



SPONSOR: Sen. McDowell & Reps. Maier & M Marshall
Sens. Amick, Blevins, Cloutier, Connor, Henry, Marshall,
Peterson, Sokola, Sorenson, Still;
Reps. Brady, Ennis, Hall-Long, Hudson, Keeley,
Kowalko, Longhurst, McWilliams, Mulrooney, Plant,
Schooley, Valihura, Viola

DELAWARE STATE SENATE
144th GENERAL ASSEMBLY

SENATE BILL NO. 180

AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF SERVICES
FOR CHILDREN, YOUTH AND THEIR FAMILIES

1 WHEREAS, the Division of Family Services' ("DFS") frontline caseworkers provide direct services to Delaware's
2 abused, neglected and dependent children and their families in an effort to remedy those issues, and provide support to
3 strengthen these families;

4 WHEREAS, as a result of several child abuse deaths in the late 1990s, Delaware's General Assembly
5 implemented statutory caseload standards for DFS workers;

6 WHEREAS, Governor Minner's Executive Order No. 7 directed child safety as the first priority of the Delaware
7 Children's Department;

8 WHEREAS, since those standards were implemented, DFS has been impacted by countless federal and state
9 mandates which have focused on increasing safety, permanency and well-being for Delaware's children, but which have
10 significantly increased the workloads and responsibilities of DFS frontline workers;

11 WHEREAS, four reviews of Delaware child death and near death cases since December of 2004 have cited
12 caseloads/workloads as a contributing factor to the child's death or near death;

13 WHEREAS, the Child Protection Accountability Commission ("CPAC") once again created a subcommittee to
14 study this issue which has resulted in a comprehensive report recommending statutory caseload reductions;

15 WHEREAS, CPAC concluded that workers have approximately 89 hours per month to provide direct services to
16 Delaware's children and families;

17 WHEREAS, CPAC concluded that DFS treatment workers need a minimum of 8.3 hours per month to work each
18 treatment case; and

19 WHEREAS, under current DFS statutory requirements of 18 cases per treatment worker, DFS treatment workers
20 need 149.6 hours per month to provide treatment services to 18 families and have only 89 hours, resulting in children being
21 left at serious risk, thereby requiring treatment caseloads to be reduced to 12 cases per treatment worker;

22 NOW THEREFORE:

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

24 Section 1. Amend Section 9015(b)(2) of Title 29 of the Delaware Code by striking the number “18” and
25 inserting the number “12” in its place.

26 Section 2. In so appropriating funds and positions to comply with the reduction of treatment caseloads from
27 18 to 12, a three year fiscal plan shall be developed with a first year reduction of treatment caseloads to 15, with the ensuing
28 years’ reductions to be accompanied by the consideration of federal and state mandates for safety, permanency and well-
29 being of Delaware’s children.

SYNOPSIS

This bill reduces treatment caseload standards of Division of Family Services’ caseworkers. It reduces treatment caseloads from 18 to 12 with a fiscal impact. As a result of the fiscal impact, the bill provides for a three year fiscal plan for phasing in the reduction which is consistent with federal and state mandates for safety, permanency and well-being for Delaware’s children.

Author: Senator McDowell