

ALASKA LEGISLATURE COMMITTEE FILES, 1989-1990 8672
5718 HOUSE JUDICIARY 123

for each office. Each modem and fax machine will require a dedicated phone line.

Other one time equipment purchases include the ordinary office equipment needs -- desks, tables, chairs, bookshelves, storage cabinets, files, telephones, etc. A PC and dot matrix printer is included for all positions except the receptionist position in Anchorage. One good letter quality printer per office is substituted for one of the dot matrix printers.

18. \$20,000 is included for programming of off-the-shelf software for a data collection/information management system.

19. Prior experience indicates this agency will process a lot of paper. Very heavy duty copiers were budgeted for both Anchorage and Fairbanks. A lighter duty model was budgeted for in Juneau.

20. Budgeted amounts for postage, toll charges and supplies are a best guess based on prior experience and a review of other agency budgets.

21. The potential for donated, surplus or transferred equipment and furniture is unknown at this point. As with possible donated space -- receipt would lessen the fiscal requirements.

22. No ancillary costs are budgeted for local panel expenses. It is assumed space would be provided locally at no cost to the agency. No parking expenses, child care expenses or other possible out of pocket expenses for local panel members are budgeted.

23. Space requirements are figured at \$2.00 a square foot and occupancy is assumed by 10/1/90. Operation until that time will be from borrowed space (presumably DOA and/or DFYS).

24. It is assumed that nominations for the State Panel will be made early (upon passage of this bill) and that they will be able to meet in July and make the selection of an Executive Director who will be able to quickly select an assistant and begin hiring other agency staff. While the start time is ambitious, a considerable body of procedure and material has already been developed through existing internal review panels conducted by DFYS and through the Ketchikan pilot project.

ASSUMES OFFICE LOCATIONS OF ANCHORAGE, JUNEAU AND FAIRBANKS

Professional Services

1st Year	\$22,500 (\$20,000 for Information System Development)
2ond Year	\$2,500 Trainer/Training Material

Communication

Telephone	\$25,140
Postage (750/mo)	\$9,000
Teleconferences (6)	\$2,700
Advertising, Printing For recruitment, rept	\$3,925
Minor Repair/Maint.	\$3,600 (\$300/Mo.)
Copiers (2 @ 1,050/mo and 1 @ 550/mo)	\$31,800
Space (9 Mo. 1st Yr.)	\$47,655
Total 1st Year	\$146,320
Total 2ond Year	\$142,205

Supplies and Materials

Office & Library Supplies, \$900/Month	\$10,800
Data Processing Sup.	\$300
Total	\$11,100

One Time Special Equipment Needs

Fax Machine	3	\$5,100
File Server (Anc)	1	\$13,000
LAN Network (Anc)	1	\$1,895
Modems	3	\$2,085
Storage Cabinets	3	\$1,275
Miscl. Furniture	1	\$3,000
Recording Equip.	6	\$2,850
Teleconf. Equip. Portable	3	\$12,000
Total		\$41,205

One Time Needs For Individual Staff \$70,765

Total One Time Equipment \$111,970

2ond and Subsequent Years \$1,500
Replacement of Small
Equipment - recorders, etc.

Five Member State Panel

To Anchorage -- State Wide Panel

5 Panel Members

1st Year	Persons		
\$400 Transportation	3	\$2,400	2 Trips
\$15 Transportation	2	\$60	2 Trips
\$80 Per Diem for	5	\$3,200	8 Days/Year
\$80 Per Diem for	3	\$960	4 Days Travel Time
		\$6,620	
2ond (& Subsequent) Years			
\$400 Transportation	3	\$2,400	2 Trips
\$15 Transportation	2	\$60	2 Trips
\$80 Per Diem for	5	\$2,400	6 Days/Year
\$80 Per Diem for	3	\$960	4 Days Travel Time
		\$5,820	

Staff - 1st Year

Executive Director

Trip/Days

\$400 Transportation	1	\$385	1 Trip For Departmental Orientation
\$80 Per Diem for	1	\$240	3 Days For Departmental Orientation
\$500 Transportation	1	\$500	1 Trip Ketchikan Office
\$80 Per Diem for	1	\$320	4 Days/Trip Ketchikan Office
\$385 Transportation	1	\$770	2 Juneau Trip For Administrative Functions
\$80 Per Diem for	1	\$320	4 Days in Juneau For Administrative Functions
\$212 Transportation	1	\$424	2 Trips to Fairbanks Office
\$80 Per Diem for	1	\$320	4 For Trips to Fairbanks Office
Total		\$3,279	

2ond (& Subsequent) Years

Executive Director

\$385 Transpertation	1	\$2,310	6 Juneau Trip For Administrative Functions
\$80 Per Diem for	1	\$960	12 Days in Juneau For Administrative Functions
\$212 Transportation	1	\$848	4 Trips to Fairbanks Office
\$80 Per Diem for	1	\$480	6 For Trips to Fairbanks Office
Total		\$4,598	

1st Year

Line Staff

Trip/Days

\$421 Transportation	1	\$2,946	7 Local Panel Training
\$80 Per Diem for	1	\$1,120	14 Days For Local Pannel Training
\$421 Transportation	1	\$13,045	31 Local Panel Reviews
\$80 Per Diem for	1	\$4,960	62 Days For Local Panel Reviews
\$385 Transportation	1	\$385	1 Departmental Orientation for Adm. Assistant
\$80 Per Diem for	1	\$160	2 Days for Departmental Orientation for Adm. A
Total		\$22,615	

2ond Year

Line Staff

Trip/Days

\$421 Transportation	1	\$1,262	3 Local Panel Training
\$80 Per Diem for	1	\$480	6 Days For Local Pannel Training
\$421 Transportation	1	\$23,986	57 Local Panel Reviews
\$80 Per Diem for	1	\$9,120	114 Days For Local Panel Reviews
\$385 Transportation	1	\$770	2 Departmental Administrative Trainingfor Adm.
\$80 Per Diem for	1	\$320	4 Days ForDepartmental Administrative Training
Total		\$35,938	

3rd (& Subsequent) Years

Line Staff

Trip/Days

\$421 Transportation	1	\$1,683
\$80 Per Diem for	1	\$640
\$421 Transportation	1	\$23,144
\$80 Per Diem for	1	\$8,800
\$385 Transportation	1	\$770
\$80 Per Diem for	1	\$320

4 Local Panel Development/Training
8 Days For Local Pannel Training
55 Local Panel Reviews
110 Days For Local Panel Reviews
2 Departmental Training For Adm. Assistant
4 Days For Departmental Training For Adm. Assi

Total	\$35,357
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Administrative Totals

1st Year	\$32,514
2ond Year	\$46,356
3rd Year	\$45,775

Monthly Panels	Panels	Hearing Days Per Month	Trips	\$/Trip	\$/Yr	Days Per Trip	Per diem Per Trip \$80.00	Per diem Per Trip Per Year
Bethel	2	2.50	12	\$450	\$5,400	4	320	\$3,840
Dillingham	1	.33	4	\$372	\$1,488	3	240	\$960
Kenai	1	1	12	\$132	\$1,584	2	160	\$1,920
Kodiak	1	.33	2	\$418	\$836	3	240	\$480
Unalaska	1	.33	1	\$876	\$876	3	240	\$240
Delta	1	.33	4	\$50	\$200	1	80	\$320
Barrow	1	.33	4	\$778	\$3,112	2	160	\$640
Galena	1	.33	4	\$170	\$680	1	80	\$320
Nome	1	.33	4	\$684	\$2,736	2	160	\$640
Ketchikan	2	2.50	12	\$278	\$3,336	2	160	\$1,920
Total	12	8.33	59	\$4,208	\$2,025		\$184	\$1,128
Locations	10					12	12	12
		Average \$/Trip		\$421	\$24,298	\$/Yr	\$2,208	\$13,536

First Year Classification	Location	BU	Range	Step	FTE	Annual Cost	Space Ft.2	One Time Equipment Costs
Executive Director	Anchorage	X	23	A	.92	\$64,770	175	\$7,320
Administrative Assistant II	Anchorage	S	14	A	.92	\$37,293	98	\$6,316
Clerk II/Receptionist	Anchorage	G	7	A	.83	\$23,926	64	\$1,316
Social Worker III	Anchorage	G	16	A	.83	\$38,369	94	\$6,146
Social Worker III	Anchorage	G	16	A	.83	\$38,369	94	\$6,146
Social Worker III	Anchorage	G	16	A	.75	\$34,996	94	\$6,146
Clerk III	Anchorage	G	9	A	.83	\$26,248	64	\$8,361
Social Worker III	Fairbanks	G	16	A	.83	\$39,450	94	\$6,146
Clerk III	Fairbanks	G	9	A	.83	\$26,941	64	\$8,361
Social Worker III	Juneau	G	16	A	.83	\$38,369	94	\$6,146
Clerk III	Juneau	G	9	A	.83	\$26,248	64	\$8,361
Ancillary Space Needs					9.25	\$394,980	999	\$70,765
Photocopier	3	255						
File Storage	6	54						
Storage Cabinets	4	60						
Reception/Meeting Area		750						
Base Space Requirements		2,118.00						
25% access		529.50						
		2647.50						
Cost Estimate /ft2	\$2.00	\$63,540						

Second Year Classification	Location	BU	Range	Step	FTE	Annual Cost
Executive Director	Anchorage	X	23	B	1	\$72,476
Administrative Assistant II	Anchorage	S	14	B	1	\$41,475
Clerk II/Receptionist	Anchorage	G	7	B	1	\$28,398
Social Worker III	Anchorage	G	16	B	1	\$46,643
Social Worker III	Anchorage	G	16	B	1	\$46,643
Social Worker III	Anchorage	G	16	B	1	\$46,643
Clerk III	Anchorage	G	9	B	1	\$31,379
Social Worker III	Fairbanks	G	16	B	1	\$47,989
Clerk III	Fairbanks	G	9	B	1	\$32,236
Social Worker III	Juneau	G	16	B	1	\$46,643
Clerk III	Juneau	G	9	B	1	\$31,379
					11	\$471,903

Third Year Classification	Location	BU	Range	Step	FTE	Annual Cost
Executive Director	Anchorage	X	23	C	1	\$74,607
Administrative Assistant II	Anchorage	S	14	C	1	\$42,763
Clerk II/Receptionist	Anchorage	G	7	C	1	\$29,072
Social Worker III	Anchorage	G	16	C	1	\$48,006
Social Worker III	Anchorage	G	16	C	1	\$48,006
Social Worker III	Anchorage	G	16	C	1	\$48,006
Clerk III	Anchorage	G	9	C	1	\$32,128
Social Worker III	Fairbanks	G	16	C	1	\$49,396
Clerk III	Fairbanks	G	9	C	1	\$33,009
Social Worker III	Juneau	G	16	C	1	\$48,006
Clerk III	Juneau	G	9	C	1	\$32,128
					11	\$485,126

SUMMARY OF COSTS

First Year

\$394,980	100	-- Personnel Services
\$32,514	200	-- Travel
\$146,320	300	-- Contractual
\$11,100	400	-- Supplies
\$111,970	500	-- Equipment

\$696,885 Total

Second Year

\$471,903	100	-- Personnel Services
\$46,356	200	-- Travel
\$142,205	300	-- Contractual
\$11,100	400	-- Supplies
\$1,500	500	-- Equipment

\$673,064 Total

Third Year

\$485,126	100	-- Personnel Services
\$45,775	200	-- Travel
\$142,205	300	-- Contractual
\$11,100	400	-- Supplies
\$1,500	500	-- Equipment

