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MEGAN PALCHAK: VERMONT'S CHILD WELFARE SYSTEM NEEDS A WATCHDOG

OCT. 1, 2015, 7:00 PM BY COMMENTARY 4 COMMENTS

Editor's note: This commentary is by Megan Palchak, who served in the Family and Children's Ombudsman Office and in the Office of the Education Ombudsman, independent agencies within the Washington state governor's cabinet. She was raised, and resides, in Vermont.

Why does a system designed to protect vulnerable children and promote healthy families, staffed by trained and well-intentioned professionals, fail so tragically and so completely?

It has been 18 months since Dezirae Sheldon and Peighton Geraw were killed shortly after being returned to parents who weren't ready to parent. Those charged with protecting the public interest responded swiftly, seeking stakeholder input and passing new legislation. But before the provisions of Senate Bill S9 were implemented in law and practice, humans working in the system had already begun reacting. Shock, outrage, and fear rippled throughout the state, resulting in unprecedented rates of children being removed from their family homes. Child welfare caseloads remain high, court calendars are full, volunteers and advocates are overwhelmed. Parents in the system feel frustrated, helpless and hopeless.

On Aug. 7, Laura Sobel, a dedicated and respected social worker, was murdered in Barre, allegedly by a parent whose child was under state supervision for alleged neglect. This most recent tragedy has further devastated many and left state workers feeling threatened and scared to perform their most basic job functions. The response online and in some communities has been an alarming backlash against the Department for Children and Families.

Cooler heads can and should prevail. It is time for a new approach.

Vermont needs an independent entity where parents, state workers and children in out-of-home care can all be treated confidentially, with respect and dignity.

Eleven other states have implemented ombudsman offices to serve as independent watchdogs over their state child welfare systems – to ensure accountability, prevent violations of law, and safeguard citizens' rights. Vermont state Rep. Ann Pugh recently sponsored a bill to establish an Office of the Child Advocate, similar in spirit to an ombudsman office.

But an advocate is not what is needed. Certainly, advocacy is important and a critical component of any vibrant community and political system. Vermont has many

advocates within its child welfare system. What is lacking is an independent, neutral place for any concerned citizen (relative, CASA (court appointed special advocates), parent, DCF worker, foster child, neighbor, judge, doctor, foster parent, teacher, public or private agency official) to air their concerns and file a formal, but confidential, complaint without risk of retaliation. Vermont needs an independent entity where parents, state workers and children in out-of-home care can all be treated confidentially, with respect and dignity – a place to have their questions and concerns taken seriously, and examined with an unwavering focus on the law, evidence-based practice and system innovations.

Ombudsmen are citizens' representatives. The institutional concept originated in Scandinavia and is relatively new to the United States. Similar to an inspector general or public advocate, these unique entities have taken hold across the globe. They appeal to our common interest of simply ensuring that those mandated to serve the public interest, not only follow the rules we collectively agreed to, but implement them fairly. Ombudsmen are skilled at investigating individual complaints, as well as conducting complex systemic investigations. They listen. They strive for objectivity, approach difficult situations neutrally and offer dispassionate recommendations to decision-makers facing complex legal and human circumstances.

Ombudsman offices must be legislated carefully to avoid influence by officials and remain protected from wayward budget cycles. They must have full access to agency records. They must be shielded from court disclosure, but overseen by multiple branches of government.

This session, legislators should take clear action to implement an independent watchdog for the entire child welfare system – an objective entity focused on system strengthening, and not an advocate for any particular group within it.

Sources

<https://www.childwelfare.gov/topics/responding/resources-cps/ombudsmen/>
<http://www.ncsl.org/research/human-services/childrens-ombudsman-offices.aspx>
<http://www.usombudsman.org>
<https://www.ombudsassociation.org/home.aspx>

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Dave Bellini



3 months 30 days ago

Vermont would be better served by hiring more social workers. Spending money on an “ombudsman” will increase bureaucracy. An “ombudsman” will then need a staff and an ever increasing budget. Assistants, attorneys, investigators, office space and on and on. This is a perfect example of how to grow the cost of state government. However well intended this idea is, Vermont has limited resources for existing programs and ill afford to create a new mini-agency. I think Massachusetts has a DCF ombudsman’s office; and severe problems. Spend money on SOCIAL WORKERS. More social workers. Lower caseloads. No new bureaucrats.

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Renee Carpenter



3 months 30 days ago

“Editor’s note: This commentary is by Megan Palchak, who served in the Family and Children’s Ombudsman Office and in the Office of the Education Ombudsman, independent agencies within the Washington state governor’s cabinet. She was raised, and resides, in Vermont.” This is one of the best responses to a horrible situation that I’ve seen thus far. Do you have special credentials to give you wiser insights? “Pound wise, penny foolish,” is a phrase I grew up with. Investing in children and families, social justice, and Constitutional Human Rights in the first place will save so much more—including dollars— than anyone... [Read more »](#)

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Stacy Youst, student



3 months 29 days ago

Perhaps, more importantly, on more specialized education for it’s social workers? Better educated workers (MSW+) will be less likely to make client-damaging mistakes.

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Ann Raynolds



3 months 30 days ago

An independent ombudsman is a good idea, but I would prefer to see a Supervisor for paid Guardians ad litem (GALs) around the State in high conflict, complicated cases. One statewide ombudsman is not enough. GALs are appointed by courts to investigate on behalf of the children involved and present independent information to judges in the best interest of the children. Determining the best interest of the children is at the goal, but who truly represents the children? The present volunteer system, while admirable, is not sufficient to doing a thorough, professional investigation. And by professional I mean having someone... [Read more »](#)

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[Boys & Girls Club of Brattleboro](#) Brattleboro, VT

Wed 10

How Sweet It Is Silent Auction

February 10 @ 5:30 pm - 7:30 pm

[The Essex Culinary Resort and Spa](#) Essex Junction

Thu 18

Third Thursday: Impact of 70s counterculture update

February 18 @ 12:00 pm - 1:00 pm

[Vermont History Museum](#) Montpelier

Fri 04

Happy Birthday, Vermont!

March 4 @ 5:00 pm - 8:00 pm

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Sat 05

Friends of the Aldrich Public Library Annual Winter Banquet/Auction

March 5 @ 5:00 pm - 9:00 pm

[Barre Elks Lodge](#) Barre

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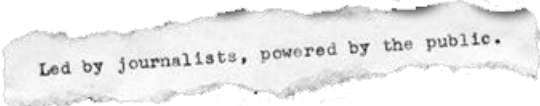
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