

New York City Citizen Review Panel
Minutes of the meeting, September 28, 2006

Present:

Gerard Papa
Jocelyn Brown
Marion White

Yvonne H. Plummer
David Lansner

Mathea Rubin
Eric Brettschneider

Guests: Vivian Farmery

OCFS staff: Dick Nells

SCAA staff: Karen Schimke, Diane Mastin

The panel meeting began with a discussion of the September 7th meeting and the lack of a quorum. It was clarified that subsequent to the meeting, panel members were solicited by email in order to take votes and receive input from those not present. The fact that there are no by-laws or protocols for the panel to follow put into question whether or not the panel could make the decisions that they did on September 7th. The panel asked that SCAA staff draft by-laws for the panel to discuss at its next meeting.

Panel members agreed to the following regarding the case review process as a part of the September 28th meeting:

- If a panel member has any involvement with a specific case, that panel member will not be a reviewer of that case record. That panel member will be interviewed by the reviewer to gain understanding as to his or her concerns and reasons for asking for the review. Individual panel members will have to make their own decision as to whether or not to recuse themselves based upon their professional ethics.
- Discussion needs to take place regarding the scope and anticipated outcomes for the reviews. What does the panel want to accomplish with a review? Panel members asked for some revisions to the form. The form serves two purposes: 1) to guide each reviewer and 2) to guide the panel's discussion. In no way should the form restrict the review. SCAA may also be asked to provide a methodology for selection of cases for any reviews of cases by the panel in the future.
- Assignments for the three cases (in alphabetical order by case name) were suggested and include:
 - a. Lansner and White
 - b. Rubin and Brown
 - c. Metzger and Hutchins Plummer
- The records reviews should be completed by the panel's meeting on November 7th.

All agreed that review teams will provide a short one page summary of the status of the review to be circulated ahead of the November 7th panel meeting. Review teams should come to the November 7th meeting prepared to discuss the case they reviewed. The review itself may continue after the November 7th meeting. Reviewers can ask to talk with the parents, law guardian, caseworker, judge, supervisor, and/or others involved with the case. Panel members

were reminded that although they can ask to meet with each person, that individual does not have to agree to meet with panel members. Reviewers may ask SCAA staff for assistance or support at any time during the review including utilization of the instrument.

Discussion then centered on possible conflicts of interests on the panel with regards to reviewing the identified cases in particular and the work of the panel in general. Panel members noted that any perception of a conflict of interest is a concern and each member should recuse himself/herself should such a conflict present itself. Panel chairs were asked to seek the panels' authorization before signing communications from the panel.

Discussion moved to the question of how panel members can effect change and the best possible manner of doing so. A panel member called attention to the panel's statutory obligation to serve as a citizen watchdog over the extraordinary power entrusted to ACS and OCFS over families and their children.

The panel has yet to receive a case file from ACS on one of the families for whom it made a request. The effort to obtain the case file on one of the families will continue. At the suggestion of a panel member, the panel agreed to request the court transcript for one case and use funds from the OCFS grant to pay for the costs.

A motion to send information regarding panel member attendance to the appointment offices of the Governor, Assembly and Senate was defeated.

Panel members offered their congratulations by unanimous consent in recognition of the work provided by Richard Nells, Associate Commissioner, Program Support at the Office of Children and Family Services, who announced his retirement plans.

Panel members were given information about the Eastern/Western panel meeting scheduled for October 13th in Syracuse, New York and invited to attend if they wish.

SCAA staff will look into the possibility of holding the November 7th meeting at an earlier time.