

ALASKA LEGISLATURE COMMITTEE FILES, 1989-1990 8672  
5720 HOUSE JUDICIARY 237



OFFICIAL BUSINESS

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**Alaska State Legislature**  
**House of Representatives**  
COMMITTEE ON HEALTH, EDUCATION  
AND SOCIAL SERVICES

PRELIMINARY RECOMMENDATIONS  
for the  
STATE FOSTER CARE SYSTEM

POUCH  
JUNEAU, AK 998  
465-375

October 1988

There are few state responsibilities greater than our obligation to care for our most vulnerable citizens: abused, neglected and abandoned children. The state has the moral and legal duty to provide the best possible care so that these children have the chance to become healthy, happy and productive citizens.

We are not doing the best job of fulfilling this mandate. Many children are inadequately served, many are not served at all. Our child protection system is understaffed, overstressed and lacks the resources necessary to provide adequate protection and care. In particular, the state's foster care system needs to do a better job of providing the nurturing environment that the child lacks in the natural home. State law may need to be changed in order to provide clearer direction for the welfare of children.

Recognizing these problems and the possibilities for positive change, the House Health, Education and Social Services Committee has been conducting a comprehensive review of the state's foster care system. The Committee has been working with the cooperation of the Division of Family and Youth Services, the Alaska Foster Parents Association, the Governor's Interim Commission on Children and Youth, plus other concerned organizations, agencies and individuals. The Committee recently completed two days of hearings on the foster care system. What follows is a preliminary list of recommendations for improvement. The Committee is open to additions and further refinement before we move forward with specific legislative action.

As an introduction, we have proposed basic mission and goal statements which will serve as a foundation for the preliminary Committee recommendations which follow. After each of the recommendations is a code which indicates the type of action(s) necessary. The codes mean: \$ = requires funding; L = requires legislation; A = requires administrative regulation, policy or procedural change; ? = action not clear.

Mission: THE BEST INTERESTS OF THE CHILD

The mission of the state's child protection system should be to promote the best interests of the child. Preservation of the family or reunification with a child's natural parents is often the best alternative, but these efforts should be driven by and for the best interests of the child.

- \* The state children's code should be reviewed and possibly modified to insure the promotion of the best interests of the child. L

~~Goal One: SAFETY, STABILITY AND PERMANENCY FOR CHILDREN~~

Beyond initial efforts to insure a child's safety, the state's highest priority should be the ultimate stability and permanency of the child. The best efforts must be made to keep families together, if appropriate, or to reunify, if possible. If these options are not possible, the state should consider quick action to terminate parental rights, reduce the length of time a child lingers in temporary foster care, and secure a long-term nurturing home for the child or prepare the child for emancipation.

- \* Expand intensive homebased family treatment programs to more quickly get help to families and determine the fate of the child. Funding could come from saved foster care stipends. Treatment should include an alcohol and drug abuse component. \$
- \* Clarify criteria for termination of parental rights so that the best interests of the child and the child's need for a permanent plan are highest priorities. Consider different standards for different ages. L
- \* Change confidentiality statutes so that foster parents and others with a "need to know" have access to information. L
- \* Continue pilot citizen review permanency planning board projects in Anchorage and Sitka. \$

~~Create a permanent state-wide citizen review board system.~~ L, \$

- \* Expand the role of foster parents as part of the permanency planning team. A
- \* Make greater use of subsidized adoption; beyond just hard to place kids. ?
- \* Establish use of subsidized guardianships to increase stability of certain placements. L, \$
- \* Make long term foster care more viable. A, \$
- \* Establish minimum standards for emancipation. L
- \* Provide more pre-emancipation services for youth. L, \$
- \* Examine the impediments to adoption. A

## Goal Two: IMPROVEMENTS IN FOSTER CARE

Recognizing that temporary foster care placement will always be necessary and that long term foster care is an important permanent placement alternative, the foster care system must be improved to provide better care for children and to enable foster parents to be better guardians.

- \* Establish expanded and mandatory training for foster parents. L, \$
- \* Provide additional respite care services for foster parents. Include respite on a regular basis, not only in emergencies. Use other services for respite, e.g. Big Brothers/Sisters. Consider using foster parent groups to coordinate respite program. \$, A
- \* Correct problems with late stipends. Examine payment system and possibly contract out. A
- \* Finalize grievance procedure. Consider using unified form that includes grievances, liability claims, problems with foster kids, and recommendations for change. Provide for stop action clause as part of the grievance procedure or elsewhere. A
- \* Establish Foster Care Advisory Board. L, \$
- \* Improve foster care liability insurance. Have claims go directly to Risk Management. Dovetail with state self insurance. L?, A, \$?
- \* Insure state defense of foster parents in lawsuits. ?
- \* Develop a system that combines foster parent training, competency levels and rate augmentation. A
- \* Develop better targeted recruitment of foster parents. A
- \* Provide better orientation for foster parents. A
- \* Establish complaint investigations of foster parents by a neutral party. L?, A
- \* Provide funding for foster parent networking/support. \$
- \* Examine charges of Department retaliation against foster parents. ?

## Goal Three: IMPROVEMENTS FOR DFYS

The fate of foster children lies primarily with the Division of Family and Youth Services. The Division does not have the necessary resources to provide for adequate protection and care of children. Social workers are overworked, largely undertrained and too often mired in paperwork. Huge caseloads do not allow for adequate attention to particular cases. Other aspects of the child protection system should be modified so the state can do a better job.

- \* Devote additional resources to reduce social worker case loads. \$

- \* Implement automated case management system to increase social worker efficiency. A, \$
- \* Use para-professionals (social worker aides) to assist social workers. L?, A
- \* Provide more frequent training of social workers. Evaluate use of GICCY funds for this purpose. \$, A
- \* License social workers who work for the state. L
- \* Establish Master of Social Work Program at the University of Alaska. A
- \* Create Office of the Child Ombudsman. L, \$
- \* Continue efforts to capture additional federal funds for foster care programs. A
- \* Clarify the policy regarding use of a child's permanent fund dividend check. L?, A
- \* Provide evaluation of social workers by foster parents. A
- \* Use foreclosed homes for residential care facilities. A, \$

Rep. Niilo Koponen, Co-Chair, House HESS Committee  
Rep. Johnny Ellis, Co-Chair, House HESS Committee

E. ADVANTAGES OF CITIZEN REVIEW

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Citizen review boards have several advantages not only for the children in foster care, but for the court system, social services system and taxpayers.

By engaging in interdisciplinary cooperative efforts, citizen review systems can make tremendous advances in the delivery of foster care services including the following:

1. enabling changes in the legislature regarding foster care statutes;
2. reducing the number of children in placement, thereby saving tremendous amounts of government dollars;
3. serving an investigative function to aid in appropriate case planning;
4. encouraging and aiding in the recruitment of foster homes;
5. increasing the awareness of the community to the plight of children in care;
6. serving a "check and balance" function to assure that all aspects of the child welfare system are functioning correctly and appropriately;
7. increasing cooperation and communication between various agencies serving children;
8. freeing case workers who might otherwise be conducting reviews to do casework and actually provide services to families;
9. developing new policies, procedures and resources for children in care.