\$685,706 Total

ANCHORAGE FIELD OFFICE
3/16/90

Children In Out-Of-Home Care for > 6 Months

Field Office	Total	Hrs. Per Hearing	Hrs. Per Year (X2) for Panel Days/Year	Divided by 6	Prof. FTE's Required
Anchorage	234	234	468	78	1.36
Eagle River	11	11	22	3.67	.06
Glenallen	2	2	4	.67	.01
Palmer	26	26	52	8.67	.15
Valdez	1	1	2	.33	.01
Cordova	1	1	2	.33	.01
McGrath	2	2	4	.67	.01
Sub-Total	277	277	554	92.33	1.61
Bethel	64	64	128	21.33	.37
Kwigillingok	1	1	2	.33	.01
Mt. Village	4	4	8	1.33	.02
Aniak	15	15	30	5	.09
Sub-Total	84	84	168	28	.49
Dillingham	8	8	16	2.67	.07
Naknek	3	3	6	1	.03
Sub-Total	11	11	22	3.67	.10
Kenai	36	36	72	12	.33
Seward	1	1	2	.33	.01
Homer	4	4	8	1.33	.04
Sub-total	41	41	82	13.67	.38
Kodiak	8	8	16	2.67	.07
Sub-Total	8	8	16	2.67	.07
St. Paul	3	3	6	1	.03
Sand Point	6	6	12	2	.06
Unalaska	2	2	4	.67	.02
Sub-Total	11	11	22	3.67	.10
Regional Total	434	434	868	144.67	2.76

FAIRBANKS FIELD OFFICE

Children In Out-Of-Home Care for > 6 Months

Field Office	Total	Hrs. Per Hearing	Hrs. Per Year (X2)	Divided by 6 for Panel Days/Year	Prof. FTE's Required
Fairbanks	95	95	190	31.67	.55
Nenana	8	8	16	2.67	.05
Ft. Yukon	2	2	4	.67	.01
Sub-Total	105	105	210	35	.61
Delta	3	3	6	1	.03
Tok	6	6	12	2	.06
Sub-Total	9	9	18	3	.08
Barrow	15	15	30	5	.14
Sub-Total	15	15	30	5	.14
Galena	7	7	14	2.33	.06
Sub-Total	7	7	14	2.33	.06
Nome	4	4	8	1.33	.04
Kotzebue	2	2	4	.67	.02
Sub-Total	6	6	12	2	.06
Regional Total	142	142	284	47.33	.95

JUNEAU FIELD OFFICE

Children In Out-Of-Home Care for > 6 Months

Field Office	Total	Hrs. Per Hearing	Hrs. Per Year (X2)	Divided by 6 for Panel Days/Year	Prof. FTE's Required
Juneau	35	38	76	12.67	.35
Sitka	6	6	12	2	.06
Petersburg	2	2	4	.67	.02
Sub-Total	46	46	92	15.33	.42
Wrangell	8	8	16	2.67	.07
Craig	4	4	8	1.33	.04
Ketchikan	32	32	64	10.67	.29
Sub-Total	44	44	88	14.67	.41
Regional Total	90	90	180	30	.83
Grand Total	666	666	1332	222	4.54

Alaska State Legislature



House of Representatives House Judiciary Committee

P. O. Box V
State Capitol
Juneau, Alaska 99811
(907) 465-4990
(907) 465-4712

MEMORANDUM

TO: Representative Ron Larson, Co-Chair
Representative Lyman Hoffman, Co-Chair
House Finance Committee

FROM: House Judiciary Committee *Peter Jones* *Mr. Hoffman*

DATE: March 21, 1990

RE: House Bill 19, "An Act relating to citizen review panels for certain children in state custody; court review of cases relating to children; establishing the Citizen's Review Panel for Permanency Planning; and providing for an effective date."

The House Judiciary Committee joins with Representative Virginia Collins, the sponsor of HB 19, in strongly requesting a reduction in the fiscal note accompanying the bill.

The fiscal note includes funding for professional staff at the Social Worker III level. This program does not require any social worker positions. In addition, clerical support is under-represented and the regional professional office positions are not required.

We recommend the following for personnel services:

- 1 program coordinator at a Range 21
- 1 assistant to the coordinator at a Range 14
- 5 clerk IV's at a Range 9 (one for each judicial district with an extra clerk for Anchorage)
- 2 clerk III's at a Range 8

We further believe that facilities can be provided by the Court System (see attached letter from Art Snowden offering space and recording equipment) and by other public agencies at no additional costs to their budgets. We also believe that equipment and furniture costs could be reduced or

eliminated by the use of surplus or transferred equipment and furniture.

We would appreciate your review of these options, and we urge a significant reduction in the fiscal note if it can be accomplished without damaging the integrity of this important program.



JAN 23 1990

Alaska Court System

State of Alaska

303 "K" STREET
ANCHORAGE, ALASKA
99501

ARTHUR H. SNOWDEN II
ADMINISTRATIVE DIRECTOR

(907) 274-8511

January 20, 1990

Representative Virginia M. Collins
House of Representatives
Alaska State Legislature
P.O. Box V
Juneau, Alaska 99811

Dear Representative Collins:

As per our conversation today, the Court System reiterates its offer to provide meeting space and the use of recording equipment for the foster care review panels.

Sincerely,

A handwritten signature in black ink, appearing to read "Arthur H. Snowden, II".

Arthur H. Snowden, II

c: Representative Peter Goll and
Representative Max Gruenberg,
Co-Chair, House Judiciary Committee

The following fiscal information is in reference to the third paragraph of the House Judiciary Committee's memorandum to the House Finance Co-chairs, dated March 21, 1990:

POSITION:	BU	FY91	FY92	FY 93...
Program coordinator, Range 21:	S	\$62,208	64,332	66,132
Assistant coordinator, Range 14:	G	39,912	41,112	42,396
Clerk IV, Range 9, Anchorage:	G	30,990	31,770	32,580
Clerk IV, Range 9, Anchorage:	G	30,990	31,770	32,580
Clerk IV, Range 9, Anchorage:	G	30,990	31,770	32,580
Clerk IV, Range 9, Juneau:	G	30,990	31,770	32,580
Clerk IV, Range 9, Fairbanks:	G	32,040	32,850	33,696
Clerk III, Range 8, Anchorage:	G	29,442	30,192	30,990
Clerk III, Range 8, Fairbanks:	G	30,426	31,206	32,040
TOTAL Personnel Costs		\$317,988	\$326,772	\$335,574
(This represents a reduction in DOA fiscal note as indicated:)		- 77,012	- 145,128	- 145,526
With these reductions, the DOA fiscal note's "Total Operating" expenditure would be as indicated:		\$619,888	\$527,972	\$540,174

MEMORANDUM

State of Alaska

TO: The Honorable Johnny Ellis
Alaska State House

DATE: May 5, 1989

FILE NO: HB 19

TELEPHONE NO: 465-3170

THRU:

SUBJECT: HB 19 - Workdraft
4/25/89

FROM: Yvonne M. Chase, ACSW *ymc*
Director
Division of Family
and Youth Services
Department of Health
and Social Services

The Division appreciates the opportunity to comment on the 4/25/89 workdraft on House Bill 19. Listed below are our suggested changes to HB 19.

Section 1.

page 1, line 19, after the word "families", add: identifying the lack of available services for families,

Section 2.

page 3, line 4, after the word "department", add: gaps in services which could prevent out-of-home placement;

These recommended changes reflect the need to have panels document services needed but not available.

Section 2.

page 1, lines 27-28, after the word "governor", delete: [FROM AMONG PAST OR PRESENT MEMBERS OF LOCAL CITIZEN REVIEW PANELS ESTABLISHED UNDER AS 47.10.420.]

add: following the same procedures as outlined for all Boards and Commissions.

As the bill is drafted, local panels would need to be in existence prior to the state panel. Since the state panel has the responsibility of establishing the governing policies and procedures for the whole project, this appears to be a problem for implementation. Also, it would appear to be advantageous to follow the same appointment procedures for the state panel as for all Governor appointees. This method could eliminate some of the political overtones to the appointments. The state panel would employ a director whose staff would be responsible for the recruitment, screening, and training of local panel members. The

state panel would make the final selection of local panel members. The following changes would also need to be made to reflect this method of appointments:

Section 47.10.420

page 3, line 9, after (a), add: The state panel will select from [THE GOVERNOR SHALL APPOINT FOR]

page 3, line 12, after the word "district", add: selection of panel members shall be made from screened volunteers.

page 3, line 17, after (b) remove [THE GOVERNOR SHALL APPOINT TO A], add: The local panel persons will have training experience and a demonstrated interest in the welfare of children.

page 3, (last line), after the words "caseload, the", remove the word [GOVERNOR], and add: state panel.

The following recommended changes are explained with each section:

Section 47.10.460 -- Three changes are recommended to this section to include the appropriate statutory cites for children in the custody of the state.

page 4, line 25, after "AS 47.10.080" add: (b)(3), AS 47.10.080 (c)(1), (c)(3); and after "AS 47.10.142", add or 47.10.230 (c).

page 5, line 9, after the word "under" add: AS 47.10.080(b)(3), AS 47.10.080(c)(1) and (c)(3) and AS 47.10.230(c).

page 5, lines 10-13, remove section (c), because by including the statutes cites directly, above, all cases will be reviewed.

Section 47.10.460(f)(2) -- Since permanent placement is more inclusive, it is recommended as a replacement term for adoptive parent.

para-6, line 9, remove the words [AND ELIGIBLE AS ADOPTIVE PARENT], and add: for a permanent placement.

Section 47.10.460(f)(3), and (i), and Section 47.10.470(a) - References are made to private agencies and institutions which imply that those organizations have permanency planning responsibilities as well as the ability to assume custody of a child. These organizations in Alaska do not have these types of

May 5, 1989

responsibilities. Some private agencies accept voluntary physical custody of children for the purposes of placing for adoption. Is it the intent of this legislation to review voluntary placements? It is recommended that references to private agencies and institutions be removed as follows:

page 6, lines 10-13, remove subsection (3)

page 6, lines 28-29 and page 7, lines 1-3, remove subsection (i)

Page 7, lines 7-10, remove section (a)

Section 47.10.500 -- The Department is a party and probably should be included in this section.

page 8, line 22, after the word "means" add: the Department of Health and Social Services

Sec. 5 AS 47.10.080(1) -- It is suggested that the term "taken into custody" more accurately reflects the legal action than "initially committed".

page 9, line 23, after the words "a minor is" add: taken into custody and remove [INITIALLY COMMITTED].

YMC:MAH:jsd

cc: Jay Livey



Alaska Court System

State of Alaska

303 "K" STREET
ANCHORAGE, ALASKA
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ADMINISTRATIVE DIRECTOR

(907) 274 9611

January 20, 1990

Representative Virginia M. Collins
House of Representatives
Alaska State Legislature
P.O. Box V
Juneau, Alaska 99811

Dear Representative Collins:

As per our conversation today, the Court System iterates its offer to provide meeting space and the use of recording equipment for the foster care review panels.

Sincerely,


Arthur H. Snowden, II

c: Representative Peter Goll and
Representative Max Gruenberg,
Co-Chair, House Judiciary Committee

*Hayden
Please note
add to F.C. Bill file*

Tanana Chiefs Conference, Inc.

201 First Avenue
Fairbanks, Alaska 99701-4897
(907) 452-8251
Fax (907) 451-8963

REC'D APR 13 1989

April 11, 1989

Honorable Johnny Ellis, Chairman
House Health, Education and Social Services Committee
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Jim

RE: House Bill No. 19 [Foster Care Review Boards]

Dear Rep. Ellis:

Thank you for your invitation to comment upon H.B. 19, dealing with foster care review panels. I understand that there have been several committee drafts of the bill and I have made an attempt to address our comments to the 4/3/89 Work Draft of the bill. As I indicated in my earlier testimony, Tanana Chiefs Conference, Inc. (TCC) favors a comprehensive rewrite of the CINA statutes to deal with a number of problems which have crept into the statutes on a piecemeal basis. We would suggest that the HESS committee undertake this effort during the interim and would gladly work with the committee to identify and address problems in the statutes. We intend to address these concerns in a subsequent letter. However, at this time we will confine our remarks to the specific concerns and observations raised by H.B. 19.

