outlines requirements for Department caseworker attendance at local board case reviews, which enables caseworkers to provide local boards additional information about a child's case and answer local board members' questions. For example, caseworkers may provide a local board with information about case updates that occurred subsequent to its receipt of case information, which could further help the local board determine whether the Department has made progress toward establishing

⁸ A.R.S. §8-519(B).

⁹ Local boards are required to review a child's case within 6 months of the child's placement in out-of-home care and at least once every 6 months thereafter and submit findings and recommendations to the juvenile court within 30 days of holding a case review. Further, the juvenile court must review and address the local board's findings and recommendations and address the board's recommendations on the record at the next scheduled dependency review hearing (see textbox, page 2, for more information about local boards and Appendix B, pages b-1 through b-4, for more information about the juvenile court dependency adjudication and review process). See A.R.S. §8-515.03(1) and (4).

permanency for the child. See Finding 2, pages 13 through 16, for issues we identified with caseworker compliance with the Department's local board case review attendance policy.

AOC reported that local boards conducted a total of 13,280 case reviews of children in out-of-home care in fiscal year 2022.¹⁰

Department statutorily required to provide State Ombudsman access to Guardian—Statute requires the Department to provide access to most Department records and direct, remote access to its electronic case management system, Guardian, to the State Ombudsman.¹¹ The State Ombudsman is responsible for investigating complaints from citizens regarding administrative actions taken by the Department and other State agencies.¹² Additionally, the Arizona State Legislature indicated in its fiscal year 2023 appropriation to the State Ombudsman that the State Ombudsman should prioritize investigating and processing complaints relating to the Department.^{13,14,15} See Questions and Answers, pages 17 through 19, for additional information about the Department's requirements to provide the State Ombudsman access to the Department's records and case management system and the Department's status in implementing those requirements.

¹⁰ Multiple children may be reviewed in a single case review, such as sibling groups. AOC reported that the 13,280 case reviews conducted in fiscal year 2022 involved 21,782 children, some of whom may have been part of case reviews more than once during the fiscal year.

¹¹ According to A.R.S. §41-1376(A)(7), the State Ombudsman has direct remote access to any automated case management system used by the Department and access to Department records except as outlined in A.R.S. §41-1378. See Questions and Answers, page 17, Question 1, for more information.

¹² A.R.S. §41-1376. A.R.S. §41-1371 defines an administrative act as an agency's action, decision, omission, recommendation, practice, policy, or procedure but does not include the preparation or presentation of legislation or the substantive content of a judicial order, decision, or opinion.

¹³ Laws 2022, Ch. 313.

¹⁴ According to its fiscal year 2022 annual report, the State Ombudsman received a total of 6,751 complaints related to State agencies, of which 1,496 involved the Department. Further, the State Ombudsman reported it investigated 377 of these complaints. For example, a citizen notified the State Ombudsman that they received communication from the Department that was not in their native language. After investigating and determining the citizen's primary language was incorrectly documented in Guardian, State Ombudsman staff worked with the citizen and Department to ensure future communication be provided in the citizen's native language.

¹⁵ According to the State Ombudsman, it uses the term "complaint" broadly to include any complaint, concern, inquiry, or other communication it receives from the public. The State Ombudsman's fiscal year 2022 annual report shows that the State Ombudsman provided coaching and assistance for 1,119 of the 1,496 complaints made against the Department during that fiscal year. For example, complaints the State Ombudsman resolved through coaching and assistance included clarification/explanation of Department services and child dependency, visitation, and placement, and facilitation of communication with caseworkers and legal counsel.



Department’s automated information exchange did not provide some case documents to AOC because of various issues including Department and AOC actions, impacting local boards’ ability to review children’s cases

Department required to provide information to AOC on behalf of local boards to help them review cases of children in out-of-home care

A.R.S. §8-519(B) requires the Department to provide AOC information necessary for local boards to perform their statutory duties through an automated information exchange (see Introduction, pages 2 through 3, for more information).¹⁶ Although statute does not define the term “automated information exchange,” the Department and other stakeholders have indicated that the statute’s intent is for the Department to provide local boards information electronically using Guardian. The Department has established an automated information exchange process utilizing Guardian to electronically provide AOC with case documents stored in Guardian (see Figure 1, page 6, for more information about this process). The Department and AOC reported that 3 case documents that contain necessary information for local board case reviews include court reports, case plans, and Team Decision Making (TDM) meeting summaries (see textbox for more information about these case documents), and the Department reported these 3 case documents are the most frequently provided through the Department’s automated information exchange.¹⁷

Case documents necessary for local board case reviews

Court report—Reports developed by the Department for juvenile court hearings to provide judges with information regarding dependent children, such as the placement, permanency goals, and needed services for children in out-of-home care.

Case plan—Department-developed document outlining the goals and tasks necessary to ensure a child achieves permanency.

TDM meeting summary—Department’s summary of decisions made by participants during TDM meetings about a child’s safety, stability, and permanency, such as steps parents must take to ensure child safety, placement options for the child, and plans for sibling and parent visitation. TDM meetings generally take place when a child has been removed or is at risk of being removed from their home and may occur at other times when a child is at risk of being unsafe. TDM meeting participants may include parents, Department representatives, the child when appropriate, and a Department meeting facilitator not associated with the case.

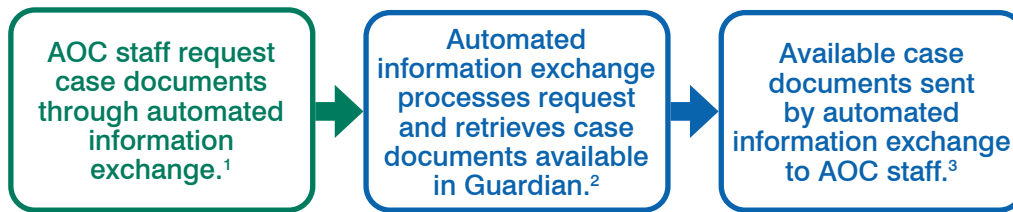
Source: Auditor General staff review of Department policy, Department website, juvenile court rules, and case documents.

¹⁶ A.R.S. §8-519(B) also specifies that the Department must, at the request of a local board, provide any record maintained by the Department pertaining to a case assigned to that board.

¹⁷ Although various case-related documents may be relevant to local board reviews, the Department reported that court reports, case plans, and TDM meeting summaries are the most likely to be applicable to a child’s case. According to the Department, these 3 documents should also be stored in Guardian and therefore should be provided through the automated information exchange.

Figure 1

Department process for providing AOC case documents on behalf of local boards through the automated information exchange



¹ AOC staff complete a request through the automated information exchange by entering relevant case information, such as the child(ren)'s name(s) and associated identification numbers, in a request form. Additionally, AOC staff add a start and end date for approximately the 6-month period prior to the local board case review for each request so the automated information exchange can identify relevant case documents stored in Guardian that were saved or modified during that time frame. However, the automated information exchange will not retrieve any documents stored in Guardian prior to the date of a child's removal from their home and placement in out-of-home care.

² Once the automated information exchange receives a request, it searches for documents in Guardian that have been linked to the child's case and that were stored in Guardian within the date range of the request.

³ Once the automated information exchange has processed a request, it automatically provides AOC staff a hyperlink via email through which they can retrieve any case documents the automated information exchange identified.

Source: Auditor General staff observations of Department's process and interviews with Department and AOC staff.

Automated information exchange did not provide some case documents to AOC because of various issues, including AOC staff submitting erroneous document requests and Department not ensuring staff stored case documents correctly in Guardian

We reviewed a sample of 13 of 124 case reviews conducted by local boards that met on June 28, 2022 and July 6, 2022, to determine if AOC staff received a complete court report, case plan, and TDM meeting summary through the automated information exchange when submitting document requests prior to each of the 13 reviews.^{18,19} As seen in Table 1 (see page 7), the automated information exchange did not provide AOC staff a complete version of all 3 case documents for any of the 13 sampled case reviews (see pages 8 through 9 for various reasons why complete documents were not provided). For example, the automated information exchange did not provide AOC staff a complete court report for any of the 13 case reviews we evaluated. In total, across the 13 case reviews we evaluated, 31 of 39 case documents were not provided or were provided incomplete through the automated information exchange.

¹⁸ We judgmentally selected these 2 days from which to select our case review sample because the local boards scheduled to meet on these days were located in several different counties. Specifically, 1 local board was scheduled to meet in Coconino County, 4 in Maricopa, 2 in Mohave, 4 in Pima, 1 in Pinal, and 1 in Yuma.


¹⁹ Our sample consisted of the first case review listed in AOC's draft schedule for each of the 13 local boards that met on these 2 days—6 case reviews held on June 28, 2022, and 7 case reviews held on July 6, 2022.

Table 1

Summary of whether 39 case documents were provided through the Department's automated information exchange for 13 local board case reviews held on June 28 and July 6, 2022¹

Local board by County	Court report	Case plan	TDM meeting summary
Coconino			
Maricopa 1			 ⁴
Maricopa 2			 ⁴
Maricopa 3			
Maricopa 4 ²			 ⁴
Mohave 1 ³			 ⁴
Mohave 2 ²			 ⁴
Pima 1 ²			 ⁴
Pima 2 ³			 ⁴
Pima 3			 ⁴
Pima 4			 ⁴
Pinal			
Yuma			

 Incomplete document⁵

 No document

 Complete document

¹ The following local boards were held on June 28, 2022: Coconino, Maricopa 1, Mohave 1, Pima 2, Pima 4, and Pinal. The following local boards were held on July 6, 2022: Maricopa 2, Maricopa 3, Maricopa 4, Mohave 2, Pima 1, Pima 3, and Yuma.

