

# Modified Implementation, Sustainability and Exit Plan (MISEP) Update

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Children's Services Administration



# Mission

MDHHS provides services and administers programs to improve the health, safety, and prosperity of the residents of the state of Michigan.

# Children's Services Administration Priorities



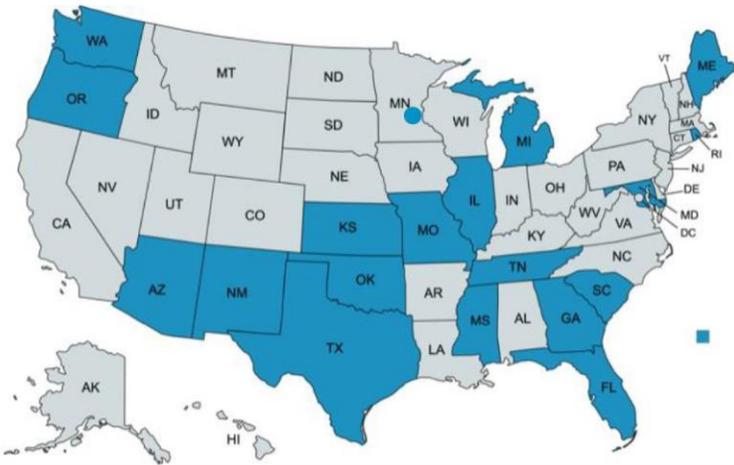
# History of the Federal Lawsuit



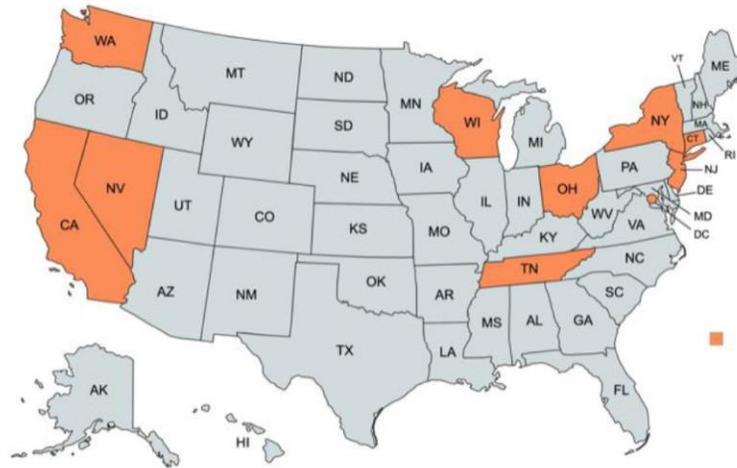
Michigan's progress in complying with the agreement continues to be overseen by court-appointed monitors. The monitors report on progress and compliance with the requirements of the agreement every six months.

# National Landscape

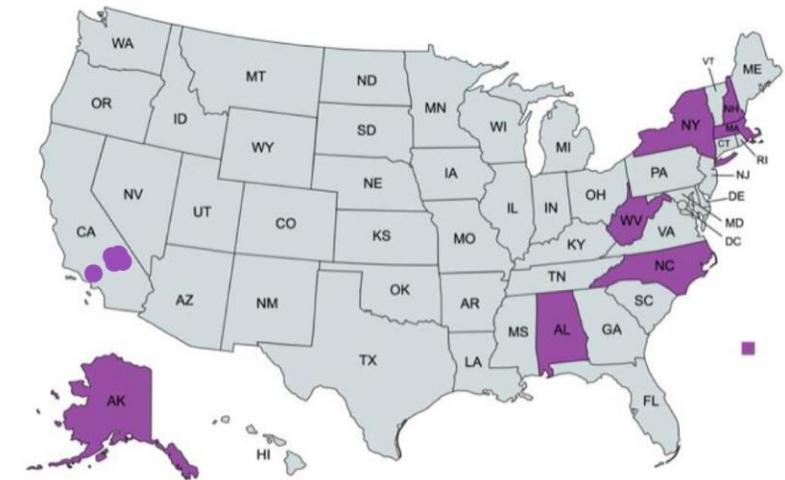
Twenty-one child welfare jurisdictions across the U.S. are currently operating under court oversight.



Ten jurisdictions have had cases closed within the past 10 years.



Ten jurisdictions have pending litigation.



The average lifespan of a child welfare lawsuit is 17 years. Michigan's lawsuit has been in place since 2008 – 17 years.

# Stipulated Order

- In 2023, Director Hertel led MDHHS in renegotiating the agreement with the plaintiffs, Children's Rights.
- On Jan. 25, 2024, the Stipulated Order amending the agreement was signed by the Honorable Judge Edmunds in federal court.
- The Stipulated Order amending the agreement further streamlined the agreement, eliminating 31 provisions entirely and reducing the number of provisions subject to ongoing monitoring to 23.

# January 2025 Court Hearing



The most recent court hearing was Jan. 14, 2025.

During the court conference, Judge Edmunds determined that MDHHS met or exceeded the required performance standards in five areas monitored for compliance during the reporting period of July 1, 2023, to Dec. 31, 2023, moving these areas closer to the removal of court oversight.