As we indicated earlier, TCC supports the creation of community foster care review panels where the goals of the panels are intended to provide community review of the foster care system. We would not support the creation of yet another level of bureaucratic infrastructure in our foster care system. As we will note below, there are many unanticipated consequences of our current statutory scheme which can be detrimental to the welfare of children within the system. One problem we observe daily is the bureaucratic demands of the "system" which often gets in the way of good social work. While foster care review is important, we

would hope that this may be accomplished in a manner which streamlines the bureaucratic system, and interjects relevant community values in the review process, while at the same time improving the quality of social work.

In this regard, we are greatly concerned about the structure, composition and selection of the panels. On a statewide basis, over 1/2 of the children in foster care are Native. This varies from region to region, however, in some rural areas of the State, this ratio is above 95% Native. There is great cultural distance between Native and non-Native child rearing practices. These differences often play a significant role in foster care placement. For example, the role of extended family differs greatly between Native and non-Native child care. Often, Native uncles and grandparents have defined roles which should be observed. The vast majority of tribal interventions in which TCC provides tribal representation involve questions of placement in which the Division proposed placements which conflict with the Native cultural values. Many of these controversies could be avoided by directly involving tribal representatives into the placement process.

DFYS has attempted to recognize this problem and has established an ICWA review panel composed of Native people. However, the tribes - who have the legal rights under ICWA - are not involved in the selection process of this panel. Consequently, the problem over placement and review have not been abated. We would hope that the State would learn from the failure of the ICWA review committee.

We would suggest redrafting Sec. 47.10.400(a)(2) to read:

(2) may appoint additional panels if the volume [or] complexity, or demographics of cases involving a child placed in State custody under A.S. 47.10.080(c) or 47.10.142 in the judicial district warrants.

This would allow a judicial district to have more than one panel if the level of Native cases in the district warranted a special panel.

Since 1/2 of all children in State custody are Native, and the Indian Child Welfare Act raises special legal standards, we would suggest that where a judicial district has more than one panel, that the second panel be specialized to address Native child foster care. This may be accomplished by adding to 47.10.400(a) (2) the following sentence:

where additional panels are established within a judicial district, at least one panel shall specialize in conducting reviews of cases governed by the Indian Child Welfare Act [25 USC 1901 et seq]

In reviewing the entities which submit nominations for the review panels, it is highly unlikely that Native involvement will be provided for in either the 1st, 3rd or 4th Judicial Districts. We would suggest that each regional nonprofit Native corporation located within the judicial district also be allowed to submit nominations.

The legislation requires each entity to nominate at least ten (10) names. This could result in submission of a minimum of at least 50 people for each panel. This could present a bureaucratic burden to submitting agencies. We would suggest deleting the requirement of submitting a minimum number of names.

The duties of the panel include the submission of reports [A.S. 47.10.440(e)&(f)] which includes recommendations based upon the best interest of the child. The "best interest" standard is often culturally sensitive. For example, the preservation of a child's "Nativity" is often viewed as "in the best interest" of a Native child by the Native community. Within the legal system, which is dominated by non-Natives, this need is often viewed as not significant relative to the best interest of a Native child. The legislation should define best interest "as including

Preservation of cultural identity, religious affiliation, progress toward family reunification and progress toward rehabilitation of the family unit".

Federal Law. - Title IV-E of the Social Security Act - requires periodic reviews to be conducted by the State. This function should be integrated into the reviews in order to avoid unnecessary bureaucratic duplication. We would also hope that the ICWA review committees operating in some districts would be replaced by these review panels to again avoid unnecessary duplication.

Finally, the A.S. 47.10.490 should be rewritten to provide for sunseting of the legislation subject to legislative review after a three-year period. The panels may or may not reflect citizen input, depending upon how the program is implemented. If the composition of the panels becomes a mere rubber stamp of the Division, then the experiment should be abandoned. Hopefully, three years would be enough time to determine the effectiveness of the panels at providing actual review of the Division.

We hope these comments are helpful in developing this legislation. Thank you for this opportunity to comment on the legislation.

Sincerely,

TANANA CHIEFS CONFERENCE, INC.

Will Mayo

Michael J. Walleri
Village Government Services/Attorney

cc: Rep. Boyer
Rep. Wallis
Rep. Hoffman
Sen. Binkley
Sen. Adams

ELLIS-SAN,
Just a note to
say hello! Hope
your having fun
this session.
Your friend
-Will

660 Wilcox #3
Fairbanks, AK 99709
(907) 456-7767 ext. 330
March 10, 1989

Representative Johnny Ellis
Chairman, H.E.S.S. Committee
P.O. Box V
Juneau, AK 99811

REC'D MAR 15 1989

Dear Representative Ellis:

I would like to express numerous concerns regarding HB 19, relating to review panels for children in foster care. Since you share my goal of improved conditions for foster children, I would like you to know that I am opposed to this proposed piece of legislation.

In general, I view HB 19 as unnecessary, duplicative, potentially time-consuming, and very costly. In Fairbanks, the current system of review panels for foster care works very well. The Division of Family and Youth Services is responsible for implementing the Federal law (P.L. 96-272) which mandates six-month review panels. The current panel system includes social workers who will be carrying out the plan, members of the community at large, and representatives of the Office of Public Advocacy. The system is sensitive to Native issues and is cost effective.

HB 19 would result in two panel review systems being in place which serve the same purpose: to review the foster care placement plan in the interest of the child's welfare. HB 19 may actually work against the well-being of the child for whom it is intended to serve. Some ways in which this would come about include the following:

--Since social workers are currently required to comply with Public Law 96-272, should HB 19 pass, they would be required to implement duplicate reviews on a number of children within any six-month time frame. Not only would the number of workers increase, but to put children and families through duplicate panel processes would be inhumane.

--Panel members under HB 19 would serve only two years, whereas many cases go beyond two years. Lack of continuity and familiarity with the laws, communities, cases, etc. would be a problem.

--HB 19 does not make provisions for Indian Child Welfare Act concerns. The current system is sensitive to tribal dynamics and helps the social worker to comply with the Federally-mandated Act. This is essential since forty-nine percent of the children in foster care in Alaska are Native. The current system includes tribes (village councils) by phone.

--Recruiting competent panel members will most likely be difficult since, for the Northern Region alone, five or more working days per month would be required. The reimbursement needed to attract such persons would be costly to the State. Chances of finding rural panel members that meet the qualifications listed in HB 19 are slim, leaving rural areas without representation.

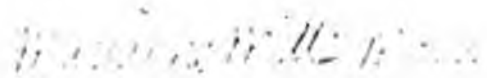
--There have been horror stories from other states with systems similar to those proposed by HB 19 which relate to lack of professionalism; for the system to work effectively, it is imperative that the training and professional judgement of those social service professionals who are responsible for carrying out the placement plan is not lost in the recommendations.

--Case workers might have to contend with conflicting recommendations under two sets of review panels. For example, the Indian Child Welfare Act contains tribal placement preference provisions whereas the HB 19 panel may propose a non-Native placement situation.

--The costs of the new review panel system are not specified in the bill. In addition to reimbursement to panel members for travel and per diem, HB 19 mentions written notices, panel progress reports, court records, formal review reports and so forth which would involve photocopying and mailing costs. Telephone communications and travel for the child and his/her relatives would involve substantial costs. It is extremely doubtful that the proposed system would save the State any money. Considering the current state of the budget, it would be reasonable to demand that a fiscal note be attached to the bill.

As you can see, there are many varied and logical reasons for opposing HB 19. While I question the necessity for such legislation, I understand that citizens in other parts of the state, particularly Anchorage, sense a need for such a bill. I hope you will take my concerns into serious consideration when evaluating future drafts of the bill. Thank you for your special concern regarding improved care for foster children.

Sincerely,



Marianne Mills, M.S.W.



REC'D APR 24 1989

ALASKA CHAPTER
NATIONAL ASSOCIATION OF
SOCIAL WORKERS

8923 Tanis Drive
Juneau, Alaska 99801
(907) 789-7099

Executive Director
William Diebels, ACSW

April 22, 1989

Representative Johnny Ellis, Chair
House HESS
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Jim
short note
thanking them.

Dear Representative Collins:

On behalf of the Alaska Chapter of the National Association of Social Workers, I would like to thank you and your committee for the time and energy you have invested in improving conditions for foster children. As you reviewed House Bill 19, it is evident that you share our support for review panels experienced in and concerned with child welfare.

It appears that other legislative imperatives may mean that action to establish foster care review boards is deferred until next session. As this legislation is reexamined we consider the following factors important to address:

- 1) It is vital that any proposed review panels conform to Title IV-E requirements in order to minimize: a) duplication of reviews (from the case worker's perspective) and b) subjecting children and families to multiple panel reviews.
- 2) The intentional inclusion of Native input is essential to the professional and functional operations of the foster care system. The fact that nearly half of all foster care cases involve Native children points out the importance of this issue. Requirements of the Indian Child Welfare Act must be taken into consideration in order to assist all concerned in performance of their duties as well as providing avenues for cultural sensitivity to tribal dynamics. The involvement of tribal councils in the review process, including Native representatives on the panel itself, would prove most helpful.
- 3) Since there are three types of review panels currently in operation, it is important to consider the issues that have surfaced with these panels, incorporate the good elements, and avoid the problem areas. For example, the Fairbanks internal review panel has worked out extremely effective procedures for involving bush communities. The Anchorage internal review panel has encountered some legal problems due to the timing of the reviews at two weeks.

4) It is imperative that panel members receive training conducted by professionals from a variety of disciplines, including experts in the Indian Child Welfare Act (ICWA), social service professionals who have had experience with review boards, and professionals with knowledge of developmental stages as they relate to the needs of children for stability in their lives and the harmful effects of frequent placements on their emotional development.

5) The intended function of the third party review ought to be stated clearly in the bill. It is suggested that the review panel system fulfill an advisory role, reviewing and making recommendations regarding: a) individual cases and b) systemic policies, regulations, and laws.

6) The preferred structural location of a review board is critical to its success. Independence from all parties is extremely important.

These six points make up the major concerns of the Alaska NASW in reference to foster care review board legislation. We thank you for your consideration of our concerns and look forward to working with you in the future toward the goal of improved care for foster children.

Sincerely,



William Diebels, ACSW
Executive Director

MEMORANDUM

4-6-89

TO: House HESS Subcommittee

FROM: William D. Hitchcock *WDH*
Master, Children's Court
Alaska Court System/Anchorage (264-0419)

SUBJ: CS HB 19

In reference to the subcommittee hearing of April 5, 1989, this is a synopsis of some of my remarks and concerns relative to the above bill:

1. The provisions of Public Law 96-272 regarding the requirement of the 18 month review hearing need to be spelled out in further detail. Please refer to my proposed amendments to AS 47.10.080 previously transmitted to Rep. Collins' staff, ~~and attached hereto for reference.~~

2. The lack of a state advisory board framework in the current draft is a significant concern to me. Even though certain details of policy and procedure can be left to later determination, I believe that the statutes need to establish this basic governing mechanism to insure that there is a stable governing organization for the development of foster care review panels. I fully concur in the remarks of Pam Montgomery and her suggestions for implementation of this requirement.

3. The bill needs to clearly define who will provide staff support for this enterprise, although I assume that the intent is to place this responsibility in the Alaska Court System (ref. Sec. 47.10.420, p. 3, line 8-10). As to the placement of the administrative responsibility for foster care review within the Court System, I have no direct comment. As I have stated in previous remarks to the subcommittee, my main concern is that this function be placed wherever it can achieve the most permanency and independence.

4. I have serious concerns about the attitude being expressed by the Alaska Foster Parents' Association that the recommendations of the review panels should somehow be mandatory on the Department of Health and Social Services. The recommendations are at best advisory only, although the decision to not follow a particular recommendation may certainly trigger a court review if the issue is raised by an aggrieved party. I do not concur with giving the panels the status of a party to bring such actions before the court.

by motion or otherwise (ref. Sec. 47.10.450, p.4, line 28 through p.5, line 2.)

