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AGENCY’S DISCUSSION AND ANALYSIS

Introduction

The Department of Children’s Advocacy is an independent state agency that administers advocacy, accountability, and care coordination programs for children and youth in addition to examining, on a system-wide basis, the care and services state agencies provide children. Pursuant to Act 160 of 2018, the Department was established effective July 1, 2019, and the enabling legislation is codified in S.C. Code of Laws Ann. Section 63-11-2210.

The Act transferred to the agency the Cass Elias McCarter Guardian ad Litem Program (S.C. Code of Laws Ann. 63-11-500, et. seq.), Continuum of Care for Emotionally Disturbed Children (S.C. Code of Laws Ann. 63-11-1310, et. seq.), and Division for Review of the Foster Care of Children (S.C. Code of Laws Ann. 63-11-700, et. seq.), all of which were former divisions of the Office of Executive Policy and Programs within the Department of Administration.

In addition, the State Child Advocate is responsible for ensuring that children receive adequate protection and care from services or programs offered by the Department of Social Services, the Office of Mental Health, the Department of Health and Human Services, the Department of Juvenile Justice, the Department of Public Health, the Office of Intellectual and Developmental Disabilities, the Governor’s School for Agriculture at John de la Howe, the Wil Lou Gray Opportunity School, and the School for the Deaf and the Blind.

The Act requires the agency to establish a toll-free public telephone number and an electronic complaint submission form on the agency's website for the purpose of receiving complaints relative to the provision of services to children by these agencies. The enabling legislation also requires these agencies to inform the DCA within 24 hours of a critical incident, and, thereafter, the State Child Advocate may perform an independent investigation or review a completed investigation.

The Department of Children's Advocacy is led by the State Child Advocate who is the Director of the Agency. The State Child Advocate (hereinafter called Agency Director) is appointed by the Governor from among three candidates recommended by the Joint Citizens and Legislative Committee on Children for a term of six (6) years.

Mission

The Department of Children’s Advocacy champions advocacy, accountability, and service to improve outcomes for children served by state agencies in South Carolina.

Vision

Growing a community where children thrive.

Year in Review

The Department of Children’s Advocacy has seen many changes in FY25, including the creation of a new division within the agency and big changes to both the organizational chart and to agency leadership. Thanks to the

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foresight of South Carolina’s first State Child Advocate, Amanda Whittle, these changes were put in place to make sure the agency was not only well-positioned to weather an upcoming transition with minimal interruption, but to grow and remain successful in its mission to help create better outcomes for South Carolina’s children.

Perhaps the biggest change for the agency is the departure of Whittle, who was finishing her six-year term when she was elected to become a family court judge for the Second Judicial Circuit. Her last day with the agency was April 21.

However, plans for her succession had started long ago. In September 2024, Whittle created a chief of staff position who would oversee the Guardian ad Litem Program (GAL), Continuum of Care (COC), and the Foster Care Review Division (FCRD). This position was filled by LaDara Depugh, who had been the state director of the GAL program since March 2020, less than a year after the agency’s creation. Depugh’s experience and success leading the agency’s largest division, coupled with her intimate knowledge of the day-to-day operations of the agency as a whole, was key to ensuring smooth waters before, during, and after Whittle’s departure.

Coincidentally, Deputy Child Advocate Kayla Capps, the second in command at the DCA, left in March 2025. Recognizing the need for a dedicated point person for all legal matters, Whittle seized this opportunity to convert the position to a general counsel position for the agency, which was filled by Mary Christine Hardee in May 2025.

System Improvement Division

When DCA was first created, Whittle, and soon after, Capps, were initially responsible for receiving, reviewing, referring, monitoring, and investigating all complaints and critical incident notifications that came into the agency. In effect, they constituted the Investigations Unit. While Capps eventually took the lead of a small team of investigators, both remained actively engaged, carrying their own caseloads through FY24. Realizing this was unsustainable, Whittle began working in FY23 to create what has become the System Improvement Division. The division, which now houses both the Investigations and Critical Investigations units, has grown to encompass almost 20 staff members. In FY25, it received 2,918 complaints from the public and 3,023 critical incidents, with investigations being conducted for 406 and 953 cases, respectively.

Melissa Pettinato-Irby became the first division director for System Improvement in September 2024 and worked closely with Whittle, Capps, and Hardee to ensure there were no interruptions during both leadership changes, especially as System Improvement became more independent and less intertwined with the State Child Advocate and General Counsel, who are continuing to move away from regularly holding their own caseloads and conducting their own investigations.