² The Department has no record of AOC staff completing a request through the automated information exchange for this case review.

³ AOC staff errors when requesting case documents contributed to why no documents were provided through the automated information exchange for this case review.

⁴ The Department reported that a TDM meeting was not required and thus not held for the child(ren) in this case review, and thus, no TDM summary was stored in Guardian to be provided through the automated information exchange.

⁵ We considered a case document to be complete if all sections of the document included information, but we did not evaluate the quality or accuracy of the information in these documents.

Source: Auditor General staff observation of AOC staff document requests through the automated information exchange and analysis of automated information exchange data.

Although we did not identify any instances of the automated information exchange failing to function as designed, we identified several other reasons why the 31 case documents were not provided or were provided incomplete to AOC through the automated information exchange.²⁰ Specifically:

- **15 of 31 case documents were not provided because AOC staff did not submit valid document requests**—For 5 of 13 case reviews we evaluated, AOC staff's failure to make a valid document request resulted in the automated information exchange not providing 15 case documents to AOC.²¹ Specifically, for 2 case reviews, AOC staff made errors in their requests for information through the automated information exchange that resulted in no case documents being provided. For example, for 1 case review, AOC staff entered an incorrect date in their document request and, as a result, the automated information exchange did not provide any case documents.^{22,23} For the remaining 3 case reviews, the Department has no record that AOC staff submitted document requests through the automated information exchange, indicating that AOC staff either did not submit a request or potentially made an error during the request submission process that resulted in the request not being successfully submitted. Similarly, AOC reported it could not determine whether its staff had submitted document requests through the automated information exchange for these 3 case reviews.
- **10 of 31 case documents were not provided or were provided incomplete because of lack of caseworker accountability for storing complete case documents in Guardian**—Although Department policy requires caseworkers to store up-to-date case plans in Guardian for each case they oversee, for 3 case reviews we evaluated, the caseworkers' direct supervisors had noted during monthly supervision meetings that an up-to-date case plan was not stored in Guardian or had not documented holding monthly supervision meetings prior to AOC staff's requests.^{24,25} Additionally, the supervisors did not document taking additional action to hold the caseworkers accountable for creating an up-to-date case plan in Guardian, such as noting a deadline by which the case plan should be created or following up with the caseworker.²⁶ As a result, when AOC staff made a request for documents for these 3 case reviews, no case plan was provided through the automated information exchange because no case plan had been created in Guardian within the date range of AOC staff's requests.^{27,28} Department supervisory policies and

²⁰ As explained in Figure 1, footnotes 1 and 2 (see page 6), the automated information exchange provides case documents in response to AOC staff requests only when the requested documents have been stored in Guardian within the date range of AOC staff's request. We found that case documents were provided to AOC through the automated information exchange when the case document was stored in Guardian within the date range of AOC staff's requests.

²¹ See Table 1, page 7, Maricopa 4, Mohave 1, Mohave 2, Pima 1, and Pima 2 rows. The Department reported that a TDM meeting was not required and thus not held for the child(ren) in these 5 case reviews. As a result, even if AOC staff had submitted valid document requests, no TDM meeting summary would have been stored in Guardian to be provided through the automated information exchange for these case reviews.

²² AOC staff erroneously entered a start date of December 2022 instead of December 2021 in the document request. Because December 2022 was in the future at the time of the request, the automated information exchange did not identify any case documents that had been created since that start date. The Department subsequently modified the automated information exchange to prevent AOC staff from entering a request start date that has not yet occurred.

²³ For the other request, AOC staff erroneously used a test version of the automated information exchange that the Department had provided to AOC staff for testing purposes during the exchange's development and initial implementation. The Department subsequently removed AOC staff's access to the test environment.

²⁴ Department policy requires caseworkers' supervisors to meet monthly with caseworkers and to complete a checklist for monthly supervision meetings to verify whether caseworkers completed various tasks, including ensuring an up-to-date case plan is stored in Guardian.

²⁵ See Table 1, page 7, Maricopa 1, Maricopa 3, and Pinal rows.

²⁶ The checklist for monthly supervision meetings includes a section for the supervisor to document any action steps the caseworker should take to address incomplete tasks, including due dates for completion.

²⁷ For example, for 1 of these 3 case reviews, AOC staff requested documents through the automated information exchange on June 8, 2022, but no case plan was provided. The caseworker responsible for this case and their supervisor had met on May 25, 2022, and documented that they discussed that the case plan had expired, but the supervisor did not document any action steps for the caseworker to take to ensure a current case plan would be created and stored in Guardian or a deadline for doing so. This caseworker and their supervisor did not document meeting again until July 26, 2022, which was after the local board had met for its review of the case, at which time the supervisor again noted that there was no current case plan stored in Guardian for this case.

²⁸ AOC reported that it did not receive any case plans for these 3 case reviews from Department caseworkers prior to the case reviews.

manuals also do not specify what actions supervisors should take to address caseworkers' noncompliance with Department policies, such as not storing up-to-date case plans in Guardian (see Finding 2, page 15, for a similar issue we identified related to Department staff noncompliance with its local board case review attendance policy).

Additionally, a lack of caseworker accountability likely contributed to 7 court reports being incomplete or not being stored in Guardian.²⁹ Specifically, for most of these 7 court reports, although the Department could not provide specific reasons why the court reports were either not stored in Guardian or stored incomplete, it reported that it expects caseworkers to store court reports in Guardian, and some Department supervisors reported that they discuss court report completion with caseworkers.³⁰ However, Department policy does not require caseworkers to store all court reports in Guardian, and its supervisory policies and manuals do not require supervisors to monitor whether caseworkers store completed court reports in Guardian. As a result, it is likely that some caseworkers did not know they were expected to store court reports in Guardian and/or supervisors did not monitor the completion of the court reports for these 7 case reviews.³¹

- **4 of 31 case documents were not provided because the Department reported they were not necessary and thus not stored in Guardian**—The Department reported that 4 TDM meeting summaries were not provided through the automated information exchange for 4 case reviews because the 4 cases had not required a TDM meeting and no TDM meeting summaries existed.^{32,33} However, AOC staff were likely unaware that no TDM meetings were held for these cases because the automated information exchange does not provide any information about why documents were not provided. In addition, the Department has not established a process for communicating to AOC staff that a TDM meeting summary would not be applicable for a case.
- **1 of 31 case documents was provided incomplete because of a Guardian software issue preventing it from properly saving in Guardian**—For 1 case review, a Guardian software issue prevented a court report from properly saving in Guardian, and thus, an incomplete version of the court report was provided through the automated information exchange to AOC staff.³⁴ As of April 2023, the Department reported it had not yet resolved this software issue.
- **1 of 31 case documents was not provided because it was stored in Guardian prior to the child's removal, and the automated information exchange does not provide these documents**—For 1 case review we evaluated, a case plan had been stored in Guardian on March 28, 2022, but the child was not removed from their home until March 29, 2022. However, the automated information exchange automatically prevents AOC staff from requesting any documents stored in Guardian prior to the child's removal from their home, including the case plan.³⁵ The Department reported it is evaluating ways to provide information stored in Guardian prior to a child's removal to local boards.

²⁹ See Table 1, page 7, Coconino, Maricopa 1, Maricopa 2, Maricopa 3, Pima 3, Pinal, and Yuma rows.

³⁰ One caseworker reported that the court reports were saved incomplete because they had previously struggled with completing court reports correctly in Guardian.

³¹ AOC reported it received a complete version of a court report by the time the local boards met for these 7 case reviews. Specifically, Department caseworkers emailed AOC staff complete court reports prior to the Coconino, Pima 3, Pinal, and Yuma case reviews; and AOC staff accessed court reports that had been stored in Maricopa County's superior court IT system prior to the Maricopa 1, Maricopa 2, and Maricopa 3 case reviews.

³² See Table 1, page 7, Maricopa 1, Maricopa 2, Pima 3, and Pima 4 rows.

³³ As seen in Table 1, page 7, TDM meeting summaries were not provided for 9 case reviews because a TDM meeting was not required and thus not held for the child(ren) in these case reviews. However, as previously discussed on page 8, for 5 of these 9 case reviews, AOC staff had not submitted valid document requests (see Table 1, page 7, Maricopa 4, Mohave 1, Mohave 2, Pima 1, and Pima 2 rows).

³⁴ See Table 1, page 7, Pima 4 row.

³⁵ AOC reported that it did not receive this case plan from a Department caseworker prior to the case review. Further, the next updated case plan for this case was not stored in Guardian for this child until July 7, 2022, which was after the AOC staff made their request for documents and after the local board met. See Table 1, page 7, Yuma row.

In November 2022, the Department began implementing a process to periodically solicit information from AOC staff about issues AOC staff experience using the automated information exchange. Specifically, AOC had begun to send reports to Department staff detailing issues it faces with the automated information exchange, such as identifying document requests that resulted in no documents being provided through the automated information exchange or if incomplete/duplicate documents were provided. This process could potentially help the Department to determine whether any of the issues previously discussed continue to occur and/or to identify additional issues that lead to documents not being provided through the automated information exchange. The Department reported that it has not formalized this process as part of any written policies or procedures.