5. If the proposed legislation according party status to foster parents is limited only to the context of foster care review panels, then I would have no problem with such a provision. However, I do not agree that foster parents should be accorded the status of parties for purposes of proceedings under the general provisions of AS 47.10.

6. The mandate of screening provisions such as criminal records checks should not be left to the policies and procedures process but rather should be mandated by the statutes.

7. I would also agree with the additional suggestions made by Pam Montgomery related to the following matters:

(a) substituting the words "special knowledge or interest" for "training or experience" in page 2, Article 6, line 11 of the bill;

(b) substituting the words "case plan" for "placement plan" in page 3, Article 6, line 17 of the bill;

(c) revising the procedure set forth on p. 4, line 13-16 having the court responsible for distribution of the report, to requiring that copies of the report be distributed to the court and all parties of record by the review panel

8. Finally, I believe that the listing of professional specialties is not per se objectionable on page 2, lines 13-14, but I would suggest changing the category of "child psychologist" to "psychologists."

OFFICE OF PUBLIC ADVOCACY
POSITION PAPER
WORK DRAFT FOR CS FOR HOUSE BILL NO. 19 (HESS)
DATED 4/3/89

This legislation concerns "An Act relating to children's proceedings: establishing review panels for children in the custody of the state; amending Rule 19 of the Child in Need of Aid Rules; and providing for an effective date."

The Office of Public Advocacy strongly supports the concept of citizen review of children in foster care. House Bill 19 is supported, in general, with the additions and corrections that appear in this position paper.

We believe that the citizen review panels, as suggested in HB 19, need to have the guidance of an oversight or governing body. To this end, we recommend that the following be added to the legislation:

(a) There is created the Alaska Citizen Review Board. The board consists of seven members, appointed by the Governor from among past or present members of local foster care review panels as established under AS 47.10.400. The governor shall appoint at least one board member from each judicial district.

(b) Members of the board serve for terms of three years.

(c) The board shall elect from its members a chair who shall serve for two years. Five members of the board constitute a quorum for the transaction of business.

(d) Members of the board serve without compensation but are entitled to per diem and travel expenses authorized for boards and commissions under AS 39.20.180 while engaged in the work of the board.

(e) The board shall meet at least quarterly and upon the call of the chair.

(f) The board shall employ a director. The director shall employ staff as necessary to carry out the work of the foster care review panels.

(g) Duties of the Alaska Citizen Review Board shall include:

(1) create policies and procedures for the operation of the local foster care review panels;

(2) with the director, make a report and recommendations to the legislature annually regarding statute, policy, procedure and regulations that effect the care of children who are in the custody of the Department of Health and Social Services;

(3) with the director, coordinate and review the activities of the local foster care review panels.

We suggest that Sec. 47.10.400 (2) (b) be changed to the following: A panel consists of five members and two alternate members who must reside in the district for which their panel is appointed. Members must have special knowledge or interest in child welfare. The director shall recruit and screen applicants for the foster care review panel. Screening shall include, at a

→ Add 2nd review etc.

minimum, criminal and child protection record checks. From a pool of screened applicants, the [presiding judge in each judicial district] shall select and appoint the panel members. The director shall provide initial and ongoing training to the panel members. A person presently employed by the court, the Division of Family and Youth Services, the Department of Law, the Office of Public Advocacy or the Public Defenders Office shall not serve as a member or alternate member of the panel. General

Current literature in volunteerism indicates that a large number of potential volunteers are disinclined to apply for activities which involve a time commitment of more than two years. Consequently, we suggest that Sec. 47.10.400 (2) (c) be amended to require two year, rather than three year terms.

To make the language of Sec. 47.10.440 (a) consistent with the practices of the Division of Family and Youth Services, the use of the term "case plan" rather than "placement plan" is more appropriate. This acknowledges that the panels will need to explore not only the placement needs of the child, but also the needs of the child and parents to receive services to remedy the family problems.

Sec. 47.10.440 (b) is somewhat unclear. We believe that the intent of the bill sponsor is that children be reviewed within 90 to 120 days after they are placed in foster homes. This section might be revised to indicate that the "clock" begins when the child is first placed in the temporary custody of the Department under AS 47.10.142 (d),

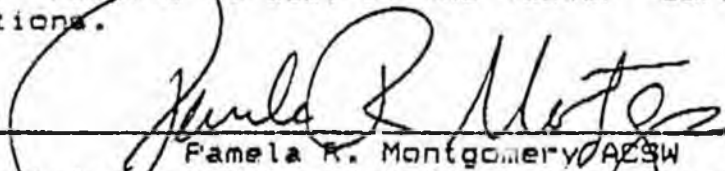
To streamline the distribution of the foster care review panel's recommendations, we suggest that Sec. 47.10.440 (e) be amended to read: Except as provided in (f) of this section, the panel shall submit a written report to the court and the parties within 30 days after reviewing the case. The report must make recommendations based on the best interests of the child in accordance with AS 47.10.082. If the court has scheduled the case for review, the panel shall submit its report at least 10 days prior to the hearing.

Sec. 47.10.440 (f) adequately addresses the legal concerns of a pre-adjudication review. However, we suggest that not only the Department receive the panel's recommendations but that the other parties receive the recommendations also. The court would NOT receive the panel's recommendations prior to an adjudication of the child in need of aid petition.

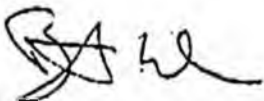
In Sec. 47.10.450 there is an appearance that the foster care review panels are granted party status as they are given the ability to request a review hearing of a case by the court. This is beyond the advisory capacity of a foster care review panel. We recommend that this section be deleted, and the following be substituted: The Department of Health and Social Services, the Office of Public Advocacy, the Public Defenders Office and the ~~General~~ ^{General} Office shall cooperate with the process of

foster care review as defined in AS 47.10.400 to AS 47.10.500. Any of the parties, as defined in Child in Need of Aid Rule 2(m), shall have the right to request a judicial review of the foster care review panel's recommendations.

Finally, we suggest that the definition of "party" as proposed in Sec. 47.10.500 be consistent with the present definition as found in Child in Need of Aid Rule 2(m). This states: "Party" means the child, the parents, the guardian, the guardian ad litem, the Department, an Indian custodian who has intervened, an Indian child's tribe which has intervened, and any other person who has been allowed to intervene by the court." Of course, legal counsel for any of these parties should also be advised of the review and receive a copy of the foster care review panel's recommendations.



Pamela R. Montgomery ACSW
Court Appointed Special Advocate Program Director
Office of Public Advocacy



Brant McIsaac
Public Advocate
Office of Public Advocacy

TO: REPRESENTATIVE COLLINS

ATTN: MARVEEN

P. 1
For Conference 4/5/89
4:30 P.M.

From:

DILL HITCHCOCK

~~CAMPBELL COURT~~, ANCHORAGE 264-0420

HB 19 - Proposed amendment to AS 47.10.080:

(f) A minor found to be delinquent or a child in need of aid is a ward of the state while committed to the department or the department has the power to supervise the minor's actions. The court shall review an order made under (b) or (c)(1) or (2) of this section annually, and may review the order more frequently to determine if continued placement, probation or supervision, as it is being provided, is in the best interest of the minor and the public. If annual review would arise within 90 days of the hearing required by (g) of this section, the court may postpone such review until the time set for the hearing. The department, the minor, the minor's parents, guardian, or custodian are entitled to a review on application. If the application is granted, the court shall afford these parties and their counsel reasonable notice in advance of the review and hold a hearing where these parties and their counsel shall be afforded an opportunity to be heard. The minor shall be afforded the opportunity to be present at the review.

Add a new section (g) as follows:

(g) Within 18 months of the date a minor is initially committed to the department under AS 47.10.142(e), the court shall hold a hearing to review the placement and services provided and to determine the future status of the minor.

P. 2

The court shall make written findings including but not limited to the following:

(1) whether the child should be returned to the parent, or;

(2) whether the child should continue in foster care for a specified period, or;

(3) whether the child should be placed for adoption, or;

(4) whether the child should be continued in foster care on a permanent or long term basis because of special needs.



JIM

Alaska Court System

HAND DELIVERED

State of Alaska

303 "K" STREET
ANCHORAGE, ALASKA
99501

ARTHUR H. SNOWDEN II
ADMINISTRATIVE DIRECTOR

(907) 274-8611

April 6, 1989

Representative Johnny Ellis
Chairman, House HESS
Alaska State Legislature
P.O. Box V
Juneau, Alaska 99811

Re: HB 19

Dear Representative Ellis:

Thank you for the opportunity to present the court's position on HB 19 to the HESS subcommittee yesterday. As the Chief Justice pointed out in his March 13 letter, foster care review panels are not a judicial function as they perform oversight to employees of the Department of Health and Social Services.

Under the current committee substitute, the panels would not only present an appearance of impropriety, they would also be in a conflict position with DHSS because both are given the authority to request court review of the panel's recommendation under Section 47.10.450. Thus, judicial employees may be adversarial to DHSS employees before the court. The fact that the court must review its own panel's recommendations lends an appearance of impropriety and may easily lead to a charge that the court acts only as a "rubber stamp" of the panel's work. For these reasons, the foster care review panels need to be independent of the judiciary.

A mechanism by which this may be accomplished is by a statewide board. I have enclosed foster care review panel legislation from two of several states that have set up independent statewide boards charged with the selection, training, and oversight of local foster care review panels. Their functions and responsibilities are specifically set out in the statutes. These state boards also have the authority to hire directors and staff to implement training, collect data, and assist the local boards with their review functions. We strongly urge the committee to incorporate similar provisions in its proposed legislation.

Other specific problems that we have with the current committee substitute are:

- Section 47.10.400(b): (1) panel selection should not be made by the presiding judge (who in many cases will be the reviewing court), but should be appointed by the state board.
(2) panel membership should include racial, ethnic, economic and national origin variety. A frequent complaint about panel composition in other states is that they tend to be comprised of upper middle class white persons. The professional requirements in this committee substitute almost guarantee this result.
- Section 47.10.400(c): panel membership should be for a definite (preferably two year) term. Panel members should not serve at the pleasure of the presiding judge.
- Section 47.10.420: The court system should provide meeting space and recording equipment for the panels and their staff. The court system does not have the ability to otherwise equip them.
- Section 47.10.440(d): The panels should not be required by statute to interview anyone. Their training should give them the ability to determine when and whom to interview in given cases.
- Section 47.10.440(e): The panels should submit their reports directly to the court and to the parties.
- Section 47.10.470(c): This section should be deleted. If another judicial district is more convenient to the parties, the court can have the case transferred by change of venue.
- Section 47.10.790: Reports to the legislature should be made by the state board or its staff. The administrative director of the court system has no mechanism by which to collect the data requested nor does he have any expertise to determine potential savings or costs to the state.

I would be glad to discuss these comments with you and to answer any questions about them.

Very truly yours,


Janalee R. Strandberg
Staff Counsel

Enclosures - 2

cc: Rep. Max. F. Gruenberg, Jr.
Rep. Ann M. Spohnholz
Rep. Virginia M. Collins

General Statements

70% of prostitutes report childhood incest or rape.
(The Common Secret - Sexual Abuse of Children and Adolescents by C. Henry Kempe)

Research studies consistently show that as few as 5% to 7% of male juvenile offenders commit as much as 60% of all juvenile crime. Wolfgang 1983, [SHO/DI, SHO/CAP, Office of Juvenile Justice and Delinquency Prevention, U.S. Dept. of Justice]

Various studies have shown that as many as 85% of inmates in the general prison population were physically or sexually abused as children. Of the population of inmates incarcerated for crimes of violence against people, the majority, particularly of male offenders were sexually abused as children. (U.S. Dept. of Justice)

Close to half of serious crimes committed in the United States involve youths under the age of 18 and a large percentage of the re-occurring crimes are committed by youthful offenders age 19 to 24 with multiple juvenile arrests. (Running Toward Prison, a study commissioned by the Alaska State Senate, 1986)

The major runaway population reported a very high level of physical abuse (73%) and sexual abuse (51%) and identified both "unhappy life" and physical and verbal abuse as key reasons for leaving. (Running Toward Prison)

In a study of the male offenders incarcerated at McLaughlin Youth Center, it was found that:

80% of the juveniles responding reported multiple incidents of physical abuse.