As the new SI division director, Pettinato-Irby has made significant procedural changes, including the implementation of a new site visit schedule. Beginning in April 2025, pairs of Critical Incident Unit investigators began making one stop each week at one of the various facilities around the state operated by the agencies over which DCA has oversight. While locations are chosen on a rotating basis, visits are both announced and unannounced, and different pairs of investigators will visit at different times. The DCA has committed to making contact with each agency at least once a year, and this new procedure greatly enhances that effort, with multiple benefits, including 1) building better relationships with on-site staff 2) observing the conditions of the facility and 3) getting to know and talk with the youth currently at the facility. The ultimate goal is to identify

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and correct potential issues before they become a critical incident, as well as regularly follow-up on existing problems to ensure they are resolved.

New staffing procedures have also been implemented so that all members of each unit gather weekly to discuss all open cases. This holistic approach has allowed for the exchange of recommendations and insights that keep a child's case moving forward, as well as the ability to recognize trends, barriers, and gaps at a higher level. In some instances, it has even helped investigators discover situations where multiple open cases involving different agencies were actually about the same child.

Two new staff were hired outside of the investigative units to focus on improving services for children, including a system coordinator who sits in on interagency staffings and helps coordinate services among the different agencies to ensure the child's needs are met. A Handle with Care Coordinator was also hired to help implement the Handle with Care program in the Upstate, so schools are notified about children who have experienced a traumatic event involving law enforcement and can apply various trauma-sensitive strategies to help the child in their classroom.

A third unit under the SI division is in development, with plans to go live in FY26. While South Carolina requires children in juvenile justice cases to have attorney representation, the Palmetto State is one of only four US states that does not guarantee some form of right to counsel for children in abuse and neglect proceedings. This new unit hopes to address that through a pilot project that will provide direct representation to these children. While working closely with the GAL program, it will be housed within System Improvement.

Continuum of Care

In FY21, Continuum of Care entered into a five-year contract with the South Carolina Department of Health and Human Services (DHHS) to create the Palmetto Coordinated System of Care 1915(c) waiver that allowed COC to receive Medicaid reimbursement for its intensive care coordination services to children experiencing severe emotional and behavioral disturbances.

The number of children it served gradually declined, and COC tried various initiatives to reverse this trend. COC had already lost many of its staff members during the Covid pandemic, and efforts continued in FY25 to reduce the vacancy rate. Also during the fiscal year, the division launched a fully electronic application that made it substantially easier to initiate a referral and streamline internal processes. In February, it hired its first community liaison to create, build, and sustain relationships with referral sources and provide information to agencies and the public about COC's services. It even took steps to lower the eligibility threshold to help more children qualify for assistance.

In the end, none of these strategies helped increase the number of children served. This, coupled with the FY25 restructuring of state government agencies (including those involved with children's mental and developmental health issues) caused DHHS to not renew the contract. In May, enrollment in the waiver ceased, and COC began wrapping up its services and transferring cases to various Managed Care Organizations who would take over the youths' care.

In FY24, Whittle engaged the Office of Inspector General to conduct a confidential study to improve the efficacy of COC. Among the recommendations were cost-saving strategies that have been implemented in FY25, including ending its 11-year partnership with the National Wraparound Implementation Center, which provided training for, and certified COC as, the only state provider of High Fidelity Wraparound, a specific type of

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intensive care coordination for youth with complex and challenging mental and behavioral health needs. COC also closed 11 underutilized satellite offices around the state.

Amidst these changes, COC moves into FY26 with a continued and determined focus to serve children with serious emotional or behavioral health diagnoses, as well as their families who need help keeping them in their home, school, or community. COC still strongly believes that children heal faster in familiar environments than they would if separated from family and placed in costly and more restrictive environments. In fact, the division is still providing intensive care coordination services for children across the state who receive Medicaid Fee for Service and those not receiving Medicaid at all.

At the same time, COC is actively exploring new and better ways to expand its services and seeking ways to ultimately increase its ability to make a lasting and positive impact on children with severe mental health conditions.

Foster Care Review Division

The Foster Care Review Division and the Foster Care Review Board began FY25 by celebrating their 50th anniversary with a press conference and proclamation reading by Governor McMaster on July 11, 2024. In 1974, South Carolina became the first state in the nation to create a system of citizen review, and for 50 years, FCRB and FCRD have been advocating for permanency and providing external accountability for children in foster care.