Finally, legislation passed in the 2023 legislative session and signed by the Governor will require the Department to provide AOC direct, remote access to Guardian in addition to any Department information that is necessary for the performance of the local boards' duties.³⁶ The legislation will remove the prior requirement for the Department to provide AOC information on behalf of local boards through an automated information exchange. However, several of the issues we have identified will still exist when AOC has direct, remote access to Guardian. For example, AOC access to Guardian will not ensure that complete case documents, such as case plans and court reports, are stored in Guardian. Finally, according to the Department, it plans to maintain the automated information exchange as an option to allow AOC staff to more efficiently request and receive case documents even though it will no longer be required by statute.

Local boards must rely on other means to obtain information and may not be able to fulfill their statutory responsibility to review cases of children in out-of-home care, which has negatively impacted Department's reputation and AOC's and local boards' trust and confidence in Department

Without complete information about the cases of children in out-of-home care, local boards may not be able to fulfill their statutory responsibility to review these cases and submit complete findings and recommendations to the juvenile court. Specifically, as discussed in the Introduction (see pages 2 through 3), as part of their case reviews, local boards are statutorily responsible for completing findings and recommendations reports for the juvenile court, which address a series of 10 areas related to child well-being and Department efforts to achieve child permanency. However, without complete information about children's cases, local boards may not be able to complete all sections of their findings and recommendations reports. For example, for 1 local board case review we evaluated, the local board's findings and recommendations report indicated that the local board had not received a case plan and thus could not assess progress made toward the child's case plan goals.³⁷

Additionally, AOC staff and local board volunteers reported that it is difficult to prepare for reviews when there is a lack of information about children's cases. For example, although caseworker attendance at local boards can help address information gaps when the local board has not received all case documents (see Finding 2, pages 13 through 16, for additional information about caseworker attendance at local board case reviews), local board volunteers explained that they are not able to prepare to ask caseworkers meaningful questions without first having time to review complete information about a case.

According to the Department, these impacts are not necessarily attributable to the Department's automated information exchange not providing all case documents because AOC staff can obtain these documents through other means. For example, along with completing requests through the automated information exchange, AOC staff can request case documents when emailing reminders to caseworkers about upcoming

³⁶ Laws 2023, Ch. 106, §§2 through 4. This legislation defines Department information as all information the Department gathers during the course of an investigation conducted from the time a file is opened until it is closed but does not include information that is contained in child welfare agency licensing records.

³⁷ The Department had not ensured an up-to-date case plan was stored in Guardian for this case prior to when AOC staff requested case documents through the automated information exchange.

local board reviews or try to access case documents that are stored in Maricopa County’s superior court IT system.³⁸ However, obtaining case documents from these alternative sources may require both AOC and Department staff to spend additional and potentially unnecessary time that could otherwise be spent on other mission critical activities. Additionally, we found that some caseworkers did not respond to AOC staff’s requests for case documents, such as case plans, and the Department reported it has the ability to upload court reports only to Maricopa County’s superior court IT system. As a result, despite case documents sometimes being available from other sources, we found that many local boards we reviewed did not receive all case documents necessary to conduct their case reviews. Specifically, to assess whether local boards were able to obtain documents through means other than the automated information exchange, we reviewed the findings and recommendations reports for 124 local board case reviews conducted on June 28, 2022 and July 6, 2022, by 13 local boards across 6 counties, and found that these local boards did not always receive court reports, case plans, and/or TDM meeting summaries, where applicable, for the case reviews held on those 2 days (see Table 2).^{39,40} For example, local boards received case plans for only 45 percent of the case reviews held on those 2 days.

Table 2
Percentage of case documents AOC reported it had received at the time of 124 local board case reviews held on June 28 and July 6, 2022¹

(Unaudited)

	Court report	Case plan	TDM meeting summary
Number received	116	56	13
Number applicable ²	124	124	18 ³
Percent received	94%	45%	72%

¹ We did not review these case documents for all case reviews to determine whether the documents were complete. In addition to receiving documents through the automated information exchange, AOC staff may receive documents from Department staff or directly access some case documents, such as court reports, from the Maricopa County superior court’s IT system.

² Although court reports and case plans should be available for every child’s local board case review, according to the Department, TDM meetings are often not necessary beyond an initial local board case review. As a result, TDM meeting summaries may not be available in Guardian for noninitial case reviews.

³ Of the 124 total local board case reviews, 18 were initial reviews of children’s cases for which a TDM meeting had been held prior to the case review.

Source: Auditor General staff analysis of local board findings and recommendations reports.

Finally, the automated information exchange not providing some information to AOC on behalf of local boards has negatively impacted AOC’s and local boards’ trust and confidence in the Department and the Department’s reputation. For example, as discussed on page 9, even though the Department reported that a TDM meeting was not required and thus not held for the children in 9 of 13 case reviews we evaluated, and thus, no TDM meeting summary was available to be provided through the automated information exchange, the Department has not established a process for communicating to AOC staff that a TDM meeting summary would not be applicable in those cases. As a result, AOC staff reported that they and local boards may assume that the Department has withheld information that should have been provided, which has negatively impacted

³⁸ The Department reported that caseworkers have the ability to upload court reports only to the Maricopa County superior court’s IT system. Further, it is possible for a caseworker to upload a court report to this IT system, which AOC reported it can access, without also storing the court report in Guardian.

³⁹ We judgmentally selected 1 day in June 2022 and 1 day in July 2022, which both had local boards scheduled to meet across a variety of urban and rural counties. See footnote 18, page 6, for additional information about the counties in our sample.

⁴⁰ Findings and recommendations reports specify the case documents that local boards had received at the time of their case reviews.

AOC's and local boards' trust in and working relationship with the Department. Further, the Department's failure to provide some information to AOC on behalf of local boards has resulted in scrutiny from legislators and other stakeholders. For example, during meetings of the Joint Legislative Oversight Committee on the Department of Child Safety held on March 25, 2022 and September 29, 2022, legislators expressed concern that local boards were not receiving case plans and that volunteer local board members were discouraged because of their inability to get the information they need to perform their duties.

Recommendations

The Department should:

1. Ensure it provides court reports, case plans, TDM meeting summaries, and other case documents, as applicable, to AOC on behalf of local boards, consistent with statute.
2. Ensure Department supervisors hold and document monthly supervision meetings with caseworkers as required by Department policy.
3. Revise and implement policies and procedures to require caseworkers to store court reports in Guardian and supervisors to verify that caseworkers have completed court reports in Guardian, when applicable.
4. Develop and implement guidance for what corrective actions supervisors should take in response to caseworkers' noncompliance with Department policies, such as failing to maintain case documents in Guardian as required by Department policy or not complying with the local board case review attendance policy.
5. Continue to develop and implement its process to solicit feedback from AOC about automated information exchange issues, including by developing written procedures governing this process.
6. Based on feedback the Department receives from AOC, take steps to address any continuing or newly identified issues that result in documents not being provided through the automated information exchange, including but not limited to:
 - Developing and implementing additional policies and procedures.
 - Providing staff training.
 - Holding caseworkers accountable for following policy requirements for storing case documents in Guardian.
 - Developing processes for communicating to AOC why certain case documents are not provided through the automated information exchange.

Department response: As outlined in its [response](#), the Department agrees with the finding and will implement the recommendations.

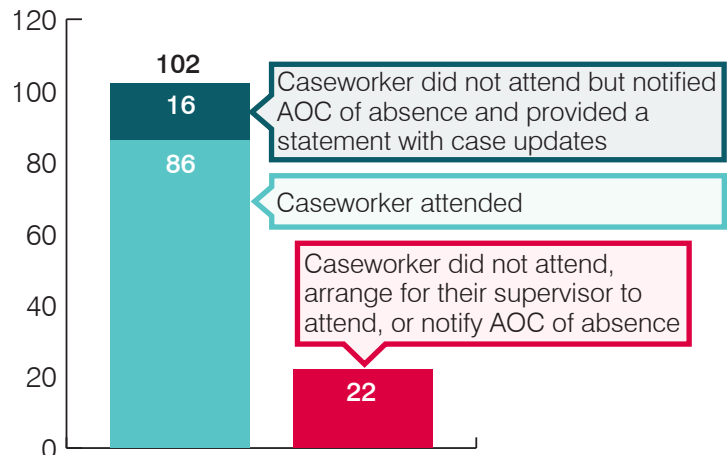
Some caseworkers did not comply with Department’s local board case review attendance policy, preventing some local boards from conducting complete case reviews for children in out-of-home care

Some caseworkers did not follow Department policy requiring them to attend local board case reviews or notify AOC if attendance is not possible

Department policy requires caseworkers to attend local board case reviews or arrange for their supervisor to attend in their place.⁴¹ If a caseworker or their supervisor is unable to attend a case review, the caseworker must notify AOC that they will not attend. We judgmentally selected 2 days in calendar year 2022 and assessed caseworker compliance with Department policy for all 124 case reviews held on those 2 days.⁴² As seen in Figure 2, for the 124 case reviews conducted on June 28, 2022 and July 6, 2022, caseworkers:

- Complied with Department policy for 82 percent, or 102 of 124, of the case reviews. Specifically, caseworkers complied with Department policy by attending 86 of 124 case reviews and by notifying AOC they could not attend 16 of 124 case reviews. Although not required by Department policy,

Figure 2
Caseworker compliance with Department policy for attendance at 124 case reviews held on June 28 and July 6, 2022^{1,2}
(Unaudited)



- We determined attendance by reviewing whether the local board's findings and recommendations report listed the caseworker as a case review attendee.
- 106 caseworkers were assigned to the 124 cases reviewed (some caseworkers were assigned to more than 1 case reviewed on these 2 days).

