

LJ v. Massinga: Baltimore City Department of Social Services (BCDSS)

Process for Reporting and Resolving Issues Related to Individual Class Members

LJ v. Massinga: Baltimore City Department of Social Services (BCDSS) Reporting Protocol - Issues Related to Individual Class Members

Purpose: To establish a standardized process for reporting and resolving issues related to individual class members as required by the *Modified Consent Decree (MCD)* entered by the Court on October 9, 2009.

1) Operational Definition of Issues:

Per the MCD (Page 7, Item E), “DHS/BCDSS, after consultation with the Internal Verification Agent, Plaintiffs’ counsel and stakeholders, shall establish a standardized process for resolving issues related to individual class members. This process shall be widely publicized and accessible and shall permit individuals or their counsel to raise concerns about problems in their individual cases without retaliation (or fear of retaliation).”

NOTE: This new reporting procedures does not replace the process to first attempt to resolve reporting issues with caseworkers, supervisors, program managers, etc, through the normal chain of command. Nor is it to be used to circumvent the active litigation of contested issues. Rather it is an additional tool for individuals to use when they are unable to resolve issues through the normal/usual channels.

Examples of the types of issues to report include but not limited to unresolved concerns related to services offered to children, parents, guardians, and caregivers.

2) Submission of Issues and Acknowledgement:

• Issues Reported by IVA:

The IVA shall submit issues to the Point of Contact (LJ Liaison). The IVA’s submission should:

- clearly identify concerns/issues,
- if applicable, specify the regulation/policies/MCD provisions that have been potentially violated,
- note the actual or potential impact to the individual class member(s), and
- propose any necessary recommendations.

Point of Contact (i.e. LJ Liaison or designated back-up) will acknowledge receipt of the IVA’s concern(s) within three (3) business days upon receipt. In accordance with the modified Consent Decree, records will be kept of the issues raised and related resolutions. Summary reports will be provided to the IVA every six months¹ accordingly.

¹ {Summary reports will be provided to the IVA every six months accordingly. Six months will commence upon approval of this policy by BCDSS Director}

NOTE: The IVA will identify, at the time of submission, cases (i.e. safety and wellbeing issues) requiring 24 hours acknowledgement of receipt. Individual cases will be reviewed, as needed, as part of the regular meetings between the Agency and IVA.

- **Issues Reported by Individual Class Members, their Counsel, or other Stakeholders:**

Individual Class Members, their counsel, families, or other stakeholders may report issues by phone, email, or U.S. Postal Service.

Issues received from Individual Class members, their counsel, families, or other stakeholders will also be reviewed on a regular basis, as needed, as part of the Agency/IVA working meetings.

- **Contact Methods:**

Phone:

Individual Class Members, their counsel, families, or other stakeholders may report issues to the Director's Office by calling 443-378-4600. The receptionist will route all child welfare calls to the Office Manager/Customer Service Liaison. Specifically,

- a) An Individual Class Member, counsel, and other stakeholders shall inform the receptionist that he/she is a child welfare customer, counsel, or other child welfare stakeholder.
- b) Upon such identification, the receptionist will transfer the call to the Office Manager/Customer Service Liaison. The Office Manager/Customer Service Liaison will listen to the complainant, with the focus of collecting information and documenting concerns, accordingly.
- c) The Office Manager/Customer Service Liaison will acknowledge receipt of each phone call in writing (via letter) within 3 business days. Suspected safety and wellbeing issues will be acknowledged within 24 hours of receipt
- d) The Office Manager/Customer Service Liaison shall notify, in writing, the related parties (i.e. Deputy Director of Child Welfare) of the issue(s) for internal review of the complaint/issue(s).
- e) Upon notification, the Deputy Director of Child Welfare will assign the case to be investigated and mitigate as appropriate.
- f) Office Manager/Customer Service Liaison shall also notify the LJ Liaison who will track issues and monitor resolution going forward.

Email:

- a) Individual Class Members, their counsel, families, or other stakeholders may report issues to the Director's office via email at baltcity.child@maryland.gov. This mailbox will be monitored daily.
- b) The Office Manager/Customer Service Liaison will review emails daily and reply by email to acknowledge receipt within 3 business days. Suspected safety and wellbeing issues will be acknowledged within 24 hours of receipt.
- c) Next steps are the same as Steps (d) thru (f) of the aforementioned phone reporting process above.

U.S. Postal Service Mail:

- a) Issues related to individual class members may also be reported to the Director's Office by mail to the following address:

Baltimore City Department of Social Services
Attention: Office Manager/Customer Service Liaison
1910 N. Broadway
Director's Suite
Baltimore, Maryland 21213

- b) Within 3 business days upon receipt, the Office Manager/Customer Service Liaison will acknowledge receipt in writing (via letter). Suspected safety and wellbeing issues will be acknowledged within 24 hours of receipt.
- c) Next steps are the same as Steps (d) thru (f) of the aforementioned phone and email reporting process.

NOTE: Executive Assistant to the Director of BCDSS will serve as backup to the Office Manager/Customer Service Liaison.

3) Tracking and Recordation of Case Types, Issues, and Mitigation Steps:

BCDSS will record and track case types, issues, mitigation steps, assigned parties responsible for mitigation and final disposition. The POC will monitor the resolution of the reported issues. In accordance with the MCD, related status summary report(s) will be provided by the POC to the IVA every six months² (See MCD, Page 7, Item E).

NOTE: The aforementioned practice for reporting and addressing issues related to Individual Class Members, while informal, has always been a standard practice at BCDSS. In addition to the aforementioned practice, the Office Manager/Customer Service Liaison shall also notify the LJ Liaison who will track issues and monitor resolution going forward.

4) Resolution:

The Deputy Director of Child Welfare will assign the case to be investigated and mitigate as appropriate. As part of the investigation, the complainant will be consulted to discuss the issue.

After the review/investigation of the reported issue has been completed, a formal letter as reviewed and approved (i.e. signed) by the Director will be sent to complainant noting the status/disposition of the issues. *NOTE: If resolution will require 30 days or more, an interim communication will be provided to the complainant advising of any pending resolution as well as a projected timeframe for final resolution.*

² {Six months will commence upon approval of this policy by BCDSS Director}

The IVA will be granted access to the tracking system to obtain ongoing real-time status updates of all reported issues. As deemed necessary, the IVA and BCDSS may identify issues warranting further discussion at regular meetings between the IVA and Agency (*i.e. the Director and team*).

5) Public Notification/Advertisement:

The Agency will employ multiple notification and advertisement strategies ensure that class members, their legal counsel and other stakeholders are aware of the notification process. Steps include but not limited to:

- Postings on Agency's website.
- Notices provided directly to class members and their families.
- Information session with attorneys to be held periodically with CINA attorneys.
- Public notices in print media.
- Through meetings with the Juvenile Court Judges, magistrates, and other attorneys representing parties in CINA cases.

Disclaimer: The Department will not condone retaliation against individual class members or their counsel for raising concerns about problems in their individual cases. Any retaliation will be addressed.