

WHEREAS, the parties agree that the logistics of conducting the Service Needs Reviews for all children who fall within one or more of the eight categories listed in Section V.B., not just those who fell into one or more of these categories as of July 1, 2008, require certain modifications of Sections II, V and IX.A. of the July 17, 2008 Stipulation;

WHEREAS, the parties agree to modify the July 17, 2008 Stipulation, and request Court approval, as follows:

1. Section II shall be replaced in its entirety, with the following:

II. Automation of Administrative Case Reviews, Treatment Planning Conferences and Service Needs Reviews. In conjunction with the DCF Court Monitor, by July 30, 2009, DCF shall develop the capacity to electronically store and generate child-specific and aggregate reports concerning the information collected and documented at each child's Administrative Case Review ("ACR"), Treatment Planning Conference ("TPC"), and Service Needs Review (if a Service Needs Review is required). The functionalities shall include the capacity (1) to generate reports that are child-specific, so that information, obligations and implementation of treatment plan items can be tracked over time; and (2) to generate aggregate reports for purposes of additional monitoring under the *Juan F.* Exit Plan and for DCF management and quality assurance functions. The DCF Court Monitor shall have the authority to make any necessary and reasonable extensions of the required timeframe for completing the requirements of this Section.

2. Section V.A. shall be replaced in its entirety, with the following:

A. Service Needs Reviews: Authority and Purposes

Service Needs Reviewers shall conduct in-depth Service Needs Reviews of the cases of all children who fall within one or more of the eight categories listed in Section V.B. below. These categories are also referred to herein as the Target Cohorts.

The Service Needs Review process shall be overseen by the DCF Court Monitor. The DCF Court Monitor will select and supervise the Service Needs Reviewers, which may include staff from the DCF Court Monitor's office, DCF staff, TAC staff and other consultants

hired specifically for this purpose. All Service Needs Reviewers shall be trained and supervised by the DCF Court Monitor and shall have appropriate clinical expertise and experience.

It is the express intent of the parties that the DCF Court Monitor shall have the authority to modify or substitute alternatives to the processes and procedures outlined in this Section V that serve the purposes of the Service Needs Reviews. With input from DCF, the Plaintiffs, and the TAC, the DCF Court Monitor shall provide the parties with any proposed revisions to the Service Needs Review processes and procedures already in use, including any modification or alternatives to be used, by February 1, 2009. The parties shall have 10 days thereafter to provide comment to the DCF Court Monitor. By February 16, 2009, the DCF Court Monitor shall provide the final Service Needs Review processes and procedures to the parties, which shall be binding.

The purposes of the Service Needs Reviews are to identify the following for each child in the Target Cohorts: (a) the particular child and family circumstances; (b) the barriers that exist to a permanent exit from DCF custody, placement in an appropriate, least restrictive, most family-like setting while in DCF custody, and meeting any unmet service needs required by Outcome Measure 15; (c) the specific steps that must be taken to remove these barriers and achieve appropriate results for the child; and (d) through periodic follow-up reviews, the degree to which these steps have been implemented and appropriate results for the child have been achieved.

3. Section V.C.1. shall be replaced in its entirety, with the following:
 1. Initial Service Needs Reviews. With input from DCF, the Plaintiffs, and the TAC, the DCF Court Monitor shall provide the parties with any proposed revisions to the protocol for the Service Needs Reviews already in use, including any modifications or alternatives to be used, by February 1, 2009. The parties shall have 10 days thereafter to provide comment to the DCF Court Monitor. By February 16, 2009, the DCF Court Monitor shall provide the final protocol to the parties, which shall be binding. On an ongoing basis, Initial Service Needs Reviews shall be conducted for all children who fall within one or more of the eight categories listed in Section V.B. herein. Initial Service Needs Reviews for all children, as of September 15, 2008, who fell within one or more of the eight categories listed in Section V.B. above, shall be completed by June 30, 2009.¹

¹ The parties have agreed to modify the July 1, 2008 date to September 15, 2008.

- a. This Initial Service Needs Review shall include a complete file review by the Service Needs Reviewer, in consultation with the child's DCF worker and supervisor, and the convening of a Case Conference for each child in the Target Cohorts. The Case Conference must include the documentation of existing barriers to a permanent exit from DCF custody; placement in an appropriate, least restrictive, most family-like setting while in DCF custody; meeting any unmet service needs as required by Outcome Measure 15; and the identification of strategies to address these specific barriers.
 - b. The Initial Service Needs Review shall include a determination of whether a referral shall be made to a Specialized Case Manager (as set forth below in Section V.C.3.), and, if a referral is made, the referral shall take place within 30 days of the Initial Service Needs Review.
 - c. In the event that any unmet needs are identified as required by Outcome Measure 15, the results of the Initial Service Needs Reviews shall be promptly shared with any attorney assigned to the child and any attorney assigned to the child's parent(s).
4. Section IX.A. shall be replaced in its entirety, with the following:
- A. Baseline Reductions. Within 30 days of the completion of the Initial Service Needs Reviews for all children who fell within one or more of the eight categories listed in Section V.B. as of September 15, 2008, the DCF Court Monitor shall issue a validated report identifying, at a point in time as close as reasonably possible to the completion of the Initial Service Needs Reviews, a baseline of the total number of children in each of the categories in Section V.B.1-8 of this Stipulation. The parties, with input from the TAC and the DCF Court Monitor, shall then meet and confer for a period of no more than 30 days, unless agreed to by the parties, to identify and agree upon required percentage reductions off of some or all of the baselines, and a timeline for achieving such reductions, which shall become part of this Stipulation. If the parties cannot agree upon the baseline reductions and timelines, the parties shall proceed under the same procedures and timelines for dispute resolution pursuant to Section III.B. of the Revised Monitoring Order in this action filed October 12, 2005.

5. The parties agree to, and request the Court's approval and entry of these Agreed January 2009 Stipulated Modifications to the July 17, 2008 Stipulation Regarding Outcome Measures 3 and 15.

SO STIPULATED BY THE PARTIES, _____, 2009:

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FOR DEFENDANTS

REVIEWED AND APPROVED:



RAYMOND MANCUSO, DCF COURT MONITOR

1/14/09
DATE

SO ORDERED:

/s/ Alan H. Nevas, SUSDJ

HON. ALAN H. NEVAS, SENIOR U.S. DISTRICT JUDGE

1/22/09
DATE

5. The parties agree to, and request the Court's approval and entry of these Agreed January 2009 Stipulated Modifications to the July 17, 2008 Stipulation Regarding Outcome Measures 3 and 15.

SO STIPULATED BY THE PARTIES, _____, 2009:

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REVIEWED AND APPROVED:

RAYMOND MANCUSO, DCF COURT MONITOR

DATE

SO ORDERED:

HON. ALAN H. NEVAS, SENIOR U.S. DISTRICT JUDGE

DATE

5. The parties agree to, and request the Court's approval and entry of these Agreed January 2009 Stipulated Modifications to the July 17, 2008 Stipulation Regarding Outcome Measures 3 and 15.

SO STIPULATED BY THE PARTIES, January 14, 2009:



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DATE

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DATE