Source: Auditor General staff review of local board findings and recommendations reports.

⁴¹ Due to the COVID-19 pandemic, local board case reviews are held virtually via videoconference and not in person, and AOC reported that the reviews will continue to be held virtually indefinitely. Therefore, caseworkers can only attend local board case reviews virtually and not in person.

⁴² See Appendix C, page c-1, for additional information about how we selected these case reviews.

caseworkers who could not attend these 16 case reviews provided statements with case updates for the local boards conducting the case reviews.^{43,44}

- Did not comply with Department policy to either attend, arrange for their supervisor to attend, or notify AOC they could not attend for 18 percent, or 22 of 124, of the case reviews.

When caseworkers do not attend local board case reviews, local boards may not have sufficient information to complete their statutory responsibility to review the cases of children in out-of-home care

Caseworkers can provide information and perspectives in case reviews that may not otherwise be available to local board volunteers and that can help them complete all sections of their findings and recommendations report for the juvenile court. In addition, multiple juvenile court judges and commissioners we interviewed indicated that findings and recommendations reports may provide information and perspectives that help them prepare for dependency review hearings, such as statements made by case review attendees (see Introduction, pages 2 through 3, for more information about these findings and recommendations reports).^{45,46} For example, for 1 case review we evaluated, the local board's findings and recommendations report provided the juvenile court judge a summary of statements made by the caseworker and foster parents who attended the case review regarding the children's developmental progress and visitation with biological parents. Further, caseworker attendance is particularly important when local boards do not receive all necessary case documents prior to their reviews (see Finding 1, pages 5 through 12, for more information about local boards not receiving case documents necessary for their case reviews). For example, we attended 4 case reviews for which the local board did not receive all necessary case documents prior to its review and found that caseworker attendance or lack thereof impacted local board volunteers' ability to complete their findings and recommendations reports for the juvenile court.⁴⁷ Specifically:

- **Local boards did not provide complete findings and recommendations to the juvenile court for the 2 case reviews we observed for which caseworkers did not attend/provide a case update**—For 1 case review we observed for which a caseworker did not attend/provide a case update, the child under review had been hospitalized for suspected physical abuse prior to their first out-of-home placement. However, the local board did not receive any updated information about the child's health conditions or the status of any criminal investigation against the child's parents. Without complete case documents from the Department and without a caseworker to help address the board's questions, the local board was not able to identify the child's current placement or determine if progress was being made toward establishing permanency. Further, in its findings and recommendations report for the juvenile court, the local board did not provide any recommendations relating to the child's developmental services.

For the second case review we observed for which a caseworker did not attend/provide a case update, local board volunteers reported they were aware of the child's history of mental health and self-harm

⁴³ The Department reported that it has not established any performance metrics or goals related to caseworker attendance at local board reviews, but it expects caseworkers to comply with its policies for attendance.

⁴⁴ Statements provided by caseworkers with case updates were either written (sent via email) or verbal (via phone call prior to case review). We did not evaluate the quality or accuracy of information provided in these case updates. However, we found that the statements varied in the amount of information that was provided.

⁴⁵ In counties with 3 or more superior court judges, the presiding judge may appoint commissioners who are Arizona residents admitted to the practice of law in the State. Commissioners can perform many of the same functions as superior court judges and must reside in the county to which they are appointed. See A.R.S. §§12-211 through 12-213.

⁴⁶ Twenty-one of 28 judges and commissioners we interviewed reported that the most helpful sections of the findings and recommendations report were statements recorded from parties who attended the review and any observations and/or concerns that the local board provided. See Appendix C, page c-1, for additional information about how we selected judges and commissioners to interview.

⁴⁷ We observed 4 case reviews conducted on June 28, 2022, by local boards in Pima, Pinal, Maricopa, and Mohave Counties (see Appendix C, page c-1, for additional information about how we selected these case reviews).

issues. However, during the case review, local board volunteers reported that they had not received any current case documents regarding the child's mental health status and current out-of-home placement, and a caseworker was not present to address the local board volunteers' questions. As a result, in its findings and recommendations report for the juvenile court, the local board did not comment on or make recommendations concerning the best placement option and services for the child.

- **Local boards provided more informed and complete findings and recommendations to the juvenile court for the 2 case reviews we observed that caseworkers attended**—For 1 case review we observed that a caseworker attended, although the local board did not have some up-to-date case information, such as the child's current placement and target date for achieving permanency, the child's caseworker provided this information during the case review. Further, the caseworker was able to inform the local board that the child's parents had stopped participating in services that were required for them to be reunited with their child, which local board volunteers would not have known otherwise because that information was not included in the case documents the local board had received. As a result, the local board was able to include information about the parents' lack of participation in services in its findings and recommendations report to the juvenile court.

Similarly, for the second case review we observed that a caseworker attended, the caseworker provided updated information about the child's target date for achieving permanency and other case details, which helped enable local board volunteers to complete their findings and recommendations report to the juvenile court.

Finally, caseworker attendance at local boards' case reviews may also provide value even when local boards have received all necessary case documents prior to their case reviews. For example, local board volunteers reported that some case documents they receive may be several months old and not necessarily contain up-to-date information, which makes it difficult to assess the child's case. As a result, local board volunteers reported that caseworker attendance is important to help answer local board volunteers' questions and/or provide case updates that would not be provided through case documents alone.

Department supervisors have not held caseworkers accountable for complying with Department policy requirements

For the 22 local board case reviews we evaluated for which caseworkers did not comply with Department policy to either attend the case review, arrange for their supervisor to attend, or notify AOC they could not attend, 3 caseworkers reported they were not notified of the case review. However, we found that AOC had sent emails to these caseworkers with the local board schedules 3 weeks prior to the case reviews, consistent with AOC policy. The remaining caseworkers who did not attend local board case reviews reported they did not attend for various reasons such as scheduling conflicts or prioritizing other responsibilities. However, Department policy does not allow for these exceptions, and although some supervisors reported that they had verbally reminded caseworkers of policy requirements, they had not documented any corrective action taken in response to the noncompliance. Further, the Department's policies and procedures do not address if or how it should track caseworker attendance at local board case reviews. Finally, as previously discussed in Finding 1 (see pages 8 through 9), Department supervisory policies and manuals do not specify what actions supervisors should take to address caseworkers' noncompliance with Department policies, such as not complying with its local board case review attendance policy (see Finding 1, page 12, for our recommendation to address this issue).

Additionally, as previously discussed (see pages 13 through 14), although some caseworkers provide written or verbal updates to AOC when they are unable to attend case reviews, this practice is not outlined in Department policy. As a result, the caseworkers who did not attend case reviews or notify AOC may not have known that they could have provided a case update when they were unable to attend the case review.

Recommendations

The Department should:

7. Ensure caseworkers comply with Department policy requirements for local board case review attendance, including by developing and implementing policies and procedures for tracking caseworker attendance at local board case reviews.
8. Revise and implement its policy to require Department staff to provide case updates when they or their supervisor are unable to attend a case review, including time frames for doing so.
9. Work with AOC to determine the information that should be included in updates caseworkers provide to AOC when caseworkers cannot attend case reviews and develop and implement written guidance for caseworkers to prepare these case updates.

Department response: As outlined in its [response](#), the Department agrees with the finding and will implement or implement in a different manner the recommendations.



Department's provision of Guardian access to State Ombudsman

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Question 1: What are the Department's statutory requirements to provide the State Ombudsman access to the Department's records and case management system?

The Department must provide the State Ombudsman with access to Department records, including confidential records, with some exceptions, such as sealed court records without a subpoena, active criminal investigation records, records that could lead to the identity of confidential police informants, and attorney work product and communications that are protected under attorney-client privilege.^{48,49} Additionally, effective September 29, 2021, Laws 2021, Ch. 291, §5, amended statute to provide the State Ombudsman authority to directly and remotely access any automated case management system used by the Department.^{50,51}

Question 2: How has the Department implemented the requirement to provide the State Ombudsman with direct, remote access to Guardian?

Consistent with the statutory requirement, as of June 2021, the Department provided State Ombudsman staff with usernames and passwords to access Guardian remotely through the State Ombudsman's computer

⁴⁸ A.R.S. §§41-1376.01(C)(4) and 41-1378(D)(4).

⁴⁹ A.R.S. §41-1371 defines "record" as any document, photograph, film, exhibit, or other item developed or received under law or in connection with the transaction of official business except an attorney's work product, communications that are protected under attorney-client privilege, and confidential information defined in A.R.S. §41-1378(D)(4).

⁵⁰ A.R.S. §41-1376(A)(7).

⁵¹ Our work related to the Department's implementation of requirement to provide Guardian access to the State Ombudsman focused on the level of access the State Ombudsman had to information and documents within Guardian but did not evaluate whether all Department information the Ombudsman may be permitted to access was stored in Guardian. See Finding 1, pages 8 through 9, for more information on documents we identified that were not stored in Guardian.

network.⁵² However, after the Department provided this access to State Ombudsman staff, the Department restricted State Ombudsman staff from viewing all case documents and case notes in Guardian until February 5, 2022 (see textbox on page 1 for additional information about case documents and case notes).⁵³ For example, on February 4, 2022, we observed State Ombudsman staff access the case file in Guardian of a parent who had submitted a complaint against the Department. However, when the State Ombudsman staff member attempted to view a case note associated with the file, a message appeared indicating access was denied.