One great example of this is their work to decrease the number of children with overdue reviews from 16.9% to .1% during the fiscal year. Ensuring these reviews are held in a timely manner is one of the best ways to shorten a child’s path to permanency.

FY25 marks the first full year that FCRD has reported on “Barriers to Permanency” versus the old “Areas of Concern.” The new reporting method does a better job of identifying factors that negatively impact permanency outcomes for children in foster care in South Carolina. In FCRB’s FY25 annual report, these barriers will be broken down into various categories, with each category identifying causes that lay at the heart of permanency delays.

A large focus for FCRD this fiscal year was spent on training for both staff and board members. While there are typically four regional and one statewide training offered each year, due to inclement weather impacts, the division offered eight regional trainings and also offered seven “lunch and learn” sessions. The lunch and learns focused on a particular aspect of the child welfare system and were recorded so they could be watched later by those who couldn’t attend live. Additionally, an in-person technology day was held in July 2025 for any board members who frequently ran into computer issues that impeded their ability to participate in virtual reviews. And in January 2025, all board chairs and vice chairs received their own training to help them better understand their roles and responsibilities.

Quarterly reports were timely completed and submitted to DSS in July, October, January, and April, and the FY25 annual report is expected to be published by or before December 2025.

The South Carolina Heart Gallery, a program of FCRD, conducted 25 photo shoots of 109 children in FY25, which included group photoshoots, photos taken at DSS adoption and recruitment events, or “front porch sessions” for children who are medically fragile or needed an individual photoshoot for other reasons. Additional, 58 of these

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children also had videos produced to accompany their profile, through Heart Gallery's continued partnership with Grant Me Hope.

In addition to posting these photos and videos to the Heart Gallery's website, they were also shared on the program's Facebook page and featured on various television newscasts across the state in an effort to find adoptive families for these legally free children. What's more, the partnership at Columbiana Mall has continued throughout FY25. In fact, the semi-permanent exhibit has moved out of a storefront and onto the walls near the food court entrance, ensuring that even more people have a chance to interact with the display and learn more about the Heart Gallery and the children searching for their forever home.

Guardian ad Litem

With LaDara Depugh taking over as the agency's chief of staff in September 2024, the Guardian ad Litem program moved quickly to hire Jennifer Burch to lead the division in October.

The need for volunteers remains great, as only 47% of children are served by volunteer GALs. This is a decrease from FY24. Part of this is attributable to the launch of GAL's new database system near the end of FY24, along with the subsequent data migration and clean up that lasted well into FY25, causing fluctuations in the number of active volunteers throughout the year.

The percent of potential volunteers completing training and ready to take on cases was another issue in FY25. This measure was particularly impacted by the suspension of training classes by National CASA in April 2025. Those who had signed up for April were split between classes in May and June, with some never coming back for the rescheduled training for a variety of reasons. What's more, trainees who began in June finished in July, further skewing FY25 numbers. Despite these setbacks, GAL has seen an overall increase in the number of volunteers successfully completing pre-service training versus previous years, and especially following the training updates implemented in October 2024, which included new case studies and statistics to better prepare volunteers for their role.

For the fiscal year, GAL's training and recruitment team attended almost 1,100 events, garnering 508 applications that lead to 282 active volunteers who are now able to serve as advocates for children in South Carolina in family court proceedings involving abuse and neglect.

Once again, the diversity of volunteers, both in gender and race, has remained steady despite previous efforts to increase them. And with the need for new volunteers remaining great, the decision was made to forgo this measure and put more focus on minimizing the overall volunteer attrition rate in FY26.

One tactic aimed at keeping trained volunteers actively engaged is the new mileage reimbursement initiative implemented in FY25. Previously, all travel related costs to visit children and attend court were borne solely by the volunteer. This new incentive will ease the financial burden for volunteers, which might otherwise have prevented them from taking a case, or staying involved at all. To ensure the program is meeting volunteer needs, a survey will be sent out in October 2025 to gather feedback on the reimbursement process and make adjustments as necessary.

The GAL program also launched an online application to make it significantly easier to apply to the program on the front end, and to process applications on the backend. Previously, applicants were required to download, print, and mail, fax, or scan applications so they could be returned to the GAL office for processing.