STATE FOSTER CARE CITIZEN REVIEW SYSTEMS

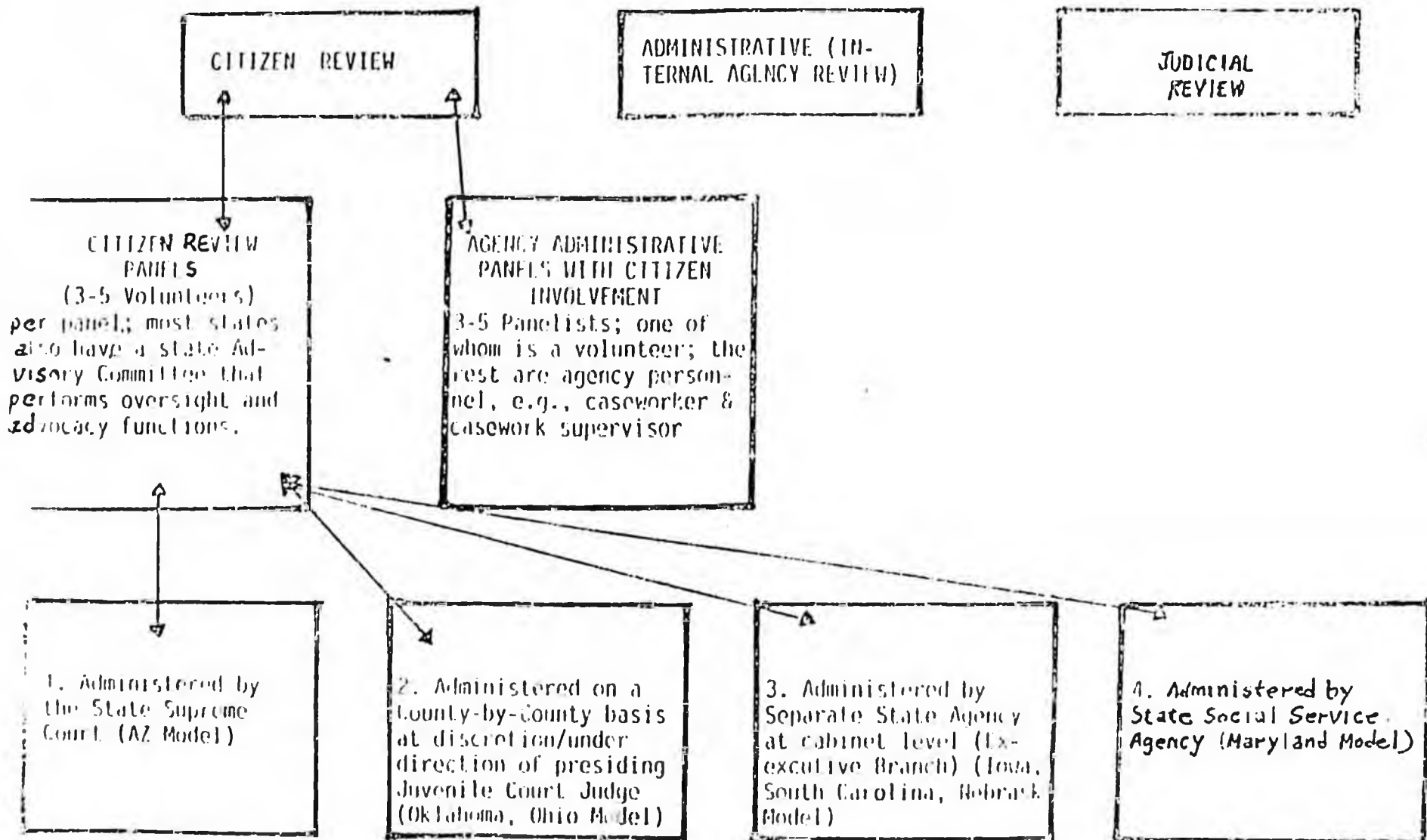
<u>STATE</u>	<u>TYPE OF ADMINISTRATION</u>
Alaska	pilot project, legislation introduced (HB 19)
Arizona	established under supreme court
Delaware	independent agency within governor's office
Florida	pilot project starts 4/1/89 in Dade County
Georgia	statewide system under court system
Hawaii	legislation pending for system
Illinois	only within Chicago under private non-profit
Iowa	independent agency at cabinet level
Kansas	in one county under county court system
Kentucky	under supreme court
Maryland	independent agency within social services department, but seeking change outside department
Michigan	under supreme court
Mississippi	under county court system
Nebraska	independent agency at cabinet level
New Jersey	within county court system with some supreme court funding
New Mexico	administered by private contractor who contracts with the department; legislation currently pending to change and place under the court system
Ohio	under county courts; not all counties
Oklahoma	under supreme court
S. Carolina	independent at cabinet level
Tennessee	under county courts
Washington	pilot project with legislation pending
Wisconsin	under county court in one county only

The majority of the states listed above conduct full party reviews (as opposed to paper reviews only).

This information was obtained from Susan Carter, Executive Director of the National Association of Foster Care Reviewers.

## MODELS OF FOSTER CARE REVIEW

NOTE: These 3 basic models are not mutually exclusive. Some states use some version of all three, or two out of three.



\* 2. (County-by-County Model) may also include a state advisory committee under Supreme Court that coordinates among counties.



# Alaska Foster Parents Association

P. O. BOX 140651 • ANCHORAGE, ALASKA 99508

## POSITION ON CONCEPT HB 19 FOSTER CARE REVIEW BOARDS

"You are the eyes and ears of the court, a part of the court's conscience. You are also the eyes and ears of society, and part of its conscience. Reviewers are one of the few institutions where the problems of the family, the efforts of the state and the work of the judiciary meet. You are able to see what is working and what is wrong."

The above comments were made by the Honorable Robert N. Wilentz, Chief Justice of the New Jersey Supreme Court, to members of foster care review boards.

When one considers the role and purpose of foster care review, it becomes obvious that it is primarily a system of quality assurance. It can also inject some common sense and practicality into a system that all too often, has little or none. It can also make the practitioners of the various services involved more accountable and therefore more responsive to the needs of their clients.

In considering the purpose and intent of legislation to create a system of foster care review that has the potential to do the greatest good for children, families and foster families, the following components must be included:


1. Review boards must be external of government and be composed of citizens from the community.
2. Recommendations of the boards should be adhered to by the department or the department should be able to justify their deviation in court.
3. All involved parties should have the ability, stated in law, to request reconsideration of a recommendation.
4. All parties who have direct information relating to the child in care must have the opportunity to present that information to the reviewers.
5. All parties must receive adequate notification of review so that they may arrange their schedule accordingly.
6. Reviewers must have access to all documents, records and testimony that relates to the child, placement and permanency plan.

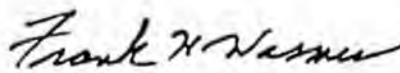
National statistics indicate that review boards and the department agree 85% of the time. Conversely, they disagree in 15% of the cases reviewed. This could mean that the departments in those states that have citizen review boards are doing well most of the time. It could also mean that social work in those states is of higher quality because their work is being subjected to scrutiny by external sources.

It is understandable that the department might suggest that recommendations should not be imposed upon them, or that case management should be solely their prerogative. It must be understood that review boards will in no way be case managers. Their responsibility is one of oversight to assure that cases are managed responsibly. In those cases where decisions are questionable, they should be challenged. The Department still has access to the court and in all cases, the court makes the final decision. The court will benefit from the work of the review boards and the department and therefore will be more able to make correct judgements.

One final thought; If there were no problems with the way we are dealing with children in the child protection system, we would not be talking about legislative solutions. We should not attempt band aid fixes but put those components in place which will assure long term progress for children who find themselves in state custody.

The Alaska Foster Parent Association supports, without reservation, Citizen Foster Care Review Boards with the concepts stated.