From February 5, 2022 to November 19, 2022, the Department reported that it made various modifications to the Guardian access permissions for State Ombudsman staff. As a result of these changes, we determined that State Ombudsman staff had direct, remote access to most case note and case document types in Guardian. Specifically, we reviewed the Guardian access permissions for State Ombudsman staff in place as of February 2023 and found that the Department had provided State Ombudsman staff with access to all case notes and case documents, with the following exceptions:⁵⁴

- Case notes that include information about the identities of individuals who reported abuse or neglect.
- Case notes and documents with information that the Department has classified as protected by attorney-client privilege, such as some legal motions or petitions.
- Case notes and documents with criminal background information.⁵⁵
- Case documents related to foster children being considered for an out-of-State placement.⁵⁶

Additionally, State Ombudsman staff cannot directly access case notes, case documents, or other records in Guardian associated with a case the Department has categorized as “high profile.”⁵⁷ Specifically, according to the Department, high-profile cases include those that involve incidents such as a child death, serious child injury, or media involvement.⁵⁸ Although the State Ombudsman cannot directly access information associated with a high-profile case, the Department reported it would provide the State Ombudsman access to this information if it submitted a request for the information.⁵⁹

To assess the State Ombudsman’s ability to directly and remotely access information in Guardian, we reviewed the State Ombudsman’s investigation files for a stratified random sample of 14 of 121 public complaints the State Ombudsman investigated between March 1, 2022 and July 31, 2022, and did not identify any specific case notes or case documents that the State Ombudsman was prevented from accessing in Guardian as part

⁵² Prior to enactment of Laws 2021, Ch. 291, §5, State statute required the Department to provide the State Ombudsman access to its case management system but did not require direct, remote access.

⁵³ The Department reported that it restricted State Ombudsman staff from viewing all case note and case document types because the Department had not yet implemented a process for restricting some confidential case note and case document types, such as those containing attorney-client privileged information.

⁵⁴ We compared the list of case documents and case notes accessible to the State Ombudsman to that of Department case workers and determined that the State Ombudsman could access the same case documents and case notes as Department case workers, with the exceptions noted in this report.

⁵⁵ The Department reported that to capture criminal background check information, Department staff previously used a case note type called “key issues;” however, Department staff began using the key issues note type incorrectly. For example, we found a key issue case note that contained information about a child’s assigned school. As a result, on November 19, 2022, the Department discontinued this case note category, and Department staff are unable to create new key issues case notes. Additionally, State Ombudsman staff reported that if information potentially relevant to an investigation appears to be missing from Guardian, then State Ombudsman staff will work with Department staff to locate that information.

⁵⁶ Department general counsel reported that it is reviewing the restrictions to these case documents and will seek Attorney General input as needed.

⁵⁷ The Department reported that approximately 0.13 percent of the cases in Guardian are categorized as high profile.

⁵⁸ According to the Department, cases categorized as high profile due to media involvement may include prominent community members such as professional athletes or actors.

⁵⁹ Department caseworkers are also restricted from accessing high profile cases unless they are granted permission to access those cases.

of its investigations, except for documents the Department classified as attorney-client privileged (see Appendix C, page c-2, for additional information about our sample).^{60,61}

As of April 2023, the Department and the State Ombudsman disagree on whether the Department's restriction of State Ombudsman access to case notes with information about the identities of individuals who reported abuse or neglect is consistent with statute. Because of this difference of opinion, the Department has requested the Arizona Attorney General opine on the matter.⁶² Further, the Department reported that it is working to determine a way to provide the State Ombudsman assurance that its classification of information protected by attorney-client privilege is appropriate. The Department and State Ombudsman have met to discuss these issues, and both agencies reported that they will continue to meet periodically to discuss any issues related to State Ombudsman staff's access to Guardian.

⁶⁰ Between March 1, 2022 and July 31, 2022, the State Ombudsman received a total of 622 public complaints about the Department; however, the State Ombudsman indicated that most of those complaints required coaching and assistance to the complainant.

⁶¹ The State Ombudsman identified some documents it believed it could not access in Guardian for 2 of the 14 investigations we reviewed. However, for 1 investigation, we confirmed that the document was accessible in Guardian. For the other investigation, we confirmed that the document had not been stored in Guardian, and thus State Ombudsman staff's inability to find the document was not due to a lack of access to that document type.

⁶² The Department submitted a legal memo to the Arizona Attorney General on November 4, 2022, requesting its opinion, and according to the Attorney General's website, as of June 11, 2023, its opinion was pending.



SUMMARY OF RECOMMENDATIONS

Auditor General makes 9 recommendations to the Department

The Department should:

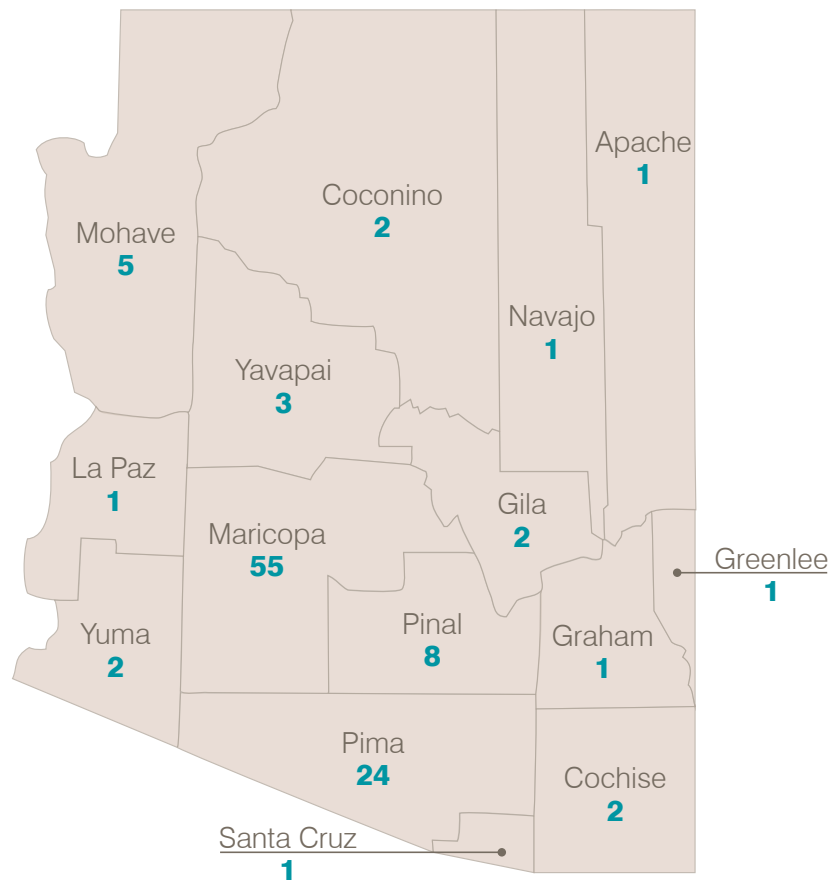
1. Ensure it provides court reports, case plans, TDM meeting summaries, and other case documents, as applicable, to AOC on behalf of local boards, consistent with statute (see Finding 1, pages 5 through 12, for more information).
2. Ensure Department supervisors hold and document monthly supervision meetings with caseworkers as required by Department policy (see Finding 1, pages 5 through 12, for more information).
3. Revise and implement policies and procedures to require caseworkers to store court reports in Guardian and supervisors to verify that caseworkers have completed court reports in Guardian, when applicable (see Finding 1, pages 5 through 12, for more information).
4. Develop and implement guidance for what corrective actions supervisors should take in response to caseworkers' noncompliance with Department policies, such as failing to maintain case documents in Guardian as required by Department policy or not complying with the local board case review attendance policy (see Finding 1, pages 5 through 12, for more information).
5. Continue to develop and implement its process to solicit feedback from AOC about automated information exchange issues, including by developing written procedures governing this process (see Finding 1, pages 5 through 12, for more information).
6. Based on feedback the Department receives from AOC, take steps to address any continuing or newly identified issues that result in documents not being provided through the automated information exchange, including but not limited to:
 - Developing and implementing additional policies and procedures.
 - Providing staff training.
 - Holding caseworkers accountable for following policy requirements for storing case documents in Guardian.
 - Developing processes for communicating to AOC why certain case documents are not provided through the automated information exchange (see Finding 1, pages 5 through 12, for more information).
7. Ensure caseworkers comply with Department policy requirements for local board case review attendance, including by developing and implementing policies and procedures for tracking caseworker attendance at local board case reviews (see Finding 2, pages 13 through 16, for more information).
8. Revise and implement its policy to require Department staff to provide case updates when they or their supervisor are unable to attend a case review, including time frames for doing so (see Finding 2, pages 13 through 16, for more information).
9. Work with AOC to determine the information that should be included in updates caseworkers provide to AOC when caseworkers cannot attend case reviews and develop and implement written guidance for caseworkers to prepare these case updates (see Finding 2, pages 13 through 16, for more information).



Local boards meet throughout the State

As discussed in the Introduction (see page 2), local boards are responsible for reviewing the cases of children placed in out-of-home care in every Arizona county. AOC reported there were 109 local boards established throughout the State as of February 2023 (see Figure 3).