40% of McLaughlin residents responding reported the same kind of physical abuse against others. One-fourth of those who were sexually abused admitted committing such acts later.

68% reported sexual abuse and 25% has been "extremely sexually abused."

It should be noted that this study did not include females who are typically higher in most categories of abuse. (Running Toward Prison, 1986)

"The profiling of serial murderers and rapists reveals psychological abnormalities stemming from negative life factors rooted in child and teen years as one of the predictors of serial murderers, arsonists and rapists." (Agent Ken Fanning, Federal Bureau of Investigation, Behavioral Sciences Unit)

Number of Juvenile Offenses as Related to Family Situation

Number of Offenses

	1	2	3	4	5	6	7
Offenders from families with severe problems (Juvenile records research in Alaska C 1972)	30%	45%	43%	57%	67%	100%	100%

John Walsh of the National Center for Missing and Exploited Children stated before the Joint Judiciary and Health and Social Services Committees on February 15, 1985:

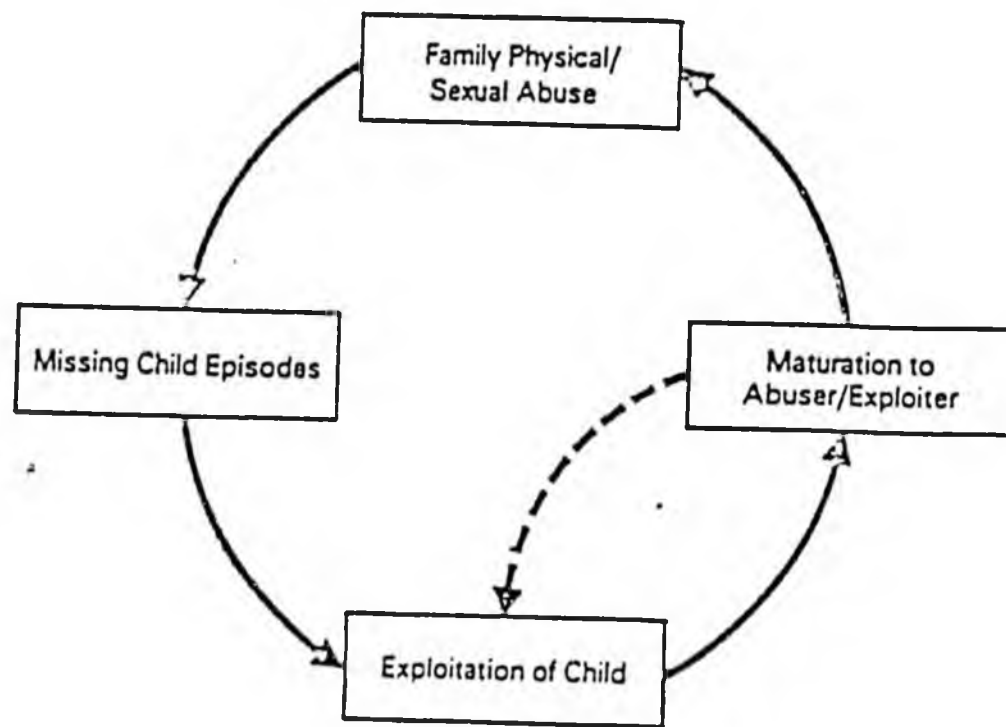
"Those of you who are parents who love children have a vested interest. Those of you that don't have children and really aren't concerned with children but won't admit it publicly, consider this: 80% of the convicted felons that are in federal prisons, by an FBI survey, were physically or sexually abused as children. 75% of the violently mental ill in state institutions were physically or sexually assaulted as children. If you want to deal with the problem now, you won't have to pay later. Because the 12 year old on the streets of Anchorage tonight, or the sexually or physically abused child in your schools today, may become the rapist or murderer in Alaska's future and you'll have to deal with a larger, much larger appropriation and much bigger jail cells. So there is a way to break the chain and that's by protecting children now and stopping and helping the victim. We must stop them from becoming future criminals."

It will cost an average of \$45,000.00 per year for each inmate. (Alaska Dept. of Corrections, 1987)

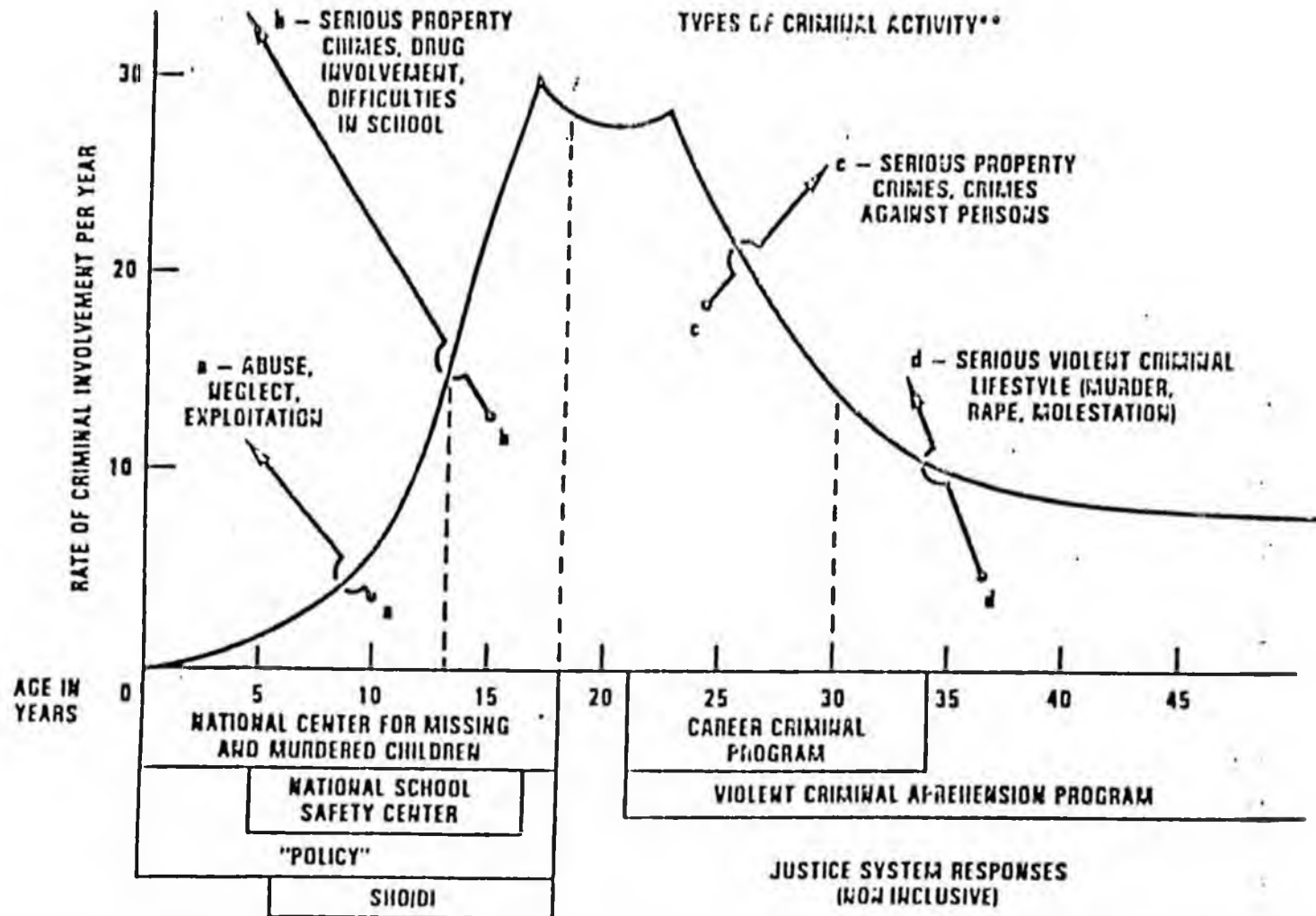
These are but a few references to the connection between abused children and serious juvenile and adult offenders. If we can make significant progress toward treatment and recovery of children who are the products of dysfunctional families, it is glaringly obvious that there will be an accompanying reduction in criminal behavior. We can pay now, or pay later, but pay we will. It seems to me that the cost of waiting is, in terms of human suffering and public resources, more than I wish to accept.

Frank H. Wasmer

Cycle of Violence



CONCEPTUAL MODEL: SERIOUS HABITUAL CRIMINAL EVOLUTION*



*IT IS IMPORTANT TO REMEMBER THAT ALTHOUGH THIS TYPE OF INDIVIDUAL REPRESENTS A VERY SMALL PERCENTAGE OF THE OFFENDER POPULATION, HE IS RESPONSIBLE FOR A LARGE PERCENTAGE OF CRIMINAL OFFENSES.

**ALTHOUGH THE TYPES OF CRIMINAL ACTIVITY ARE IDENTIFIED ACCORDING TO AGE GROUP, THIS DIVISION IS FOR GENERAL PURPOSES. OBVIOUSLY THERE IS ACTIVITY OVERLAP BETWEEN AGE GROUPS.

**CONCEPTUAL MODEL:
SERIOUS HABITUAL CRIMINAL EVOLUTION***
(Continued)

AGES	ACTIVITY
BIRTH TO 16 YEARS:	<u>VICTIM</u> OF PHYSICAL, PSYCHOLOGICAL, EMOTIONAL ABUSE; NEGLECT; EXPLOITATION
8 TO 16 YEARS:	SCHOOL PROBLEMS (EXCESSIVE TRUANCY, DISRUPTIVE BEHAVIOR, LEARNING DIFFICULTIES, VANDALISM); DAYTIME BURGLARY; DRUG INVOLVEMENT
12 TO 18 YEARS:	<u>PERPETRATOR</u> OF SERIOUS PROPERTY CRIME
16 TO 30 YEARS:	<u>PERPETRATOR</u> OF SERIOUS PROPERTY CRIME, CRIMES AGAINST PERSONS
22 AND OLDER:	SERIOUS, VIOLENT CRIMINAL LIFESTYLE

*IT IS IMPORTANT TO REMEMBER THAT ALTHOUGH THIS TYPE OF INDIVIDUAL REPRESENTS A VERY SMALL PERCENTAGE OF THE OFFENDER POPULATION, HE IS RESPONSIBLE FOR A LARGE PERCENTAGE OF CRIMINAL OFFENSES.

**ALTHOUGH THE TYPES OF CRIMINAL ACTIVITY ARE IDENTIFIED ACCORDING TO AGE GROUP, THIS DIVISION IS FOR GENERAL PURPOSES. OBVIOUSLY THERE IS ACTIVITY OVERLAP BETWEEN AGE GROUPS.

- SERIOUS CRIME ARRESTS ARE HIGHEST IN YOUNG AGE GROUPS.
- PARTICIPATION IN CRIME DECLINES WITH AGE.
- GANG MEMBERSHIP IS A MAJOR DIFFERENCE BETWEEN YOUTH AND ADULT CRIMINALS.
- THERE IS A STRONG POSSIBILITY OF PROGRESSION FROM SERIOUS JUVENILE TO SERIOUS ADULT CRIMINAL CAREERS.
- SERIOUS JUVENILE OFFENDERS:
 - ARE PREDOMINANTLY MALE:
 - ARE DISPROPORTIONALLY BLACK AND HISPANIC AS COMPARED TO THEIR PROPORTION OF THE POPULATION:
 - ARE TYPICALLY DISADVANTAGED ECONOMICALLY:
 - ARE LIKELY TO EXHIBIT INTERPERSONAL DIFFICULTIES AND BEHAVIORAL PROBLEMS BOTH IN SCHOOL AND ON THE JOB:
 - OFTEN COME FROM ONE PARENT FAMILIES OR FAMILIES WITH A HIGH DEGREE OF CONFLICT, INSTABILITY, AND INADEQUATE SUPERVISION.