  
Miriam Sumner  
President

  
Frank H. Wasmer  
Vice President

**STATE OF ALASKA  
1990 LEGISLATIVE SESSION**

Bill Version: **CS HB 19**

Publish Date: **5/19/89**

**FISCAL NOTE**

**REQUEST:**

Revision Date:	Agency Affected:	<b>Alaska Court System</b>
Title: <b>An Act relating to citizen review panels for certain children</b>	BRU:	<b>Trial Courts</b>
Sponsor: <b>Collins, Gruenberg, Ulmer, et al</b>	Components:	
Requestor:		

**EXPENDITURES/REVENUES: (Thousands of Dollars)**

OPERATING	FY 90	FY 91	FY 92	FY 93	FY 94	FY 95
Personal Services		18.0	18.0	18.0	18.0	18.0
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>18.0</b>	<b>18.0</b>	<b>18.0</b>	<b>18.0</b>	<b>18.0</b>

<b>CAPITAL</b>						
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<b>REVENUE</b>						
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**FUNDING: (Thousands of Dollars)**

General Funds	0.0	18.0	18.0	18.0	18.0	18.0
Federal Funds						
Other						
<b>TOTAL</b>	<b>0.0</b>	<b>18.0</b>	<b>18.0</b>	<b>18.0</b>	<b>18.0</b>	<b>18.0</b>

**POSITIONS:**

Full-time						
Part-time		1.0	1.0	1.0	1.0	1.0
Temporary						

**ANALYSIS: (Attach a separate page if necessary)**

See attached analysis

Prepared by: Robert G. Fisher, Manager, Fiscal Operations

Phone: 284-8228

Division: Alaska Court System

Date: 01/12/90

Approved by: Arthur H. Snowden, II, Administrative Director

Date: 01/12/90

Agency: Alaska Court System

Distribution (by preparer):  
 Legislative Finance  
 Legislative Sponsor  
 Requestor  
 Office of Management & Budget  
 Impacted Agency(ies)

Alaska Court System

CS HB 19

Fiscal Analysis

Personal Services

	<u>Salary</u>	<u>Benefits</u>	<u>Total</u>
Pro tem superior court judge, PPT, 6 months	\$9,663	\$8,287	<u>\$17,950</u>

The court's preliminary analysis of this legislation indicates the 18-month review requirements will result in additional hearings. It is estimated that a half-time, permanent part-time, superior court judge will be required. The funding will be used to hire retired superior court judges in each judicial district impacted by this legislation.

The court will provide additional analysis of this legislation.

State Children's Citizen Review Panel Division

Juneau Headquarters Office

Executive Director state panel  
1 Admin. Assist.  
1 Research Analyst

Juneau Regional Office

1 CFCRP Coordinator 1 local panel  
1 CFCRP Assistant  
1 Clerk Typist III

Anchorage Regional Office

1 CFCRP Coordinator 4 local panels  
6 CFCRP Assistants  
5 Clerk Typist III's

Fairbanks Regional Office

1 CFCRP Coordinator 2 local panels  
3 CFCRP Assistants  
2 Clerk Typist III's

Bethel Regional Office

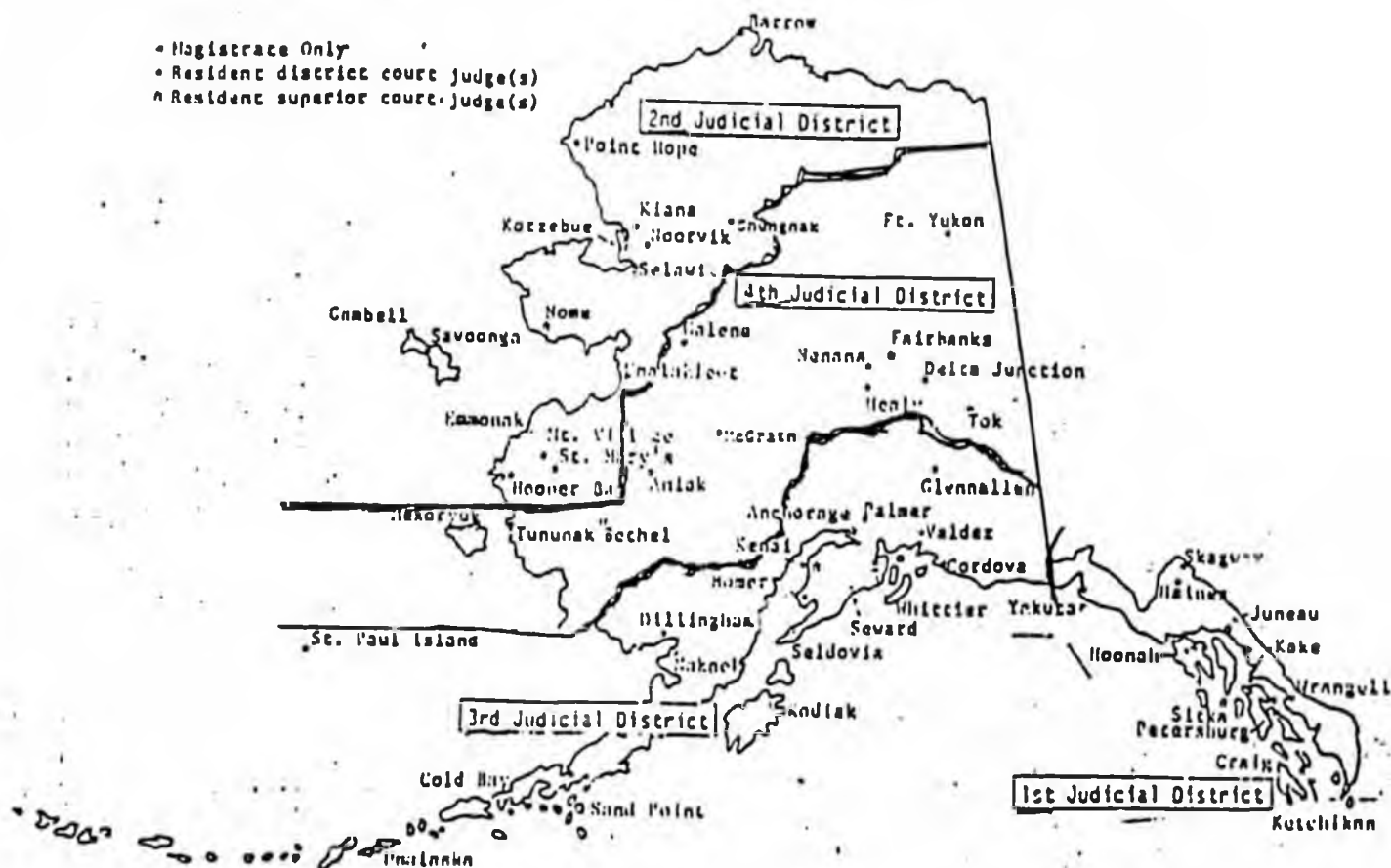
1 CFCRP Coordinator 1 local panel  
2 CFCRP Assistants  
1 Clerk Typist III

Nome Regional Office

1 CFCRP Coordinator 1 local panel  
1 CFCRP Assistant  
1 Clerk Typist III

## ALASKA COURT LOCATIONS

- Magistrate Only
- Resident district court judge(s)
- Resident superior court judge(s)



Total 1202 cases (702 twice annual reviewed and 500, once annually)  
 Total 1904 reviews annually

		@7/day	days/mo.		number of panels
1st J/D	260 reviews	37 days	= 3/mo.	=	1 panel (3 days per month)
2nd J/D	57 reviews	8 days	= 1/mo.	=	1 panel (meets 8 months only)
3rd J/D	996 reviews	142 days	= 12/mo.	=	4 panels (meeting 3 days per month)
4th J/D	591 reviews	84 days	= 7/mo.	=	3 panels (two in Fbx. meeting 3 days/mo.) (one in Bethel meeting 2 days/mo.)

Juneau, Anchorage and Fairbanks panels meet 3 days per month.

Bethel panel meets 2 days per month.