Figure 3
Number of local boards per county
As of February 2023
(Unaudited)



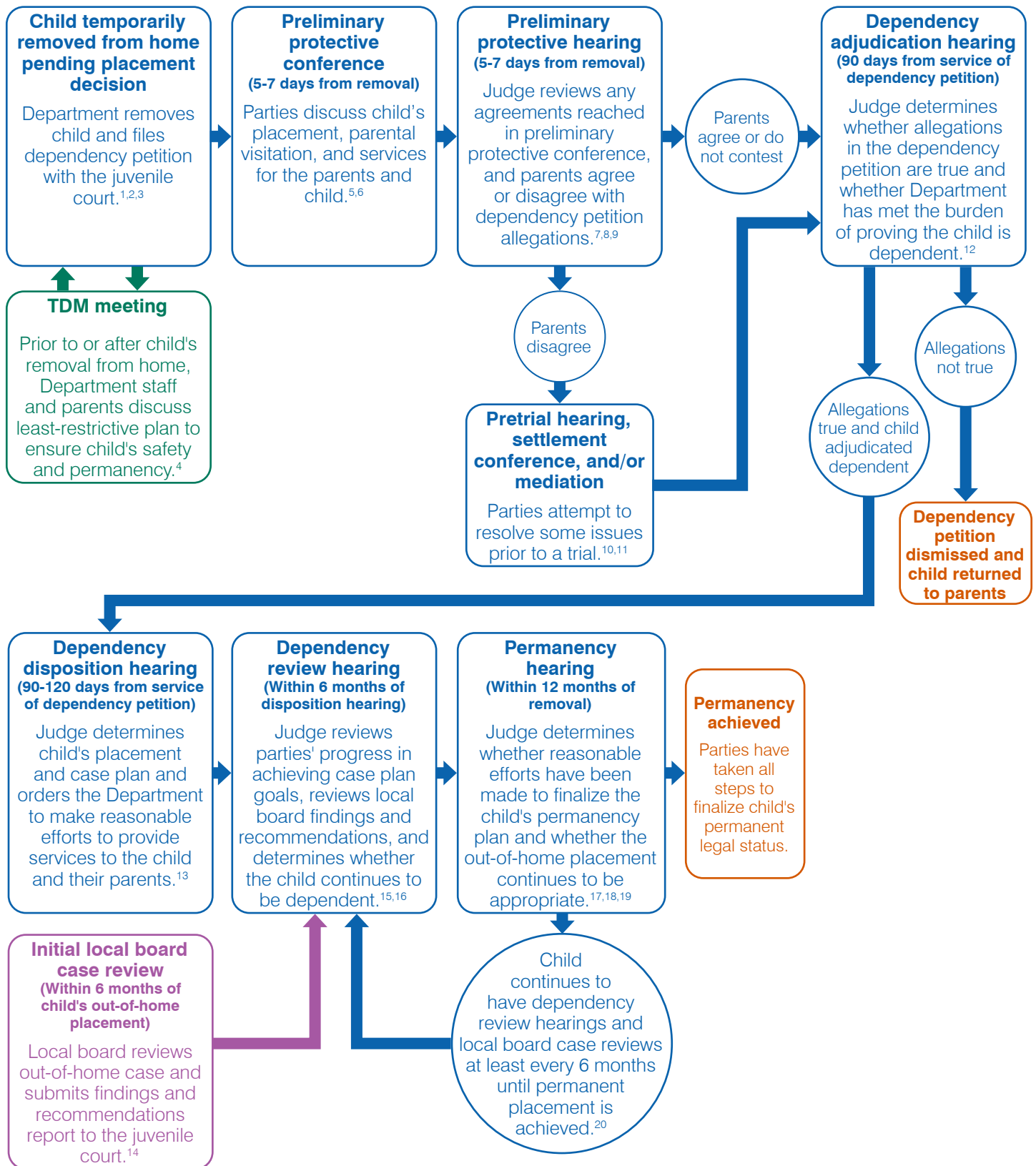
Source: Auditor General staff analysis of AOC-provided information.



State juvenile dependency adjudication and review process

Juvenile courts are responsible for making decisions about children’s dependency and permanency, with input and participation from the Department and local boards. Figure 4 (see pages b-2 through b-4) outlines the steps of the State dependency adjudication and review process, including how the Department, local boards, the juvenile court, and parents and children are involved.

Figure 4
State juvenile dependency adjudication and review process



¹ A.R.S. §8-451 requires the Department to investigate reports of abuse or neglect, and Department policy outlines criteria for determining whether any child in the home where abuse or neglect was alleged to occur is in present danger. If a child is found to be in present danger, Department policy requires

Figure 4 continued

Department staff to implement a plan that controls the present danger prior to leaving the child or family, up to and including the most intrusive option, which is to place the child in the temporary custody of the Department (see footnote 2 for additional information about temporary custody).

- ² A.R.S. §8-821 requires the Department to take a child into temporary custody pursuant to an order of the superior court, with the consent of the child's parent or guardian, or if temporary custody is clearly necessary to protect the child from serious harm in the time it would take to obtain a court order and either of the following is true: (1) there is no less-intrusive alternative that would reasonably and sufficiently protect the child's health or safety or (2) probable cause exists to believe the child is a victim of sexual or serious physical abuse. Additionally, children must not remain in temporary custody for more than 72 hours (excluding weekends and holidays) unless a dependency petition is filed.
- ³ A.R.S. §8-841 authorizes the Department to file a petition to commence dependency proceedings in the juvenile court, which should include a statement of the facts to support the conclusion that the child is dependent—pursuant to A.R.S. §8-201(15), dependent children include children who have been adjudicated to be in need of proper and effective parental care and control and who have no parent or guardian, or who have no parent or guardian willing or capable of exercising parental care and control; and children whose home is unfit by reason of abuse, neglect, cruelty, or depravity by a parent, a guardian, or any other person having custody or care of the child. Additionally, the Department may seek and the juvenile court may order in-home intervention as long as the child was not already removed from the home and placed under temporary custody (see footnote 2 for additional information about temporary custody), the parent agrees to a case plan and participation in services, and the court determines in-home intervention appears likely to resolve a child's safety-risk issues. In-home intervention must include a specific time frame for completion not to exceed 12 months without review and approval by the juvenile court, after which time the court must dismiss the dependency petition if it has not extended the in-home intervention and a dependency adjudication hearing has not been set. See A.R.S. §8-891.
- ⁴ TDM meetings generally take place when a child has been removed or is at risk of being removed from their home and may occur at other times when a child is at risk of being unsafe, and provide opportunities for participants to make decisions about a child's safety, stability, and permanency, such as steps parents must take to ensure child safety, placement options for the child, and plans for sibling and parent visitation. TDM meeting participants include parents, Department representatives, the child when appropriate, and a Department meeting facilitator not associated with the case.
- ⁵ The preliminary protective conference must be led by a court-appointed facilitator who is not a party to the proceedings and must be held before the preliminary protective hearing to facilitate the resolution of issues in a nonadversarial manner, including to try to reach agreement on the custody and placement of the child, parenting time, visitation, and the services to be provided to the child and family. Additionally, individuals authorized to attend the preliminary protective conference are the same as for the preliminary protective hearing, including the child's parents or guardian, counsel for the parents, the child's guardian ad litem or attorney, and Department representatives and counsel. See Arizona Rules of Procedure for the Juvenile Court (Ariz. R.P. Juv. Ct.) 331 and A.R.S. §8-824(B).
- ⁶ Juvenile court rules define "party" as a child, parent, guardian, Department of Child Safety, any petitioner, and any person, Indian tribe, or entity that the court has allowed to intervene. See Ariz. R.P. Juv. Ct. 302(b).
- ⁷ At the preliminary protective hearing, the judge must also determine whether temporary custody of the child is clearly necessary to prevent abuse or neglect and must either return the child to the child's parent or guardian pending the dependency adjudication hearing or declare the child a temporary ward of the court. See A.R.S. §8-825(C). A.R.S. §8-824(H) requires the Department to provide the juvenile court and parties a report prior to the preliminary protective hearing if the child is in the temporary custody of the Department with various information, including but not limited to the reasons the child was removed from the parent's or guardian's custody; any services that have been provided to the child or the child's parent or guardian to prevent removal; the need, if any, for continued temporary custody; efforts the Department has made to place siblings together; a proposal for visitation with the child's parents or guardian and the results of any visitation that has occurred since the child was removed; and a proposed case plan for services to the family.
- ⁸ If a parent does not appear at the preliminary protective hearing, the juvenile court must set an initial dependency hearing no later than 21 days after the filing of the dependency petition to determine whether the parent admits to, denies, or does not contest the allegations contained in the dependency petition. See Ariz. R.P. Juv. Ct. 334(a) and (b). Service of the dependency petition, temporary custody orders, and a notice of the dependency hearing is complete if the documents are provided to a parent at the preliminary protective conference or preliminary protective hearing; when the parent signs an acceptance of service; or when the assigned attorney accepts service on behalf of a parent. See Ariz. R.P. Juv. Ct. 329(a). However, if service by publication is required, the juvenile court may set the initial dependency hearing after allowing sufficient time for publication and no less than 10 days after publication is complete. See Ariz. R.P. Juv. Ct. 334(b)(2).
- ⁹ Pursuant to A.R.S. §8-826, if a parent or guardian denies the allegations at the preliminary protective hearing, the court may set the date for the dependency adjudication hearing as to that parent or guardian, an initial dependency hearing must not be held as to that parent or guardian, and the court must also schedule the settlement conference, pretrial conference, or mediation that is prescribed in A.R.S. §8-844.
- ¹⁰ A.R.S. §8-844(A) requires the juvenile court to hold a settlement conference or pretrial conference or order mediation before a contested dependency case proceeds to adjudication (meaning the parents or guardians denied the allegations in the dependency petition). Specifically, a court with the parties' agreement may conduct a settlement conference to help identify and resolve issues, and each party must provide the juvenile court prior to the settlement conference a confidential memorandum that addresses the position of the party with respect to contested issues, a general description of the evidence the party will present, a summary of any attempts to settle the matter, and settlement proposals the party would find acceptable. If the parties are unable to reach agreement, the court must set or affirm a dependency adjudication hearing and may set a pretrial conference. See Ariz. R.P. Juv. Ct. 336. The pretrial conference provides an opportunity before a dependency adjudication hearing to determine whether parties can still resolve remaining issues without a hearing or whether parties intend to proceed to the dependency adjudication hearing. See Ariz. R.P. Juv. Ct. 337(a). According to the Department, mediation occurs more often than settlement conferences, and there is no cost for mediation in the juvenile court.
- ¹¹ The Department reported that although parties may agree on certain issues, such as parental visitation time with a child or a child's out-of-home placement, other issues may remain unresolved, and the parties will proceed to a dependency adjudication hearing. Further, the Department reported that parents may decide not to contest the allegations after participating in a settlement conference or mediation. Pursuant to Ariz. R.P. Juv. Ct. 336, if the parent does not contest that the child is dependent, the court may adjudicate the child dependent and set a disposition hearing. Finally, in rare cases, the Department reported that it may decide to withdraw its dependency petition as part of a settlement.