\*Achieved more than 20 percent of the measures in the stipulated agreement in less than one year.

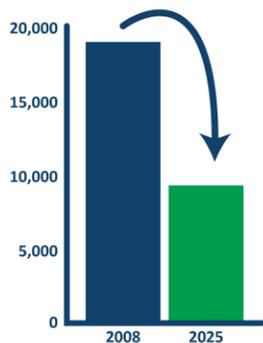
# Structural Changes as a Result of the Agreement

Resources provided by the legislature allowed for significant structural reforms to ensure system improvements, including:

- Developed the Division of Continuous Quality Improvement.
- Established a fully operational statewide Centralized Intake Unit.
- Created a Maltreatment in Care Division.
- Implemented additional oversight of congregate care facilities.

# Accomplishments Over Time

Because of the resources the legislature provided, MDHHS has made substantial and sustainable changes since the settlement was reached in 2008:



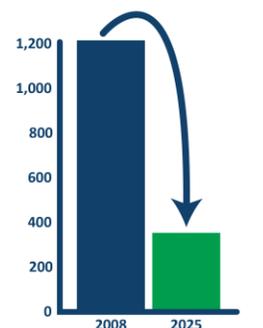
## A substantial decrease in the number of children in foster care.

In 2008, there were more than 19,000 kids in care. Today, there are approximately 9,300.



## A reduction in caseloads to improve services to children and families.

Met requirements for caseload standards, and all are no longer actively monitored.



## A substantial decrease in children in congregate care facilities.

In 2008, Michigan had more than 1,200 children placed in congregate care facilities. Today, there are approximately 350—well below the national average.



## A significant change to training and continues to invest in its workforce.

Met all training requirements in the agreement and remains committed to ensuring workers and supervisors are effectively trained.

# Accomplishments

Additionally, MDHHS has:



Exceeded the median performance for all states for federal outcomes for timeliness to adoption, and met specific goals outlined in the agreement for the number of adoptions completed annually.



Exceeded goals outlined in the agreement regarding youth transitioning out of foster care and increased the number of youth ages 18 and older leaving foster care with a high school diploma or GED.



Exceeded the national median performance for all states for placement stability for children in foster care.



Ensured that case workers visit children in care at least two times the first month and then monthly thereafter.

# Recent Accomplishments

Under Director Hertel's leadership, the following MISEP requirements have been met and are no longer actively monitored:



Achievement of timely commencement and completion of investigations.



Increased medical care and coverage at entry into foster care.



Increased child immunizations.



Improved screening of Children's Protective Services investigations.



Increased timeliness of service plans.



Fully met all requirements for generation of accurate and timely data.

# Permanency in 12 Months



The new stipulated order allowed MDHHS to develop strategy plans to improve the rate of permanency for children within their first 12 months in foster care.

**Participating counties: Ingham, Jackson, Kent, Muskegon, Oakland and Saginaw.**

## **As part of the strategy:**

- MDHHS conducts Team Decision-Making meetings more frequently for youth in the cohort.
- MDHHS developed an Executive Strike Team led by Director Hertel that reviews permanency data, provides guidance for statewide policy changes, and assesses progress while developing solutions to barriers at the individual case, county, and statewide levels.

## **Changes implemented are yielding positive results for youth.**

- Within the designated cohort in the six counties, the permanency rate for youth has increased from 9.9% to 22.3%. (*January-June 2023 compared to January-June 2024*)

# Areas of Continued Focus

From the January 2025 hearing:

While progress has been made, which court monitors echoed, Judge Edmunds said she would like the state to focus as much as possible on child safety issues. That could lead her to be able to terminate the court oversight "sometime in the next year or two."

*"We're way ahead of where we were even two or three years ago and I applaud the efforts of the state and the diligence of the plaintiff for being on top of things," Edmunds said.*

# Maltreatment in Care

Maltreatment in Care (MIC) focuses on keeping children in MDHHS custody safe from abuse and neglect.

- MDHHS is committed to ensuring children in foster care are safe, and to meeting or exceeding the federal national performance standard.
- Under Director Hertel's leadership and using resources provided in the FY 2025 budget, MDHHS developed a statewide **MIC Remediation/Prevention Plan** that outlines specific activities to remediate MIC, including:
  - Tools for improved investigative and inspection processes.
  - Ongoing meetings within CSA and with private partners to discuss prevention strategies.
  - Enhanced oversight, supports and technical assistance to child caring institutions.
  - Supports for relative caregivers to prevent MIC.

# Exit of Court Oversight

- The Stipulated Order significantly reduced the remaining requirements MDHHS must meet to be released from federal court oversight of the state's child protection system.
- The continued support of the legislature brings Michigan closer to ending more than 17 years of court oversight.
- Exiting would allow MDHHS to focus more of its resources on keeping kids safe.

# Resources

Copies of the all of agreements, the Stipulated Order, and all monitor reports are located on the Child Welfare Reform page of the MDHHS website at **Michigan.gov/MDHHS**.

Follow the pathway below to the Child Welfare Reform page:  
**MDHHS/INSIDE MDHHS/LEGAL/CHILD WELFARE REFORM.**

# Questions & Discussion



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