Nome panel meets 8 days per year.

FISCAL NOTE

REQUEST: \_\_\_\_\_

JAN 19 1990

Revision Date: \_\_\_\_\_  
Title: "An Act relating to citizen  
review panels for certain children...  
Sponsor: Collins, Gruenberg, Ulmer, et al  
Requestor: Representative Collins

Agency Affected: Administration  
BRU: Office of Public Advocacy  
Components: \_\_\_\_\_

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Brant McGee, Public Advocate  
Division: Office of Public Advocacy

Phone: 274-1684

Date: \_\_\_\_\_

Approved by Commissioner: Frank Baxter  
Agency: Department of Administration

Date: 1/19/90

Distribution (by preparer) :

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

## FISCAL NOTE

**REQUEST:** \_\_\_\_\_

Revision Date: \_\_\_\_\_  
 Title Review Panels for children in  
Foster Care  
 Sponsor: Collins and Gruenberg  
 Requestor: \_\_\_\_\_

Agency Affected: DHSS  
 BRU: \_\_\_\_\_  
 Components: \_\_\_\_\_

**EXPENDITURES/REVENUES:** (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	-0-	-0-	-0-	-0-	-0-	-0-
<b>CAPITAL</b>	-0-	-0-	-0-	-0-	-0-	-0-
<b>REVENUE</b>	-0-	-0-	-0-	-0-	-0-	-0-

**FUNDING:** (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>	-0-	-0-	-0-	-0-	-0-	-0-

**POSITIONS:**

FULL-TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART-TIME	-0-	-0-	-0-	-0-	-0-	-0-
TEMPORARY	-0-	-0-	-0-	-0-	-0-	-0-

**ANALYSIS :** (Attach a separate page if necessary)

Prepared by: Russell Webb  
 Division: Family & Youth Services  
 Approved by Commissioner: Myra M. Munson, Commissioner  
 Agency: Department of Health and Social Services

Phone: 465-3170  
 Date: \_\_\_\_\_  
 Date: Jan 5, 1990

Distribution (by preparer):  
 Legislative Finance  
 Legislative Sponsor  
 Requestor  
 Office of Management and Budget  
 Impacted Agency(ies)

## FISCAL NOTE

**REQUEST:**

Revision Date: \_\_\_\_\_ Agency Affected: Office of the Governor  
 Title: "An Act relating to citizen review panels for certain children in state custody..." BRU: Commissions and Special Offices  
 Sponsor: Rep. Collins, Gruenberg, Ulmer Components: \_\_\_\_\_  
 Requestor: \_\_\_\_\_

**EXPENDITURES/REVENUES:** (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES	636.1	684.8	1117.4	1291.7	1330.5	
TRAVEL	99.7	99.7	142.3	145.9	145.9	
CONTRACTUAL	94.6	57.9	104.9	101.5	89.6	
SUPPLIES	11.1	11.1	18.5	21.0	21.0	
EQUIPMENT	159.2	15.3	95.4	33.3	5	
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>1000.7</b>	<b>868.8</b>	<b>1478.5</b>	<b>1593.4</b>	<b>1587.5</b>	

CAPITAL						
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REVENUE						
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**FUNDING:** (Thousands of Dollars)

GENERAL FUND	1000.7	868.8	1478.5	1593.4	1587.5	
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>	<b>1000.7</b>	<b>868.8</b>	<b>1478.5</b>	<b>1593.4</b>	<b>1587.5</b>	

**POSITIONS:**

FULL-TIME	17	18	28	31	31	
PART-TIME						
TEMPORARY						

**ANALYSIS :** (Attach a separate page if necessary)

See attached analysis

Prepared by: Michael Nizich, Director Phone: 465-3616  
 Division: Administrative Services Date: \_\_\_\_\_

Approved by Commissioner: Garrey Peska Date: 1/22/90  
 Agency: Office of the Governor

**Distribution (by preparer):**

Legislative Finance  
 Legislative Sponsor  
 Requestor  
 Office of Management and Budget  
 Impacted Agency(ies)

Fiscal note reflects phase-in of regional offices and local panels over a four year period. Personal Services assume step A for each initial position and includes one-step merit increases for subsequent years.

FY 91

PERSONAL SERVICES: 636.1

Request for New Position forms are attached; three position requests for Juneau Main Office, twelve positions for Anchorage Regional Office, and two positions for Ketchikan Regional Office.

TRAVEL 99.7

Assumes two annual meetings for the Statewide Panel and per diem costs only for local panel meetings.

Statewide Panel (5 members):

Public members:

Juneau:	travel @ \$400/person x 3 people	=	1,200	
	travel @ \$700/person x 1	=	700	
	per diem @ 80/day x 3 days x 4 people	=	960	
	per diem @ 80/day x 5 days x 1 person	=	400	3,260

Anchorage:	travel @ \$400/person x 3 people	=	1,200	
	travel @ \$700/person x 1 person	=	700	
	per diem @ 80/day x 3 days x 4 people	=	960	
	per diem @ 80/day x 4 days x 1 person	=	320	

Administrative travel:

	travel @ \$400/person x 2 people	=	800	
	per diem @ 80/day x 3 days x 2 people	=	480	4,460

Local Review Panels (5 members with 2 alternates each):

	total 5 panels minimum per caseload			
	meetings of three days/month, total per diem expenses			72,000

Training travel/per diem - staff and panel members				20,000
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Total Travel:				99,720
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**CONTRACTUAL:**

94.6

Assumes office locations of Juneau, Anchorage and Ketchikan. Telephone charges averaged from similar size division with comparable toll call usage.

Professional Services: 10,000

Communication: Telephone (toll costs, base/local fixed costs, centrex network costs) 1000/mo x 12 months 12,000  
 Telecopier charges -- 75/mo x 12 months 900  
 Teleconference charges -- 2 @ 450 900  
 Postage -- 750/mo x 12 9,000

Transportation: Freight/express charges -- 225/mo x 12 2,700

Advertising, Printing & Binding:

Subscriptions 75  
 Advertising -- 2 meetings x 350 700  
 Printing Annual report 2,500  
 Forms, misc. 750  
 Photocopy per caseload requirements 5,328

Minor Repair, Maintenance: 3,600

Rental for Space:

Space requirements per Department of Administration standards:

Juneau 394.25 SF @ \$2.00/SF x 12 months = 9,462  
 Ketchikan 315.75 SF @ \$2.50/SF x 12 months = 9,473  
 Anchorage 1135.5 SF @ \$2.00/SF x 12 months = 27,252 46,187

Total Contractual: 94,640

**SUPPLIES AND MATERIALS:**

11.1

Office and library supplies, 900/mo x 12 = 10,800  
 Data processing supplies = 300 11,100

**EQUIPMENT:**

159.2

Equipment per office includes one PC per position, file cabinets, furniture and miscellaneous equipment, phones and photocopiers.

Juneau Main Office = 28,850  
 Ketchikan Regional Office = 25,806  
 Anchorage Regional Office = 104,560 159,216

FY 92

Reflects transfer of the Ketchikan Regional Office to Juneau and the addition of one position.

PERSONAL SERVICES: 684.8

Includes one-step merit increase for existing positions and one additional position in Juneau.

TRAVEL: 99.7

CONTRACTUAL: 57.9

Assumes transfer of furniture, equipment, etc. from Ketchikan Regional to newly established Juneau Regional Office.

Rental for Space:

Juneau Regional Office 395.75 SF x 2.00/SF = 9,498

SUPPLIES AND MATERIALS: 11.1

EQUIPMENT: 15.3

For additional position in Juneau Regional Office.

FY 93

Adds Fairbanks and Bethel Regional Offices and 3 additional local review panels.