Figure 4 continued

- ¹² Juvenile court rules require the dependency adjudication hearing to be completed no later than 90 days after service of the dependency petition on a parent, and the court must determine whether the Department has met the burden of proof that the child is dependent. See Ariz. R.P. Juv. Ct. 338. Additionally, A.R.S. §8-844(C) requires the juvenile court in a dependency adjudication hearing to determine whether the allegations contained in the dependency petition are true based on a preponderance of the evidence and, if so, must make a finding as to each parent whether the child is dependent and conduct a disposition hearing. If the court does not find by a preponderance of evidence that the allegations are true, the court must dismiss the petition and return the child to their parent or guardian.
- ¹³ A.R.S. §8-844(E) authorizes the juvenile court to hold the dependency disposition hearing on the same date as the dependency adjudication hearing or at a later date that is not more than 30 days after the date of the dependency adjudication hearing. Additionally, the juvenile court may place a dependent child in the care of the child's parents subject to Department supervision or place the child in an out-of-home placement in accordance with the child's best interests and in the order of preference outlined in statute, including but not limited to placement with grandparents or other extended family, in a licensed foster home, or in an independent living program for older children. See A.R.S. §8-845(A).
- ¹⁴ For additional information about local board case reviews and findings and recommendations reports, see Introduction, pages 2 through 3.
- ¹⁵ A.R.S. §8-847(A) requires the juvenile court to hold periodic review hearings consistent with federal law, which requires the status of each child in out-of-home care to be reviewed at least once every 6 months by either a court or administrative review in order to determine the safety of the child, the continuing necessity for and appropriateness of the placement, the extent of compliance with the case plan, and the extent of progress that has been made toward alleviating or mitigating the causes necessitating placement in foster care, and to project a likely date by which the child may be returned to and safely maintained in the home or placed for adoption or legal guardianship. See 42 USC 675(5)(B). Federal law defines "administrative review" as a review open to the participation of the child's parents, conducted by a panel of appropriate persons, at least one of whom is not responsible for the case management of, or the delivery of services to, either the child or the parents who are the subject of the review. Local boards' case reviews qualify as administrative reviews under federal law.
- ¹⁶ At least 15 days before the dependency review hearing, the Department must provide a report to the court and the parties that addresses the child's placement; the services being provided to the child and family, including the child's educational needs; the progress the parties have made in achieving the case plan goals; and whether the child continues to be dependent. At the conclusion of a dependency review hearing, the juvenile court must either dismiss the petition and return the child to the parent if the court finds the child is no longer dependent or make a finding that the child continues to be dependent. If the child continues to be found dependent, the juvenile court must continue to hold periodic review hearings at least once every 6 months and set a permanency review hearing no later than 12 months from the date the child was removed from the home. Additionally, if the child continues to be found dependent, the juvenile court must make determinations about the child's placement, custody, and educational needs and services to be provided to the family and child. See A.R.S. §8-847 and Ariz. R.P. Juv. Ct. 341.
- ¹⁷ A.R.S. §8-862(A) requires permanency hearings to be held within 12 months after a child is removed from the child's home, within 6 months after a child who is under 3 years of age is removed from the child's home, or within 30 days after the disposition hearing if the court does not order reunification services.
- ¹⁸ During permanency hearings, the juvenile court must determine the appropriate permanency plan for the child and order the Department to accomplish the plan within a specific time. Additionally, the juvenile court must determine whether a child in an out-of-home placement continues to be in a placement that is appropriate and in the child's best interests. Finally, if the juvenile court determines that termination of parental rights or establishment of a permanent guardianship is clearly in the child's best interests, it must order the Department, the child's attorney, or the child's guardian ad litem to file a motion or petition to terminate parental rights or establish a permanent guardianship within 10 days after the permanency hearing. See A.R.S. §8-862(D) (F) and Ariz. R.P. Juv. Ct. 343(d).
- ¹⁹ Department policy requires staff to select a permanency goal in the following order of preference, consistent with the child's needs: remain with family for children receiving in-home services; family reunification; adoption; permanent guardianship; or another permanent living arrangement, such as permanent placement with a licensed foster family or in an independent living program. Pursuant to A.R.S. §8-871(C), the juvenile court may consider any adult, including a relative or foster parent, as a permanent guardian.
- ²⁰ Juvenile court rules allow for any dependency review hearings beyond the initial permanency hearing to also serve as permanency hearings. See Ariz. R.P. Juv. Ct. 343(d)(2).

Source: Auditor General staff analysis of State statute, juvenile court rules, federal law, AOC website, Department policies, and Department-provided information.



Scope and methodology

The Arizona Auditor General has conducted this performance audit of the Department pursuant to a December 17, 2020, resolution of the Joint Legislative Audit Committee. The audit was conducted as part of the sunset review process prescribed in A.R.S. §41-2951 et seq.

We used various methods to address the audit's objectives. These methods included reviewing applicable State statutes, the Department's policies and procedures, and information on the Department's website and stored in Guardian; and interviewing Department, AOC, and State Ombudsman staff. In addition, we used the following specific methods to meet the audit objectives:

- To determine whether the Department provided complete court reports, case plans, and/or TDM meeting summaries to AOC on behalf of local boards through the automated information exchange, we reviewed the requests for case documents AOC staff submitted through the automated information exchange for a judgmental sample of 13 of 124 case reviews conducted by local boards on June 28, 2022 and July 6, 2022.^{63,64} Specifically, we reviewed the automated information exchange's logs, which contained information about what documents had been provided for these 13 requests, and reviewed copies of case documents stored in Guardian.⁶⁵ Additionally, we observed AOC staff submit requests through and receive documents from the automated information exchange for 6 of 13 requests in the sample.⁶⁶
- To determine whether local boards received case documents prior to scheduled case reviews and to assess Department caseworker attendance at case reviews, we reviewed all 124 findings and recommendations reports completed by local boards for case reviews conducted on June 28, 2022 and July 6, 2022.⁶⁷ We also observed 4 local board case reviews conducted on June 28, 2022, to determine the potential impact of lack of case documents and/or caseworker attendance on local boards' ability to complete findings and recommendations reports to the juvenile court.⁶⁸ Finally, we interviewed 28 juvenile court judges and commissioners to understand how they utilize local boards' findings and recommendations reports.⁶⁹

⁶³ We judgmentally selected these 2 days from which to select our case review sample because the local boards scheduled to meet on these days were located in several different counties. Specifically, 13 local boards were scheduled to meet on these 2 days in the following counties: on June 28, 2022, 1 in Coconino, 1 in Maricopa, 1 in Mohave, 2 in Pima, and 1 in Pinal; and on July 6, 2022, 3 in Maricopa, 1 in Mohave, 2 in Pima, and 1 in Yuma.

⁶⁴ Our sample consisted of the first case review listed in AOC's draft schedule for each of the 13 local boards that met on these 2 days—6 case reviews on June 28, 2022, and 7 case reviews on July 6, 2022.

⁶⁵ We considered a case document to be complete if all sections of the document included some level of information, but we did not evaluate the quality or accuracy of the information in these documents.

⁶⁶ We observed AOC staff submit requests for case documents through the automated information exchange for the 6 case reviews held on June 28, 2022.

⁶⁷ Local board findings and recommendations reports indicate whether a caseworker attended a case review and also specify which case documents the local board had received and considered as part of its case review.

⁶⁸ We observed 4 of the 13 case reviews in our sample of case reviews as outlined in footnote 63. Specifically, we observed via videoconference the 4 case reviews conducted by 4 separate local boards in Pima, Pinal, Maricopa, and Mohave Counties that met on June 28, 2022.