Report to the Nation on Crime and Justice, BJS, NCJ 87068, October, 1983

PERSONS ARRESTED
UNDER 18 YEARS OF AGE

1987 STATEWIDE TOTALS

OFFENSE	CLASS	SEX	****AGE****					TOT under 18	***RACE***			Asn
			12/ Und	13 14	15	16	17		Whit	Blk	Ind	
Murder	01A	M F					2	2	1		1	
Manslaught.	01B	M F					1	1	1			
Rape	02	M F		1			2	3	3			
Robbery	03	M F			4	3	1	8	9		1	
						1	1	2				
Agg. Assault	04	M F	3 1	12 1	8 4	15 5	27 4	65 15	54	5	21	
Burglary	05	M F	91 14	90 10	49 5	129 1	86	445 30	345	14	115	1
Larceny	06	M F	230 127	321 204	182 115	215 85	189 86	1137 617	1322	145	247	40
MV Theft	07	M F	14 1	21 8	19 7	46 8	34 8	134 32	112	10	41	3
Other Asslts.	08	M F	14 3	23 17	20 5	24 10	30 11	111 46	92	20	43	2
Arson	09	M F	2 1	3	3		3 1	11 2	10	1	2	
Forgery	10	M F	1	1 1		4 1	2	8 2	9	1		
Fraud	11	M F		1	1	2 2	2	6 2	7	1		

Theresa Tanowry 3208

DRAFT

FEDERAL REQUIREMENTS

The Adoption Assistance and Child Welfare Act of 1980 (42 USC 670 et seq. and 42 USC 620 et sec. (P.L. 96-2727), amended the Social Security act to add Title IV-E and amend Title IV-B. The intent of Congress was to assist states in providing more effective services to children to prevent unnecessary out-of-home placements and speed family reunification when placement has been necessary.

Toward that end, Title IV-E provides for partial Federal reimbursement to states of foster care maintenance costs for a child when:

(1) the child was a recipient of Aid to Families with Dependent Children (AFDC) or would have been a recipient had application been made;

(2) there is a court determination in the order authorizing the removal that remaining in the home from which the child was removed would have been contrary to the welfare of the child;

(3) there is a Court determination that reasonable efforts were made to prevent the removal and, during review hearings, that reasonable efforts are being made to reunite the family;

(4) there is a case plan developed for each child for whom the state receives foster care maintenance reimbursement; and

(5) the case for each child for whom the state receives such reimbursement is reviewed according to the requirements of this act.

administrative review (as defined in paragraph (6) in order to determine the continuing necessity for and appropriateness of the placement, the extent of compliance with the case plan, and the extent of progress which has been made toward alleviating or mitigating the causes necessitating placement in foster care, and to project a likely date by which the child may be returned to the home or placed for adoption or legal guardianship, and

(c) with respect to each such child, procedural safeguards will be applied, among other things, to assure each child in foster care under the supervision of the State of a dispositional hearing to be held, in a family or juvenile court or another court (including a tribal court) of competent jurisdiction, or by an administrative body appointed or approved by the court, no later than eighteen months after the original placement (and periodically thereafter during the continuation of foster care), which hearing shall determine the future status of the child (including, but not limited to, whether the child should be returned to the parent, should be placed for adoption, or should (because of the child's special needs or circumstances) be continued in foster care

CORRECTION

**THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY**

Theresa Tanowry 3208

DRAFT

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(4) there is a case plan developed for each child for whom the state receives foster care maintenance reimbursement; and

(5) the case for each child for whom the state receives such reimbursement is reviewed according to the requirements of this act.

Title IV-B addresses the intent of Congress to improve child welfare services for all children, including those not eligible for AFDC or Title IV-E reimbursement, by providing block grants to states based on per capita income formulas. Section 427 of Title IV-B provides encouragement for further improving those services by offering additional incentive grants to states that meet the requirements of that section.

Section 427 expands the requirement for case plans and case reviews to include all children in out of home care in the custody of the state rather than just those children meeting Title IV-E requirements. Section 427 of Title IV-B refers to Title IV-E, section 475(5) and (6), for definition of the required case reviews:

(5) The term "case review system" means a procedure for assuring that--

(a) each child has a case plan designed to achieve placement in the least restrictive (most family like) setting available and in close proximity to the parents' home, consistent with the best interest and special needs of the child,

(b) the status of each child is reviewed periodically but no less frequently than once every six months by either a court or by

administrative review (as defined in paragraph (6) in order to determine the continuing necessity for and appropriateness of the placement, the extent of compliance with the case plan, and the extent of progress which has been made toward alleviating or mitigating the causes necessitating placement in foster care, and to project a likely date by which the child may be returned to the home or placed for adoption or legal guardianship, and

(c) with respect to each such child, procedural safeguards will be applied, among other things, to assure each child in foster care under the supervision of the State of a dispositional hearing to be held, in a family or juvenile court or another court (including a tribal court) of competent jurisdiction, or by an administrative body appointed or approved by the court, no later than eighteen months after the original placement (and periodically thereafter during the continuation of foster care), which hearing shall determine the future status of the child (including, but not limited to, whether the child should be returned to the parent, should be placed for adoption, or should (because of the child's special needs or circumstances) be continued in foster care

on a permanent or long-term basis); and procedural safeguards shall also be applied with respect to parental rights pertaining to the removal of the child from the home of his parents, to a change in the child's placement, and to any determination affecting visitation privileges of parents.

(6) The term "administrative review" means a review open to the participation of the parents of the child, conducted by a panel of appropriate persons at least one of whom is not services to, either the child or the parents who are the subject of the review.

COMPARISON OF FEDERAL REQUIREMENTS AND HB19

The purpose and goal contained in the 5/9/89 Committee Substitute for House Bill No. 19 are establishment of a review process "in order to ensure that children do not linger unnecessarily in foster care or other out-of-home placements, but rather that they receive the support and benefits of a permanent home. . . ." and to "reunite the children with their families by ensuring that services are available and appropriate for reunification, and if reunification is not in the best interests of the child, to expeditiously place the child in a secure, permanent home. . . ." They are certainly compatible with P.L. 96-

272. Further, they are consistent with the philosophy and policy of the Division of Family and Youth Services which has identified the need for case plans, case reviews, and permanent plans since 1971.

The state and local panels that will be established under AS 47.10.400-450 through HB19 not only meet, but exceed the requirements of section 475(6). "A panel of appropriate persons" is interpreted by Federal officials to mean at least three persons, and only one of the three must be uninvolved in the case management of, or service delivery to, of the case subject to review. The panels contemplated by HB29 could be reduced to three members with two alternates.

With respect to the timing and content of case reviews, panels must review the case of each child receiving foster care under the supervision of the state every six months, at a minimum, and HB19, in adding AS 47.10.460(a), provides that a local panel will review all children in out-of-home-care in the custody of the department under AS 47.10.080(b)(3), (c)(1), or (c)(3), 47.10.142, or 47.10.230(c), and is consistent with Federal law. However, it adds the phrase "residing within its [the local panel's] jurisdictional area." That phrase is problematic in that the case of a child from Bethel, with a social worker, parents, guardian ad litem, tribal members, etc. in Bethel, who is placed in residential care in

Anchorage, should be reviewed by the Bethel panel even though the child is "residing" in Anchorage. The child and pertinent Anchorage providers would be involved telephonically. Further, that phrase would preclude a panel reviewing the case of a child in out of state placement.

Sec. 47.10.460(a) should read "A local panel shall review the case plan and actual placement of each child placed in the custody of the department under AS 47.10.080(b)(3), (c)(1), or (c)(3), 47.10.142, or 47.10.230(c) under the jurisdiction of the judicial district served by the panel."

AS 47.10.460(b) would require a local panel to "review a case as required under 42 USC 671-675 (P.L. 96-272) and according to the timing and content requirements of federal law and regulations during the time period that is between 90 and 120 days after the child is in the custody of the department and every six months thereafter." It also provides for substitution of a court review if that review meets the requirements of this subsection. It is, therefore, consistent with federal requirements.

However, subsection (d) provides that the panel will address a variety of factors. Some are similar to the federal requirements, and some are additional. (See Table 1 for comparison.)

TABLE 1

42 USC 675	47.10.460(d)
(1) determining the continuing necessity for and appropriateness of the placement	(1) assess the progress toward achievement of family reunification
(2) determine the extent of compliance with the case plan	or an alternative placement plan
(3) determine the extent of progress which has been made toward alleviating or mitigating the causes necessitating placement	(2) assess the appropriateness of the placement setting
(4) project a likely date by which the child may be returned to the home or placed for adoption or legal guardianship	(3) assess the availability of services and services actually provided to achieve the selected goals
	(4) assess the extent of compliance with ICWA
	(5) assess previous decisions made in the case

47.10.460(d) then directs a panel reviewing a case to "consider

the case plan and any progress report," etc. 42 USC 675 specifically requires that the extent of compliance with the case plan be determined. To prevent confusion either 47.10.460(b) should be altered to cite the requirements of 42 USC 675, with additional requirements directed in 47.10.460(d), or all requirements should be cited clearly, without duplication, in 47.10.460(d). The federal requirements, with any additional state law requirements, must be clearly delineated to prevent oversight or duplication.

For the sake of clarity, and because (1), (2), and (5) listed under 47.10.460(d) reflect the requirements of 42 USC 675, subsection (b) should read "the local panel shall review a case as required under 42 USC 671-675 (PL 96-272) and according to the timing and content requirements of federal law and regulations during the time period that is between 90 and 120 days after the child is in the custody of the department and every six months thereafter. The local panel shall review the case to determine the continuing necessity for and appropriateness of the placement, the extent of compliance with the case plan, and the extent of progress which has been made toward alleviating or mitigating the causes necessitating placement in foster care, and to project a likely date by which the child may be returned home or placed for adoption or legal guardianship. A court review may be substituted for a review required under this subsection if the court review meets the requirements of this subsection."

The first sentence in subsection (d) would then read "the review shall also assess the availability of services and services actually provided to achieve the selected goals, and the extent of compliance with applicable provisions of 75 USC 1901-1963 (Indian Child Welfare Act).

47.10.460 (c) and (d) address the federal requirement that a review be "open to the participation of the parents of the child." However, revising the order of those persons to read: "parents, guardians, custodians," etc. would better reflect the emphasis placed by federal and state law on parental involvement.

"The case worker or social worker" should read "the department worker".

ADDITIONAL ELEMENTS OF HB 19

47.10.460 (e), (f), and (g) identify additional duties of a panel not required by, but not in conflict with, federal law. They require a panel to make recommendations to the department and to provide written reports to the court, the department, and the parties except that, when the child has not yet been adjudicated and the report would then prejudice the court, the report would only go the department. However, (e) (2), "promote and encourage the department to place or keep children with persons suitable and

eligible as adoptive parents "should be revised to include other valid permanent plans such as guardianship or permanent placements with relatives. (e) (2) would more appropriately read "promote and encourage the department to place or keep children with persons suitable for permanent placements;".

Section 47.10.470, entitled COOPERATION WITH THE DEPARTMENT, directs the department to cooperate with the state and local panels. It further directs the department to report, in writing, within 15 working days of receipt of a panel's findings and recommendations, if the department is "unable or unwilling to implement" those recommendations. The report must set out the reasons why the department is unable or unwilling to implement the panel's recommendations.

This section sets an adversarial tone by implying that the department is disinterested in case reviews and that the department and panels will not have a shared purpose of meeting the needs and addressing the best interests of the children subject to the reviews.

As a practical matter, the report by the department required under this section will involve at least thirty minutes of consultation between the worker and supervisor, at a minimum, with a probable 30 minute additional consultation time with the Regional Social

Services Manager, Regional Youth Corrections Administrator, or regional placement committee, in addition to the Department of law. The drafting of the required report will involve at least one hour prior to clerical time spent. The department has, at any given time, an average of 700 children who have been in out of home care more than six months, with an additional 400 for over 90 days, resulting in approximately 1800 reviews per year. If even in 1 in 20 reviews the department were "unwilling or unable" to implement the panel recommendations, reports would be required on 90 cases at 2.5 hours per case or 225 hours. Because of the high percentage of cases in the Anchorage area, the equivalent of one full social worker position would be required to prepare the reports.