PERSONAL SERVICES: 1,117.4

One-step merit increases for ongoing positions, six new positions for Fairbanks Regional Office and four new positions for Bethel Regional Office.

TRAVEL: 142.3

Includes per diem costs for three additional local panels, two at Fairbanks per diem of \$90/day and one at Bethel per diem of \$85/day.

CONTRACTUAL: 104.9

Professional Services: 10,000

Communication:	Telephone (toll costs, base/local fixed costs, centrex network costs) 2000/mo x 12 months	24,000
	Telecopier charges -- 125/mo x 12 months	1,500
	Teleconference charges -- 2 @ 450	900
	Postage -- 1250/mo x 12	15,000

Transportation:	Freight/express charges -- 375/mo x 12	4,500
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Advertising, Printing & Binding:

Subscriptions	75
Advertising -- 2 meetings x 350	700
Printing Annual report	2,500
Forms, misc.	1,000
Photocopy per caseload requirements	7,718

Minor Repair, Maintenance: 6,000

Rental for Space:

Space requirements per Department of Administration standards:

Fairbanks	678 SF @ \$2.00/SF x 12 months	= 16,272	
Bethel	492 SF @ \$2.50/SF x 12 months	= 14,760	31,032

Total Contractual: 104,925

SUPPLIES AND MATERIALS: 18.5

Office and library supplies, 1500/mo x 12	= 18,000	
Data processing supplies	= 500	18,500

FY 93 (continued)**EQUIPMENT:**

95.4

Equipment per office includes one PC per position, file cabinets, furniture and miscellaneous equipment, phones and photocopiers.

Fairbanks Regional Office	=	55,156	
Bethel Regional Office	=	40,256	95,412

FY 94

Adds Nome Regional Office and 1 local review panel.

**PERSONAL SERVICES:**

1,291.7

One-step merit increase for ongoing positions, three new positions for Nome Regional Office.

**TRAVEL:**

145.9

Includes per diem costs for one additional local panel at \$90/day for eight 1-day meetings.

**CONTRACTUAL:**

101.5

## Professional Services:

10,000

## Communication:

Telephone (toll costs, base/local fixed costs, centrex network costs) 2900/mo x 12 months	34,800
Telecopier charges -- 175/mo x 12 months	2,100
Teleconference charges -- 2 @ 450	900
Postage -- 1500/mo x 12	18,000

## Transportation:

Freight/express charges -- 450/mo x 12	5,400
--	-------

## Advertising, Printing &amp; Binding:

Subscriptions	75
Advertising -- 2 meetings x 350	700
Printing Annual report	2,500
Forms, misc.	1,150
Photocopy per caseload requirements	7,948

## Minor Repair, Maintenance:

6,000

## Rental for Space:

Space requirements per Department of Administration standards:

Nome 395.75 SF @ \$2.50/SF x 12 months	11,873
--	--------

Total Contractual:	101,446
--------------------	---------

FY 94 (continued)

SUPPLIES AND MATERIALS:

21.0

Office and library supplies, 1700/mo x 12	= 20,400	
Data processing supplies	= 600	21,000

EQUIPMENT:

33.3

Equipment per office includes one PC per position, file cabinets, furniture and miscellaneous equipment, phones and photocopiers.

Nome Regional Office		33,306
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FY 95

~~PERSONAL SERVICES:~~

1,330.5

TRAVEL:

145.9

CONTRACTUAL:

89.6

SUPPLIES AND MATERIALS:

21.0

EQUIPMENT:

.5

1.	POSITION TITLE Executive Director, State Children's Citizen Review Panel				RANGE/STEP 26/A	BARG. UNIT	PAGE/LINE	COV.	APPROV.	DISAPP
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION Juneau	ELECTION DISTRICT	LEG.		
3.	CONTINUATION LEVEL				ADDITION					
4.	TYPE OF EXPENDITURE				AMOUNT					
	1		2		3					
	PERSONAL SERVICES									
5.	Salary		62,508							
6.	Benefits		18,349							
7.	Supplemental Benefits									
8.	Fixed Benefits									
9.	TOTAL PERSONAL SERVICES		01		80.9					
10.	Travel		02		.9					
11.	Contractual		03		3.8					
12.	Commodities		04							
13.	Equipment		05		8.5					
14.	Other									
15.	TOTAL COST				94.1					
JUSTIFICATION:										
Directs, manages and promotes statewide citizens foster care review. Primary liaison for agency with the Governor, legislature, public and State Children's Citizen Review Panel. Develops annual report to legislature; policies and procedures for Panel's consideration; training programs for Panel's consideration; ensures staff implementation of all actions passed by the Panel. Employs, discharges and supervises Admin. Assist., Research Analyst and regional Coordinators of the local Citizen Foster Care Review panels.										
	RECEIPT CODE	FUNDING SOURCE								
16.		Federal Receipts 1002								
17.		G.F. Match 1003								
18.		General Funds 1004			94.1					
19.		I-A Receipts 1005								
20.		Program Receipts 1028								
21.		Other								
FOR B&M USE ONLY KEY NUMBER - - - - -										

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1.	POSITION TITLE <u>Research Analyst II</u>			RANGE/STEP <u>16/A</u>	BARG. UNIT	PAGE/LINE	GOV.	APPROV.	DISAPP
2.	TYPE OF POSITION <u>I</u>	STAFF MONTHS <u>12</u>	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION <u>Judeau</u>	ELECTION DISTRICT	LEG.	
3.	CONTINUATION LEVEL	ADDITION			JUSTIFICATION:				
4.	TYPE OF EXPENDITURE			AMOUNT					
	1	2	3						
	PERSONAL SERVICES								
5.	Salary		32,580						
6.	Benefits		11,782						
7.	Supplemental Benefits								
8.	Fixed Benefits								
9.	TOTAL PERSONAL SERVICES	01		44.4					
10.	Travel	02							
11.	Contractual	03		2.0					
12.	Commodities	04							
13.	Equipment	05		8.8					
14.	Other								
15.	TOTAL COST			55.2					
	RECEIPT CODE	FUNDING SOURCE							
16.		Federal Receipts 1002							
17.		G.F. Match 1003							
18.		General Funds 1004		55.2					
19.		I-A Receipts 1005							
20.		Program Receipts 1028							
21.		Other							
	FOR B&M USE ONLY								
	KEY NUMBER - - - - -								

Under supervisor of the Executive Director, create management and data collection system for all children under review by SCCRP. Maintain data systems for agency; assist in production of annual report; preparation of required/requested statistical data and case review data.