⁶⁹ We interviewed 28 of 54 judges and commissioners that heard dependency cases in Arizona as of January 2023, including at least 1 judge from each of Arizona's 15 counties. The judges and commissioners we interviewed included 12 of 31 judges and commissioners randomly selected and 2 judges judgmentally selected from Maricopa and Pima Counties, and 14 of 23 judges from the remaining counties, which were judgmentally selected.

- To determine whether the Department has provided the State Ombudsman direct, remote access to Guardian, we observed some State Ombudsman staff attempt to access case notes and case documents in Guardian on February 4, 2022, and reviewed the State Ombudsman’s Guardian access privileges that were in place as of February 2023.⁷⁰ Additionally, we selected a stratified random sample of 14 of 121 complaints investigated by the State Ombudsman between March 1, 2022 and July 31, 2022, to determine whether the State Ombudsman was prevented from accessing any case documents or case notes in Guardian as part of its investigations.^{71,72}
- To obtain additional information for the Questions and Answers, we reviewed the State Ombudsman’s fiscal year 2022 Annual Report, State Ombudsman policies and procedures, and other Department and State Ombudsman-provided information.
- To obtain information for the Introduction, we reviewed the federal Children’s Bureau’s website, AOC’s website, the Department’s *Monthly Operational and Outcome Report*, the Arizona Rules of Procedure for the Juvenile Court, and AOC-provided information.
- To obtain information for Appendix A, we reviewed AOC-provided information about the number of local boards in each Arizona county.
- To obtain information for Appendix B, we reviewed A.R.S. Title 8, Chapter 4, and the Arizona Rules of Procedure for the Juvenile Court, Part III, which outline requirements and time frames for juvenile court dependency proceedings and related hearings and reviews. We also reviewed federal law, Department-provided information, and information about dependency from AOC’s website.

Our work on internal controls included reviewing the Department’s policies and procedures for ensuring compliance with statute, and, where applicable, testing its compliance with these policies and procedures. Our internal control work included reviewing the following components of internal control: control environment, control activities, information and communication, and monitoring. We reported our conclusions on internal control deficiencies in Findings 1 and 2.

We selected our audit samples to provide sufficient evidence to support our findings, conclusions, and recommendations. Unless otherwise noted, the results of our testing using these samples were not intended to be projected to the entire population.

We conducted this performance audit of the Department in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

We express our appreciation to the Department, AOC, and the State Ombudsman and their staff for their cooperation and assistance throughout the audit.

⁷⁰ The scope of our review focused on the level of access the State Ombudsman had to information and documents within Guardian but did not evaluate whether all Department information the Ombudsman may be permitted to access was stored in Guardian.

⁷¹ The 121 investigated complaints were stratified into 4 categories based on the status of the investigations, and we randomly sampled investigated complaints from each category as follows: 25 of 32 investigations closed without a finding, 6 of 15 investigations closed with a finding, 3 of 7 open investigations where the State Ombudsman had identified a potential agency violation, and 25 of 67 open investigations with no agency violation yet identified. Between March 1, 2022 and July 31, 2022, the State Ombudsman had initiated investigations for an additional 65 complaints, but then declined to continue to investigate for various reasons, and thus we did not include these investigations in our population for sampling purposes.

⁷² We did not review every investigation selected in our random stratified sample as outlined in footnote 71. Instead, we employed a stop-and-go method and reviewed the following number of investigations for each investigation category, for a total of 14 investigations reviewed: 2 investigations closed without a finding, 4 investigations closed with a finding, 3 open investigations where the State Ombudsman had identified a potential agency violation, and 5 open investigations with no agency violation yet identified.

DEPARTMENT RESPONSE



ARIZONA
DEPARTMENT
of CHILD SAFETY

David Lujan, Director
Katie Hobbs, Governor

June 23, 2023

Ms. Lindsey Perry
Auditor General
Arizona Office of the Auditor General
2910 North 44th Street, Suite 410
Phoenix, Arizona 85018

RE: Auditor General Report - Arizona Department of Child Safety: Information Provided to Local Foster Care Review Boards and State Ombudsman

Dear Ms. Perry:

The Arizona Department of Child Safety (Department) has reviewed the Arizona Office of the Auditor General's (OAG) findings and recommendations included in the performance audit *Arizona Department of Child Safety—Information Provided to Local Foster Care Review Boards and State Ombudsman* as part of the Department's sunset review.

The Department acknowledges the importance of providing information necessary for Foster Care Review Boards (FCRB) to complete case reviews of children in out-of-home care and the requirement of FCRB attendance. The Department also recognizes the role of the Arizona Ombudsman—Citizens' Aide which is why access to the Department's case management system, Guardian, is critical to their work.

The Department agrees with the findings. The response to each recommendation is enclosed.

The Department appreciates the partnership of the Office of Auditor General throughout this process and looks forward to continued collaboration.

Sincerely,

DocuSigned by:

David Lujan

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David Luján
Director

Enclosure: DCS Recommendation Response

Safety · Compassion · Change · Teaming · Advocacy · Engagement · Accountability · Family

Finding 1: Department's automated information exchange did not provide some case documents to AOC because of various issues including Department and AOC actions, impacting local boards' ability to review children's cases

Recommendation 1: The Department should ensure it provides court reports, case plans, TDM meeting summaries, and other case documents, as applicable, to AOC on behalf of local boards, consistent with statute.

Department response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: The Department acknowledges the importance of providing case documents to AOC for reviews. The Department will continue to take action to ensure court reports, case plans, TDM meeting summaries and other case documents are available and/or provided to local boards. For example, the Department will continue to send email reminders throughout the year to all staff about FCRB Document Disclosures.

Recommendation 2: The Department should ensure Department supervisors hold and document monthly supervision meetings with caseworkers as required by Department policy.

Department response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: Monthly clinical supervision discussions are a critical requirement. The Department requires Program Managers to conduct a Gemba Walk (observations) for each directly reporting DCS Program Supervisor of a clinical supervision discussion at least once a month to monitor the quality of supervisory case reviews. These reviews ensure monthly clinical supervision discussions completed by supervisors are held and documented in accordance with policy. Program Administrators and Program Managers will continue to monitor the completion of monthly clinical supervision documentation entered in Guardian through weekly data slide decks and region and section scorecards.

Recommendation 3: The Department should revise and implement policies and procedures to require caseworkers to store court reports in Guardian and supervisors to verify that caseworkers have completed court reports in Guardian, when applicable.

Department response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: The Department agrees court reports should be stored in Guardian as part of the case record. The Department has comprehensive step-by-step Guardian guides for creating court reports. The Department will review and update policies, as necessary, to require caseworkers store court reports in Guardian and supervisors verify case documents are stored in Guardian.

Recommendation 4: The Department should develop and implement guidance for what corrective actions supervisors should take in response to caseworkers' noncompliance with Department policies, such as failing to maintain case documents in Guardian as required by Department policy or not complying with the local board case review attendance policy.

Department response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: The Department will develop progressive discipline guidance for supervisors when there are staff performance issues. Although the guidance will not be specific for failure to maintain case documents in Guardian or not complying with the local board case review attendance policy, the guidance will be applicable if there are any performance issues.

Recommendation 5: The Department should continue to develop and implement its process to solicit feedback from AOC about automated information exchange issues, including by developing written procedures governing this process.

Department response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: The Department agrees feedback from AOC is essential. The Department will continue to develop and implement its process including any written procedures, as necessary.

Recommendation 6: Based on feedback the Department receives from AOC, the Department should take steps to address any continuing or newly identified issues that result in documents not being provided through the automated information exchange, including but not limited to:

- Developing and implementing additional policies and procedures.
- Providing staff training.
- Holding caseworkers accountable for following policy requirements for storing case documents in Guardian.
- Developing processes for communicating to AOC why certain case documents are not provided through the automated information exchange.

Department response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: The Department recognizes the importance of identifying and addressing any issues related to the automated information exchange. The Department will take necessary action as required and necessary.

Finding 2: Some caseworkers did not comply with Department's local board case review attendance policy, preventing some local boards from conducting complete case reviews for children in out-of-home care

Recommendation 7: The Department should ensure caseworkers comply with Department policy requirements for local board case review attendance, including by developing and implementing policies and procedures for tracking caseworker attendance at local board case reviews.

Department response: The finding of the Auditor General is agreed to and a different method of dealing with the finding will be implemented.

Response explanation: The Department acknowledges the importance of caseworker attendance at local board case reviews. The local boards track and communicate attendance with the Department which informs supervisors of attendance. Therefore, the Department will not develop a separate attendance tracking system. This information will continue to be provided to regional Program Administrators to monitor attendance and address, as necessary. The current policies and procedures will be reviewed and revised, accordingly.

Recommendation 8: The Department should revise and implement its policy to require Department staff to provide case updates when they or their supervisor are unable to attend a case review, including time frames for doing so.

Department response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: The Department acknowledges the importance providing case updates when the caseworker or their supervisor are unable to attend a case review. The Department will review and revise policies and procedures, as applicable.

Recommendation 9: The Department should work with AOC to determine the information that should be included in updates caseworkers provide to AOC when caseworkers cannot attend case reviews and develop and implement written guidance for caseworkers to prepare these case updates.

Department response: The finding of the Auditor General is agreed to and the audit recommendation will be implemented.

Response explanation: The Department acknowledges the importance of providing critical information to local boards when caseworkers are unable to attend. The Department will work with AOC to determine what information is necessary for the updates. Policies and procedures will be revised, as applicable.