If the intent of HB19 is to improve planning for and services to children toward permanent homes for those children, then 47.10.470 would be more effective if it read: "COOPERATION WITH THE DEPARTMENT. The department, state panel, and local panels will work cooperatively to improve services to children placed in out-of-home care in the custody of the department to shorten foster care placements and speed family reunification or placement in other appropriate permanent homes. The worker representing the department before the panel shall have an opportunity to discuss the panel's recommendations with the panel, explaining why the department is unable or unwilling to follow the recommendations. If the department is then unable or unwilling to implement the

resulting written recommendations of the local panel, the department shall submit to the local panel, within 15 working days of the after receipt of the findings and recommendations, an implementation report setting out the reasons why the department is unable or unwilling to implement the local panel's recommendations and setting out the case plan that the department intends to implement."

Sec. 47.10.480 authorizes the panel to obtain records concerning a child who is the subject of a review . . . "the department and the court shall furnish to the local panel records concerning a child. . . . or the child's family maintained by the court under AS 47.10.090 or by the department". Since such records concerning the child's family could include confidential information regarding a sibling or other family member not pertinent to the case being reviewed, the first sentence in AS 47.10.480(a) should read "At the request of a local panel, the department and the court shall furnish to the local panel records concerning a child who is the subject of a local panel review or pertinent information from records concerning the child's family maintained by the court under AS 47.10.090 or by the department." The balance of AS 47.10.480 protects the confidentiality of the information provided to the panel.

Section 47.10.490 directs that the court consider the report of the panel when conducting the court reviews. However, it only includes court reviews of children in need of aid under AS 47.10.080(c)(1) and (c)(3). Since the panels are required to review the cases of delinquent children in the custody of the department under AS 47.10.080(b)(3), subsection (a) should be revised to read "The court shall consider the report of the local panel in its review under AS 47.10.080(f) of the placement of a delinquent child under 47.10.080(b)(3), a child in need of aid under AS 47.10.080(c)(1), or when it considers the report of the department or guardian of a child in need of aid under AS 47.10.080(c)(3)."

In sec. 47.10.590 DEFINITIONS. (2), "party" should include "the department". A subsection (4) should be added to read "the 'department' means the Department of Health and Social Services."

Sec. 4 of HB 19 amends AS 47.10.080(f) to allow annual court reviews to be postponed if they would arise within 90 days of the 18 month hearing required under 42 USC 675. This is consistent with federal requirements and is beneficial in preventing duplicative hearings.

Sec. 5 of HB 19 adds to AS 47.10.080 subsection (b) which provides for the 18 month hearing required by 42 USC 675 and is consistent

with the federal requirements. However, it only specifies that the court hold a hearing within 18 months of the date a minor is initially taken into custody by the department under AS 47.10.142(c). Since not all children enter custody of the department through the emergency custody provision, the first sentence of subsection (l) should be revised to include AS 47.10.080(b)(3), (c)(1), or (c)(3), and 47.10.230 (c). This subsection directs that the court determine the future status of the minor, also consistent with federal requirements, except that (l) (l) should read "whether the child should remain in foster care on a permanent or long-term basis because of special needs or circumstances. Subsection (m) directs the court to inform the parties of the local foster care review panel.

Sec. 8 amends Rule 19 of the Child in Need of Aid Rules by requiring a court to consider the recommendations of a local panel when conducting a court review. The delinquent minor rules should be similarly amended for consistency.

Sec. 9 provides that HB 19 takes effect July 1, 1990.

OFFICE OF PUBLIC ADVOCACY PROPOSAL

While the changes recommended previously will make HB 19 consistent with federal requirements, the proposal for implementation

submitted by the Office of Public Advocacy office of Court Appointed Special Advocates, will not ensure compliance with federal requirements until the end of the fifth year of implementation and will carry a sizeable fiscal note. During the first year of implementation, only half of the cases in Anchorage and all of the cases in Ketchikan will be reviewed. By the end of the second year, the reviews will cover all Anchorage cases, but Kenai, Palmer-Wasilla, and Juneau cases will not be reviewed until the third year with the balance of Southcentral and Southeast communities, Bethel, and Nome falling in year four and Fairbanks and Barrow in year five.

The staffing pattern by the fifth year will include 1 division director level position (Range 24), 5 supervisors, 16 review board assistants, 7 clerk typist III's and a statistician. The job descriptions call for the supervisor positions to be staffed at the level of Associate Attorney I (Range 17), the review board assistants at the Social Services Associate level (SSA I - Range 9, SSA II - Range 11, SSA III - Range 12) and a statistician would be a statistical technician I (Range 12) or II (Range 14). The fiscal analysis on Table 2 shows the personnel costs associated by filling the assistant and statistical technician positions at both the lowest range and the highest range, includes benefits, projected merit increases, and cost of living adjustments for the Fairbanks staff, and is provided for each year of the project. In

the event that an administrative assistant I would be included to assist with budget preparation, accounting, etc., those figures are also provided. The figures do not include travel, contractual, or commodities costs.

The job descriptions contained in the CASA proposal indicate that the foster care review board staff will coordinate the scheduling of cases requiring reviews, will send the required notices, will "coordinate access to" and copying of case file at DFYS, OPA, and the court, and will compile a summary of the case history. Having those tasks performed by FCRB staff will result in a time savings for DFYS staff.

However, because only half of the Anchorage cases will be reviewed during the first year and the rest picked up throughout the second year, the negative impact on the Anchorage DFYS offices will be tremendous. DFYS staff will be participating in two review processes -- the internal review system coordinated by the division and the FCRB system. In addition, tracking which cases are reviewed by which system so that all cases are covered presents a difficult monitoring problem. This dual system and the staff time required in reporting back to the panels when the department is unable or unwilling to follow the panel recommendations present unmanageable overloads. Further, the Anchorage court system is scheduling pre-adjudication hearings on children's cases, and the

department estimates additional time expenditures of 45 minutes per case on an average of 35 cases per month in attending these additional hearings, not including preparation time. The combined effect of these additional systems presents an impossible increase in workload on an already overburdened system.

DFYS INTERNAL REVIEW PROCESS

While the proposed implementation of HB 19 is proceeding through the 5 year plan, the division will continue to address the federal requirements for case reviews through its internal administrative review process. Since the last federal sec. 427 audit, the division has established a panel review system in every field office which meets the federal requirements. The panels always involve a private citizen and/or tribal representative or other individual not employed by the division. Advance written notice is provided to parents, guardians, custodians, guardians ad litem, and foster parents, and telephonic participation is arranged for those who wish to participate but cannot attend. The contents of the review meet the federal requirements.

The processes for holding internal reviews conducted by the division vary somewhat throughout the state:

- (1) Larger offices have formalized panels with set membership that meet on a regular basis, i.e. weekly, bi-monthly, or

monthly. Cases are calendared to appear before the panel so that they are reviewed within the six-month time frame.

There may be separate panels for Indian Child Welfare cases and non-native cases.

- (2) Some small offices have panels with primarily permanent memberships with some variation but not fixed meeting times. They meet when a case needs review, and, if one of the members is not from the native community, a tribal representative is asked to participate on ICWA case reviews.
- (3) Still other one-worker offices have the cases reviewed by a panel in a larger community which has a set membership and regular meeting dates. The worker, parents, and other parties participate telephonically in the review process.

The DFYS field officers are listed on Table 3 under the general categories of panel reviews utilized by the office as described in the preceding three paragraphs.

court reviews and ICWA compliance, those elements include accurate language in court orders, timely permanency planning staffings coordinated with case reviews and early reviews, medicaid application and child support enforcement information and Title IV-E eligibility determinations, subsidized adoption information, and the new information needed to respond to the 479 Section of P.L. 96-72 as well as Section 9943 of the Omnibus Budget Reconciliation Act. The division estimates that the addition of 11 staff statewide, coupled with the administrative review systems already in place, would enable the division to fulfill the requirements for tracking enumerated above in addition to ensuring timely administrative and court reviews.

The positions would consist of 2 administrative case reviewers. (ACR) (SWIII-Range 16) and 2 Clerk II's (Range 6) in Anchorage, 1 ACR and 1 Clerk II in Fairbanks, 1 ACR and 1 Clerk II in Juneau, 1 Clerk II in Bethel, and 1 Social Services Program Coordinator (Range 20) and 1 Clerk II in the division's Central Office.

The personnel costs for these positions would be \$456,300, with travel, contractual, commodities and equipment costing \$160,600.

TABLE 3

1) <u>Normal membership</u> <u>regular meetings</u>	2) <u>Established panel with</u> <u>some variation --</u> <u>scheduled as needed</u>	3) <u>Utilize</u> <u>panel in</u> <u>other</u> <u>community</u>
Anchorage	McGrath	Aniak
Kenai	Dillingham	Ft. Yukon
Mat-Su	Homer	Delta
Bethel	Cordova	Tok
Fairbanks	Unalaska	Nenana
Barrow	St. Paul	Haines
Nome	Naknek	Galena
Kotzebue	Sand Point	Mountain
Juneau	Valdez	Village
Ketchikan	Eagle River	Kwigill -
Sitka	Kodiak	ingok
	Seward	
	Copper Center	
	Petersburg	
	Wrangell	
	Craig	

The division has researched what it would require to accurately track all of the critical information elements relating to a child in out-of-home care. In addition to timely administrative and

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DFYS Internal Foster Care Review

Region	Notices sent	Outside Party	ICWA	Scheduled	Review additional elements
WRO	Yes	Yes	Yes	Regional tickler coordination 2X per month.	FIG, Prober, Medicaid reviews, ICWA forms, placement & service level reviews, set permanent goals.
SERO	Yes	Yes	Yes	Regional tickler regularly with 30 rotating panel members.	FIG, IV-E document, medicaid reviews, ICWA placement reviews, court documentation case plans, quality.
NRO	Yes	Yes	Yes	2 or 3 X per month	Monitor SW quality, placement plan, notice to tribes & other ICWA compliance, set permanency planning staffing.
SERO Juneau	Yes.	Yes	Yes	Each Wed. p.m.	Placement review forms & service level review.
Ketchikan (FCRB pilot)	Yes	Yes	(1 separate ICWA committee) tribe attends Yes	2 X per month Scheduled by S.W.	
Sitka	Yes	Yes	Yes	Monthly	
NWRO	Yes	Yes	Yes	Regional tickler monthly	

FOSTER CARE REVIEW SYSTEMS

COMPARATIVE COST ANALYSIS

We looked at foster care review budgets in four other states, taking the annual budget and dividing it by the number of children in custody to arrive at the cost of the review process per child. We then took the cost per child and multiplied it by the number of children in custody in Alaska, using a 3-02-89 figure of 1183 children. The purpose was to obtain a general figure for consideration of implementation of review panels for children in custody in Alaska.

STATE	FY BUDGET	# IN CUSTODY	ANNUAL COST/CHILD	ALASKA EST. ANNUAL COST
1. Arizona	FY89=\$ 700,000	5000	\$140	\$165,620

[Arizona has 5-member local panels and a 5-member state panel, under the Supreme Court, with full reviews (includes interviews with parties involved as opposed to only reviews of paperwork) every six months. Members of both panels have only expenses reimbursed. There is a professional coordinator and a staff assistant. Training sessions of local panels are given twice a year, with an additional initial orientatior session. Reviews are approximately one hour in length per case.) Legislation in 1978. Implementation in 1979.]

2. Oregon	FY89=\$540,000 (based on biennial budget of \$1,046,000)	3982	\$136	\$168,640
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[Oregon has 3-5 member panels and a state staff of 11 professionals, including 7 full-time and 4 part-time people and 6.5 clerical support staff, under the Supreme Court. Full reviews are done every six months. No per diem or expenses are paid to the panels.]