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1.	POSITION TITLE Citizens Foster Care Review Panel (CFCR) Coordinator				RANGE/STEP 17/A	BARC. UNIT	PAGE/LINE	GOV.	APPROV.	DISAPP
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION Juneau/Anch.	ELECTION DISTRICT	LEG.		
3.	CONTINUATION LEVEL		ADDITION		<b>JUSTIFICATION:</b>  One each position, Juneau and Anchorage Regional offices. (Juneau position transferred from Ketchikan) Supervise regional office of the State Children's Citizen Review Panel. Employ, discharge and supervise CFCR assistants and Clerk Typists. Recruit, screen and train local review panels; administer policies and procedures; substitute for assistants in emergencies; coordinate activities of local panels with families affected by review process. Review and approve written summaries and reports prepared by the CFCR assistants prior to distribution. Reports to the SCCRP Exec. Director.					
4.	TYPE OF EXPENDITURE			AMOUNT						
	1		2	3						
	PERSONAL SERVICES									
5.	Salary		34,920							
6.	Benefits		12,296							
7.	Supplemental Benefits									
8.	Fixed Benefits									
9.	TOTAL PERSONAL SERVICES	01		47.2						
10.	Travel	02		.8						
11.	Contractual	03		3.4						
12.	Commodities	04								
13.	Equipment	05		7.3						
14.	Other									
15.	TOTAL COST			58.7						
	RECEIPT CODE	FUNDING SOURCE								
16.		Federal Receipts 1002								
17.		G.F. Match 1003								
18.		General Funds 1004		58.7						
19.		I-A Receipts 1005								
20.		Program Receipts 1028								
21.		Other								
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1.	POSITION TITLE CFCRP Coordinator				RANGE/STEP 17/A	BARG. UNIT	PAGE/LINE	GOV.	APPROV.	DISAPP
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION Ketchikan	ELECTION DISTRICT	LEG.		
3.	CONTINUATION LEVEL		ADDITION		<b>JUSTIFICATION:</b>  Position transfers to Juneau in FY 92.  Supervises regional office of the State Children's Citizen Review Panel. Employ, discharge and supervise CFRP assistants and Clerk Typists. Recruit, screen and train local review panels; administer policies and procedures; substitute for assistants in emergencies; coordinate activities of local panels with agencies affected by review process. Review and approve written summaries and reports prepared by the CFRP assistants prior to distribution. Reports to SCCRP Exec. Director.					
4.	TYPE OF EXPENDITURE			AMOUNT						
	1	2		3						
	PERSONAL SERVICES									
5.	Salary	34,920								
6.	Benefits	12,296								
7.	Supplemental Benefits									
8.	Fixed Benefits									
9.	TOTAL PERSONAL SERVICES	01		47.2						
10.	Travel	02		.8						
11.	Contractual	03		4.2						
12.	Commodities	04								
13.	Equipment	05		7.3						
14.	Other									
15.	TOTAL COST			59.5						
	RECEIPT CODE	FUNDING SOURCE								
16.		Federal Receipts 1002								
17.		G.F. Match 1003								
18.		General Funds 1004		59.5						
19.		I-A Receipts 1005								
20.		Program Receipts 1028								
21.		Other								
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1.	POSITION TITLE CFCRP Coordinator				RANGE/STEP 17/A	BARG. UNIT	PAGE/LINE	GOV.	APPROV.	DISAPP
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION Fairbanks	ELECTION DISTRICT	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION:					
4.	TYPE OF EXPENDITURE				<p>Supervises regional office of the State Children's Citizen Review Panel. Employ, discharge and supervise CFCR assistants and Clerk Typists. Recruit, screen and train local review panels; administer policies and procedures; substitute for assistants in emergencies; coordinate activities of local panels with agencies affected by review process. Review and approve written summaries and reports prepared by the CFCR assistants prior to distribution. Reports to SCCRP Exec. Director.</p>					
	1	2	3	AMOUNT						
	PERSONAL SERVICES									
5.	Salary		40,236							
6.	Benefits		13,462							
7.	Supplemental Benefits									
8.	Fixed Benefits									
9.	TOTAL PERSONAL SERVICES	01		53.7						
10.	Travel	02		.8						
11.	Contractual	03		3.4						
12.	Commodities	04								
13.	Equipment	05		7.3						
14.	Other									
15.	TOTAL COST			65.2						
	RECEIPT CODE	FUNDING SOURCE								
16.		Federal Receipts 1002								
17.		G.F. Match 1003								
18.		General Funds 1004		65.2						
19.		I-A Receipts 1005								
20.		Program Receipts 1028								
21.		Other								
	FOR B&M USE ONLY									
	KEY NUMBER									

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1.	POSITION TITLE CFCRP Coordinator				RANGE/STEP 17/A	BARG. UNIT	PAGE/LINE	GOV.	APPROV.	DISAPP
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION Bethel/	ELECTION DISTRICT	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION: Nome					
4.	TYPE OF EXPENDITURE				None					
	1	2	3							
	PERSONAL SERVICES									
5.	Salary		47,688							
6.	Benefits		15,097							
7.	Supplemental Benefits									
8.	Fixed Benefits									
9.	TOTAL PERSONAL SERVICES		01	62,8						
10.	Travel		02	1,1						
11.	Contractual		03	4,2						
12.	Commodities		04							
13.	Equipment		05	7,3						
14.	Other									
15.	TOTAL COST			75,4						
	RECEIPT CODE	FUNDING SOURCE								
16.		Federal Receipts 1002								
17.		G.F. Match 1003								
18.		General Funds 1004		75,4						
19.		I-A Receipts 1005								
20.		Program Receipts 1028								
21.		Other								
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1.	POSITION TITLE CFCRP Assistant				RANGE/STEP 11/A	BARG. UNIT	PAGE/LINE	GOV.	APPROV.	DISAPP
2.	TYPE OF POSITION PET	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION Juneau/	ELECTION DISTRICT	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION: Anchorage					
4.	TYPE OF EXPENDITURE			AMOUNT						
	1			2		3				
	PERSONAL SERVICES									
5.	Salary			23,580						
6.	Benefits			9,808						
7.	Supplemental Benefits									
8.	Fixed Benefits									
9.	TOTAL PERSONAL SERVICES			01		33.4				
10.	Travel			02						
11.	Contractual			03		1.9				
12.	Commodities			04						
13.	Equipment			05		7.0				
14.	Other									
15.	TOTAL COST					42.3				
	RECEIPT CODE			FUNDING SOURCE						
16.				Federal Receipts		1002				
17.				G.F. Match		1003				
18.				General Funds		1004				
19.				I-A Receipts		1005				
20.				Program Receipts		1028				
21.				Other						
FOR B&M USE ONLY KEY NUMBER - - - - -										

One position Juneau, 6 positions in Anchorage

Reports to the CFCRP Coordinator. Coordinates schedules of case reviews; notify parties of case reviews and coordinate telephonic accessibility by all parties to a review; coordinate access to and xeroxing of case files at appropriate agencies; review each case file and compile summary for panel's review; complete all data collection forms on each case; attend local panel meetings, record testimony, concerns and recommendations. Write and coordinate distribution of CFCRP report to Court and parties/agencies involved.

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1.	POSITION TITLE CFCRP Assistant				RANGE/STEP 11/A	BARG. UNIT	PAGE/LINE	GOV.	APPROV.	DISAPP
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION Fairbanks	ELECTION DISTRICT	LEG.		
3.	CONTINUATION LEVEL		ADDITION		<b>JUSTIFICATION:</b>  Three positions Fairbanks regional office.  Reports to the CFCRP Coordinator. Coordinates schedules of case reviews; notify parties of case reviews and coordinate telephonic accessibility by all parties to a review; coordinate access to and xeroxing of case files at appropriate agencies; review each case file and compile summary for panel's review; complete all data collection forms on each case; attend local panel meetings, record testimony, concerns and recommendations. Write and coordinate distribution of CFCRP report to Court and parties/agencies involved.					
4.	TYPE OF EXPENDITURE			AMOUNT						
	1	2		3						
	PERSONAL SERVICES									
5.	Salary	26,604								
6.	Benefits	10,471								
7.	Supplemental Benefits									
8.	Fixed Benefits									
9.	TOTAL PERSONAL SERVICES	01	37.1							
10.	Travel	02								
11.	Contractual	03	1.9							
12.	Commodities	04								
13.	Equipment	05	7.0							
14.	Other									
15.	TOTAL COST			46.0						
	RECEIPT CODE	FUNDING SOURCE								
16.		Federal Receipts 1002								
17.		G.F. Match 1003								
18.		General Funds 1004		46.0						
19.		I-A Receipts 1005								
20.		Program Receipts 1028								
21.		Other								
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1.	POSITION TITLE CFCRP Assistant				RANGE/STEP 11/A	BARG. UNIT	PAGE/LINE	GOV.	APPROV.	DISAPP						
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION Bethel/	ELECTION DISTRICT	LEG.								
3.	CONTINUATION LEVEL				JUSTIFICATION: Nome											
4.	TYPE OF EXPENDITURE				None											
	1	2	3		<p>Two positions Bethel regional office, one position in Nome.</p> <p>Reports to the CFCRP Coordinator. Coordinates schedules of case reviews; notify parties of case reviews and coordinate telephonic accessibility by all parties to a review; coordinate access to and xeroxing of case files at appropriate agencies; review each case file and compile summary for panel's review; complete all data collection forms on each case; attend local panel meetings, record testimony, concerns and recommendations. Write and coordinate distribution of CFCRP report to Court and parties/agencies involved.</p>											
	PERSONAL SERVICES															
5.	Salary	31,476														
6.	Benefits	11,540														
7.	Supplemental Benefits															
8.	Fixed Benefits															
9.	TOTAL PERSONAL SERVICES	01	43.0													
10.	Travel	02														
11.	Contractual	03	2.4													
12.	Commodities	04														
13.	Equipment	05	2.0													
14.	Other															
15.	TOTAL COST		52.4													
	RECEIPT CODE	FUNDING SOURCE														
16.		Federal Receipts 1002														
17.		G.F. Match 1003														
18.		General Funds 1004			52.4											
19.		I-A Receipts 1005														
20.		Program Receipts 1028														
21.		Other														
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1.	POSITION TITLE Clerk Typist III /				RANGE/STEP 8/A	BARG. UNIT	PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION Juneau/	ELECTION DISTRICT	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION: Anchorage					
4.	TYPE OF EXPENDITURE			AMOUNT						
	1			2			3			
	PERSONAL SERVICES									
5.	Salary		19,668							
6.	Benefits		8,950							
7.	Supplemental Benefits									
8.	Fixed Benefits									
9.	TOTAL PERSONAL SERVICES		01		28.6					
10.	Travel		02							
11.	Contractual		03		1.4					
12.	Commodities		04							
13.	Equipment		05		7.0					
14.	Other									
15.	TOTAL COST				37.0					
	RECEIPT CODE		FUNDING SOURCE							
16.			Federal Receipts 1002							
17.			G.F. Match 1003							
18.			General Funds 1004		37.0					
19.			I-A Receipts 1005							
20.			Program Receipts 1028							
21.			Other							
FOR B&M USE ONLY KEY NUMBER - - - - -										

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1.	POSITION TITLE Clerk Typist III /				RANGE/STEP 8/A	BARC. UNIT	PAGE/LINE	GOV.	APPROV.	DISAPP
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION Ketchikan	ELECTION DISTRICT	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION:					
4.	TYPE OF EXPENDITURE			AMOUNT	<p>One position, transfer to Juneau Regional office in FY 92.</p> <p>Clerical and typing support for the CFCRP Assistants and Coordinators. Maintain files, typing needs of assistants and coordinator, photocopy and compile case files at various agencies related to cases subject to review.</p>					
	1	2	3							
	PERSONAL SERVICES									
5.	Salary	19,668								
6.	Benefits	8,950								
7.	Supplemental Benefits									
8.	Fixed Benefits									
9.	TOTAL PERSONAL SERVICES	01	28.6							
10.	Travel	02								
11.	Contractual	03	1.8							
12.	Commodities	04								
13.	Equipment	05	7.0							
14.	Other									
15.	TOTAL COST		37.4							
	RECEIPT CODE	FUNDING SOURCE								
16.		Federal Receipts 1002								
17.		G.F. Match 1003								
18.		General Funds 1004		37.4						
19.		I-A Receipts 1005								
20.		Program Receipts 1028								
21.		Other								
FOR B&M USE ONLY										
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1.	POSITION TITLE Clerk Typist III /			RANGE/STEP 8/A	BARC. UNIT	PAGE/LINE	GOV.	APPROV.	DISAPP
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION Fairbanks	ELECTION DISTRICT	LEG.	
3.	CONTINUATION LEVEL			ADDITION	JUSTIFICATION:				
4.	TYPE OF EXPENDITURE			AMOUNT	<p>Two positions Fairbanks Regional office.</p> <p>Clerical and typing support for the CFCRP Assistants and Coordinators. Maintain files, typing needs of assistants and coordinator, photocopy and compile case files at various agencies related to cases subject to review.</p>				
	1	2	3						
	PERSONAL SERVICES								
5.	Salary	22,140							
6.	Benefits	9,492							
7.	Supplemental Benefits								
8.	Fixed Benefits								
9.	TOTAL PERSONAL SERVICES	01	31.6						
10.	Travel	02							
11.	Contractual	03	1.4						
12.	Commodities	04							
13.	Equipment	05	7.0						
14.	Other								
15.	TOTAL COST		40.0						
	RECEIPT CODE	FUNDING SOURCE							
16.		Federal Receipts 1002							
17.		G.F. Match 1003							
18.		General Funds 1004		40.0					
19.		I-A Receipts 1005							
20.		Program Receipts 1028							
21.		Other							
FOR B&M USE ONLY									
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1.	POSITION TITLE Clerk Typist III /				RANGE/STEP 8/A	BARG. UNIT	PAGE/LINE	GOV.	APPROV.	DISAPP
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION Bethel/	ELECTION DISTRICT	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION: Nome					
4.	TYPE OF EXPENDITURE			AMOUNT	<p>One each Bethel and Nome Regional offices</p> <p>Clerical and typing support for the CFCRP Assistants and Coordinators. Maintain files, typing needs of assistants and coordinator, photocopy and compile case files at various agencies related to cases subject to review.</p>					
	1	2	3							
	PERSONAL SERVICES									
5.	Salary	25,740								
6.	Benefits	10,282								
7.	Supplemental Benefits									
8.	Fixed Benefits									
9.	TOTAL PERSONAL SERVICES	01		36.0						
10.	Travel	02								
11.	Contractual	03		1.8						
12.	Commodities	04								
13.	Equipment	05		7.0						
14.	Other									
15.	TOTAL COST			44.8						
	RECEIPT CODE	FUNDING SOURCE								
16.		Federal Receipts 1002								
17.		G.F. Match 1003								
18.		General Funds 1004		44.8						
19.		I-A Receipts 1005								
20.		Program Receipts 1028								
21.		Other								
FOR B&M USE ONLY										
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HOUSE BILL 19

Referencing changes between 3/12/90 Lauterbach work draft of HB 19 and 3/16/90 work draft, using amendment form. References are to the 3/16 draft.

AMENDMENT #1

Page 2, line 12.

Change term from "two years" to "one year".

AMENDMENT #2

Page 2, lines 14 - 15.

Add the sentence: "The panel may not take official action without the affirmative vote of at least three of its members."

AMENDMENT #3

Page 4, line 19.

Add the word "case" before "information".

AMENDMENT #4

Page 4, lines 22 - 24.

Add the sentence: "A local panel member may also share confidential information with other panel members of the local panel and staff who serve the local panel."

AMENDMENT #5

Page 4, line 29.

Add the phrase: "for a term of one year".

AMENDMENT #6

Page 5, lines 2 - 3.

Add the sentence: "A panel may not take official action without the affirmative vote of at least three of its members."

AMENDMENT #7

Page 5, lines 4 - 11.

Added a new subsection (d) regarding expenses of local panel members.

AMENDMENT #8

Page 6, line 2.

Removed "the Department of Law" from the list of

parties to be noticed.

AMENDMENT #9

Page 6, lines 1 - 12 and in other places in the bill.  
Broke out into paragraph form the list of parties.