3. Maryland	FY89=\$ 900,000	4600	\$196	\$231,868
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[Maryland has 5-member panels within an independent agency under the social services department. The current desire is to remove this from the auspices of the department. Full reviews are done every six months. Panelists are reimbursed for mileage, parking, and toll charges if they submit expenses for payment. There are 25 staff including two supervisors, 2 administrators, 12.5 staff assistants, and 8 secretaries. The review panel meets once a month for 8 hours. On the average, a panel spends one half hour on a single child. Enabling legislation was passed in 1978. Implementation was begun in 1980.]

Additional notes of interest regarding Maryland system: In 1981, a one-day census taken regarding the number of children in foster care for two years or longer was 5075 or 72%. This compares to a 1988 figure of 1919 or 42%. On 9/87 there were 3200 fewer children in care than in 7/80. This resulted in a savings of \$30 million over this time period based on a \$599 room and board cost per child per month and an estimated \$6 million savings in case work services. More children are exiting the system for desirable reasons (as opposed to aging out of the system or runaways.) The percentage of desirable exits were 71% in 1985, 75% in 1987, and 77% in 1988. Time from entering care to being placed for adoption in 1986 was 69 months. The second half of 1988 was 46 months.

STATE	FY BUDGET	# IN CUSTODY	ANNUAL COST/CHILD	ALASKA EST. ANNUAL COST
4. Wash.	\$1,144,216*	4367	\$262	\$309,963
	554,055**	3027	\$183	\$216,489

* based on reviews at 90 days, 6 months, 12 months, and annually

** based on reviews at 6 months, 12 months, and annually

There is currently a pilot project on-going in Washington. Legislation has been introduced this session to create a permanent review system for the state.

According to Susan Carter of the National Association of Foster Care Reviewers, Oregon and Arizona are sufficiently funded programs.

Salem Administrative Office

Executive House
325 13th Street N.E., Suite 404
Salem, OR 97310
(503) 378-5430



Portland Branch Office
Crossroads Square Building
123 N.E. 3rd Ave., Suite 2800
Portland, OR 97232
(503) 238-7483

JUDICIAL DEPARTMENT

Citizen Review Board

TO: JOHN RADFORD, DIRECTOR
MANAGEMENT SERVICES
OFFICE OF THE STATE COURT ADMINISTRATOR

FROM: TOM CARRANZA, COORDINATOR
CITIZEN REVIEW BOARD

RE: BUDGET AND STAFF COMPARISON - CRB OTHER STATES

1.0 PURPOSE

Nancy Asbury, Administrator, Citizen Review Board, requested that I gather information regarding the budgets and staffing patterns from Citizen Review Board Programs in other states.

2.0 SCOPE

Information was gathered by interview from the following Citizen Review Board Administrators:

- + Susan Carter, Executive Director
National Association Foster Care Reviewers
State of Arizona
- + Charlie Cooper, Assistant Administrator
Citizen Review Board
State of Maryland
- + Neila Gibbons, Executive Director
Citizen Review Board
State of South Carolina
- + Sandra Sperry, Program Manager
Citizen Review Board
State of Arizona

3.0 METHOD

Phone conferences were conducted with each of the above Administrators. The following questions were asked of each Administrator:

- + What is your Program's total budget?
- + How is your Program funded? State, Federal and/or other sources.

- + What is your staffing pattern by position classification and current salary if one position or average if more than one position?
- + How many Boards does each Coordinator staff?
- + How many Reviews did your Program conduct in 1988 or for the year for which you have complete data? By children and/or by case?.
- + How many Reviews does each Board conduct each month?
- + Is there other information you believe would be useful for the reader to understand your Program?
- + Why does your state believe that the Coordinator position requires a professional level staff?
- + Information requested from Susan Carter included the names and phone numbers of Administrators who she recommended that I contact. I explained the purpose of my request for Ms. Carter's consideration.

4.0 FINDINGS

Refer to attached report.

MARYLAND CITIZEN REVIEW BOARD

Information gathered by interview with Charlie Cooper, Assistant Administrator. The Program has been in existence for nine years.

TOTAL BUDGET: \$ 950,000.00 PER YEAR
\$1,9000,000.00 PER BIENNIUM

STAFFING: TOTAL STAFF 24.5

<u>POSITION</u>		<u>SALARY PER YEAR</u>
ADMINISTRATOR	(1)	\$45-50,000.00
ASST. ADMIN.	(1)	\$36,500.00
SUPERVISORS	(2)	\$34,000.00 EACH
COORDINATORS	(12.5)	\$29,500.00 EACH
CLERICAL	(8)	\$18,850.00 (2) \$17,850.00 (6)

EACH COORDINATOR STAFFS 4-5 BOARDS.

IN 1989 THE PROGRAM WILL REVIEW 6,600 CHILDREN - 5,143 CASES.

EACH BOARD REVIEWS APPROXIMATELY 12.5 CASES EACH MONTH.

PROGRAM IS 18% FEDERALLY FUNDED.

MR. COOPER PROVIDED THE ADDITIONAL INFORMATION FOR YOUR CONVENIENCE AND CONSIDERATION.

The Coordinator position required a professional staff in order to understand and work within the complex bureaucracy of the foster care system. The Coordinator is required to have a working understanding of the CSD Policies and practices state wide and by county. The Coordinator is required to have a working understanding of the Substitute Care, Protective Services, Adoptions, Juvenile Corrections and Citizen Review Board Policy. In addition the Coordinator must have a working understanding of the Court System.

Further the Coordinator must be skilled in systems change as the Programs responsibility is to improve and assure quality service for all children and families in the foster care system. Mr. Cooper stated that in the Programs estimation by reducing the length of stay in foster care, there are approximately 3,200 less children in foster care than when the Program began. The Citizen Review process has resulted in a cost avoidance of approximately \$20 million per year. Mr. Cooper stated that in Maryland the cost of foster care per child was approximately \$650.00 per month. (3,200 children x \$650.00 = \$2,080,000.00 x 12 Months = \$24, 960,000.00)

SOUTH CAROLINA CITIZEN REVIEW BOARD

Information gathered by interview with Neila Gibbons, Executive Director. The Program has been in existence for twelve years.

TOTAL BUDGET: \$700,000.00 PER YEAR
\$1,400,000.00 PER BIENNIUM
ADDITIONAL FUNDING USED

STAFFING: TOTAL STAFF 18

<u>POSITION</u>		<u>SALARY PER YEAR</u>
EXECUTIVE DIRECTOR	(1)	\$40,500.00
ATTORNEY	(1)	\$33,000.00
BUSINESS MANAGER	(1)	\$24,500.00
PROJECT ADMINISTRATOR	(1)	\$27,000.00
SUPERVISOR	(1)	\$27,050.00
COORDINATOR	(9)	\$25,000.00
DATA COORDINATOR	(1)	\$21,000.00
CLERICAL	(3)	\$17,000.00

EACH COORDINATOR STAFFS 4 BOARDS.

THE PROGRAM WILL HAVE 38 BOARDS IN 1989.

IN 1987 THE PROGRAM CONDUCTED 7,455 REVIEWS - 4,900 CHILDREN.

EACH BOARD REVIEWS APPROXIMATELY 18 CASES PER MONTH.

THE PROGRAM IS FUNDED BY THE LEGISLATURE, FEDERAL, FAMILY GRANTS AND BY PRIVATE ENDOWMENTS. THE \$1.4 MILLION IS STATE.

MS. GIBBONS PROVIDED THE ADDITIONAL INFORMATION FOR YOUR CONVENIENCE AND CONSIDERATION.

South Carolina started their program ten years ago with the Coordinators at a high clerical level. The program upgraded the position due to the requirement of the Coordinator to have a working knowledge of current state policies, due process and state and federal law. The program found that a clerical position could not be expected to have the knowledge, skills and ability necessary. The Boards rely heavily on the Coordinator as a professional with knowledge of Social Work, Children, Courts as well as the complex foster care system. The Coordinator is also required to understand the dynamics of Social Welfare. The program found that the Agency's working with the Citizen Review Board developed a positive working relationship when they knew

SOUTH CAROLINA CITIZEN REVIEW BOARD

PAGE 2

that the Coordinator had experience and knowledge in the field. The Boards also relied heavily on the Coordinator for On The Job Training. Coordinators are required to make decisions that can resolve cases at the review as well as conducting follow-up.

The program has their own attorney and has standing in Court. The program can make motion and bring about their own Judicial Review.

ARIZONA CITIZEN REVIEW BOARD

Information gathered by interview with Sandra Sperry, Program Manager. The Program has been in existence for ten years.

TOTAL BUDGET \$804,000.00 PER YEAR
\$1,608,000.00 PER BIENNIUM

STAFFING: TOTAL STAFF 22

<u>POSITION</u>		<u>SALARY PER YEAR</u>
DIRECTOR	(1)	\$45,000.00
PROGRAM MANAGER	(1)	\$32,000.00
SUPERVISOR	(2)	\$32,000.00 EACH
COORDINATOR	(13)	\$20,500.00 EACH
CLERICAL	(7 - 4 FULL TIME)	\$19,500.00 (1) \$16,500.00 OTHERS

EACH COORDINATOR STAFFS 4 BOARDS.

IN 1988 THE PROGRAM CONDUCTED 4,798 REVIEWS - 7,154 CHILDREN.

EACH BOARD REVIEWS APPROXIMATELY 10.0 CASES PER MONTH.

PROGRAM IS LEGISLATIVELY FUNDED BY THE STATE.

THE PROGRAM IS ADMINSTRATED BY THE DIRECTOR OF THE DEPARTMENT OF DEPENDENT CHILDREN SERVICES. THE DEPARTMENT ADMINISTERS THE CITIZEN REVIEW BOARD AND THE CASA PROGRAM (COURT APPOINTED SPECIAL ADVOCATE).

THE PROGRAM HAS A STATE BOARD WHICH MEETS FOUR TIMES PER YEAR.

THE PROGRAM HAS ONE CONFERENCE PER YEAR.

THE PROGRAM HAS ONE STAFF RETREAT PER YEAR.

MS. SPERRY PROVIDED THE ADDITIONAL INFORMATION FOR YOUR CONVENIENCE AND CONSIDERATION.

The Coordinator position requires a professional staff due to the knowledge required of the total foster care system. The Coordinator position required a staff knowledgeable of the social work field with the ability to determine the validity of the information presented at the review. The Coordinator required a staff skilled a resolving conflicts which surfaced during the course of the Review and during the course of the every day duties required of the position. The position required a staff able to gather and analyze information and identify trends in order to cause systems change. The position required a professional staff who the Boards would view as that, a professional and knowledge leader.

OREGON CITIZEN REVIEW BOARD

Information gathered by review of the February 1989 Citizen Review Board Second Biennial Report and by discussion with Nancy Asbury, Administrator, Citizen Review Board. The Program has been conducting Citizen Reviews since July 1986.

TOTAL BUDGET: \$1,054,000.00 1987-89 BIENNIUM

STAFFING: TOTAL STAFF 16.1

<u>POSITION</u>		<u>SALARY PER YEAR</u>
ADMINISTRATOR	(1)	\$39,418.00
DEPUTY ADMINISTRATOR	(1)	\$29,530.00
COORDINATORS	(7.6)	\$26,734.00
MANAGEMENT ASSISTANT	(1)	\$18,342.00
COS II	(1)	\$17,436.00
COS I	(4.5)	\$16,412.00

SALARY FIGURES FROM OCTOBER 1988 PAYROLL.

EACH FULL-TIME COORDINATOR STAFFS 7.8 BOARDS.

IN 1988 THE PROGRAM CONDUCTED REVIEWS FOR 7,418 CHILDREN.

EACH BOARD REVIEWS ON THE AVERAGE APPROXIMATELY 10 CASES PER MONTH WITH THE HIGH BEING 18.2 CASES PER MONTH.

THE PROGRAM IS STATE FUNDED.