AMENDMENT #10

Page 6, line 12.  
Added the phrase "if the tribe has intervened in the case".

AMENDMENT #11

Page 6, line 15.  
Added the word "relevant" before "information".

AMENDMENT #12

Page 7, line 2.  
Added the phrase "if the tribe has intervened in the case".

AMENDMENT #13

Page 7, line 11.  
Added the phrase "that for good cause".

AMENDMENT #14

Page 7, line 17.  
Removed the word "permanent" from the phrase "most family-like setting".

AMENDMENT #15

Page 8, lines 4 - 6.  
Shortened subsection (g) by referring to the parties listed in (c).

AMENDMENT #16

Page 8, line 16.  
Added "STATE AND" in the catchline.

AMENDMENT #17

Page 8, line 18.  
Added the phrase "the state panel and".

AMENDMENT #18

Page 8, line 24.

Added "relevant" before "records".

AMENDMENT #19

Page 9, lines 7 - 9.

Added the phrase ",other than another member of the local panel or the staff serving the local panel,"

AMENDMENT #20

Page 9, lines 16 - 19.

Rewrote subsection (a) to meet objections of Department of Law to alleviate potential hearsay problems.

AMENDMENT #21

Page 10, lines 5 - 6.

Changed the phrase "with whom the department has placed a child" to "with whom the child is currently placed and".

AMENDMENT #22

Page 11, lines 19 - 20.

Added new paragraph (4).

AMENDMENT #23

Page 11, lines 21 - 24.

Added new subsection (m) and relettered previous (m) as (n).

AMENDMENT #24

Page 11, line 27.

Changed "court" to "department".

AMENDMENT #25

Page 12, line 4.

Removed the list of parties and added the word "parties".

AMENDMENT #25

Page 12, lines 10 and 13.

Added "public" before "members".

PROPOSED AMENDMENTS TO CSHB 19

Page 1. Lines 8, 25, 26, and 27.

delete "State Children's Citizen Review Panel"

add "Citizens' Review Panel for Permanency Planning"

Page 2. Line 1.

add after "...AS 47.10.420"

", the commissioner of Health and Social Services, the commissioner of administration, the attorney general, the chief justice of the Alaska Supreme Court, or their designees."

Lines 3 and 4.

delete "At least one member must be knowledgeable about 25 U.S.C. 1901 - 1963 (Indian Child Welfare Act)."

Line 11.

delete "three members"

add "A majority"

Page 3. Line 1.

add after "(1) adopt"

"regulations"

Lines 4 and 5.

delete both lines.

add "assure that local panel members receive a minimum level of training to effectively carry out their duties;"

Lines 12-16.

delete after "...local panel," to end of line 16.

add "a description of the characteristics of the children who were subject to review by the panels, the number of children reunited with their families; the number of children placed in other permanent homes, the number of cases in which progress toward a permanent placement has been made, gaps in the services needed to prevent placement of children in out-of-home care, and gaps in services that prevent or hinder achievement of permanent homes for children."

Page 4. Line 2.

add "Public Defender Agency,"

# PROPOSED AMENDMENTS TO CSHB 19

Page 2

Lines 24-26.

delete after "except ..."

add "for reports required under AS 47.17, information required by court order for good cause shown, or information required for preparation of the state panel report under AS 47.10.410(4) which does not identify individual children or families."

add subsection (h)

"Before serving on the local panel, a member must receive a minimum of five days training in historical and legal bases of child welfare services, identification of child maltreatment, the dynamics of child maltreatment in families, risk assessment as well as the assessment of the child's needs, the cultural diversity of children and families who are served in the child welfare system, and the child welfare service delivery process including alternative placement options. A local panel member must receive one day of additional training per quarter in a subject related to child welfare and services for delinquent youths."

Pages 5-7.

delete after "Sec. 47.10.460. DUTIES OF LOCAL PANELS."  
to page 7, line 3.

add:

(a) A local panel shall review the case plan of a child in custody of the department and in a placement other than the child's own home under AS 47.10.080 (b) (3), (c)(1), or (c)(3), 47.10.142, or 47.10.230(c), who is under the jurisdiction of the judicial district served by the panel. A local panel may request a local panel in another jurisdiction to conduct a review and submit a report if that local panel is more convenient for the child and other persons involved.

(b) The local panel shall review a case as required under 42 U.S.C. 671 - 675 (P.L. 96-272) within 180 days from the date of the initial removal from the child's own home and every six months thereafter. A court review may be substituted for a review required under this subsection if the court review meets the requirements of this subsection.

# PROPOSED AMENDMENTS TO CSHB 19

Page 3

(c) At least one month before it begins a review, the local panel shall provide written notice to the department, the child's guardian ad litem, the Department of Law, and to each party that a review will be conducted and that each party may participate in the review.

(d) The review shall assess the progress toward achievement of family reunification or an alternative permanent placement plan. In reviewing a case, the local panel shall consider the case plan and any progress report of the department or the child's guardian ad litem, court records, and other information about the child and child's family. The local panel shall provide to the following persons an opportunity to be interviewed by or provide written material to the panel: a child over 10 years of age, parents, custodians, other relatives of the child, guardian, guardian ad litem, the case worker or social worker assigned to the case, foster care or residential care providers, the designated representative of the child's tribal organization, and other persons with a close personal knowledge of the case. At the discretion of the child's guardian ad litem, a child under 10 years of age may be present at interviews or may be interviewed. The local panel may conduct interviews in person or by telephone.

(e) During a review under (a) of this section, a local panel shall assure that

(1) 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 that is consistent with the best interest and special needs of the child;

(2) 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 away from the child's parents and family;

(3) that there is a likely date by which the child may be returned to the home or placed for adoption or legal guardianship;

# PROPOSED AMENDMENTS TO CSHB 19

Page 4

- (4) the extent of compliance with applicable provisions of 25 U.S.C. 1901 -1963 (Indian Child Welfare Act);
- (5) the extent of compliance with the court review requirement under AS 47.10.420(g) (h).

(f) The local panel shall, within 30 days after reviewing a case, submit a written report to the court, the department, the guardian ad litem for the child, the child's parents, the child's out-of-home provider, and if the child's case is governed by 25 U.S.C. 1901 - 1963 (Indian Child Welfare Act) the leaders of the child's Indian tribe or an Indian custodian who has intervened, and any other person who has been allowed to intervene by the court. The report must make advisory recommendations based on the best interests of the child in accordance with AS 47.10.082, and shall include notification of the right to request a court review under AS 47.10.080(f). If the court has scheduled the case for review, the local panel shall submit its report at least 20 days before the hearing.

Page 7. Lines 4-10.  
delete subsection (g).

Page 7. Lines 11.  
delete "DEPARTMENT"  
add "CITIZEN REVIEW PANELS"

Line 11.  
add after "department":  
", Department of Law, Office of Public Advocacy, and the court system"

Line 12.  
add after "panel":  
"to facilitate the timely review of the plans for children who are placed out of their home."

Lines 12-19.  
delete starting with "If the department ..."

PROPOSED AMENDMENTS TO CSHB 19

Page 5

Lines 21-27.

delete and add: "local panel, the department, the child's guardian ad litem, and the court shall furnish to the local panel records concerning a child and the child's family who is the subject of a local panel review. All copies of records provided to panel members under this section shall be returned to the agency from which the original copy was obtained or to the staff of the local panel at the conclusion of the review, unless the records are required by panel members for preparation of the report required under AS 47.10.460(f).

Page 8.

Line 1-2.

delete ", other than the state panel,"

Lines 14-22.

delete and add:

"Sec. 47.10.500. CIVIL LIABILITY OF PANEL MEMBERS. Notwithstanding other provisions of law members of a state or local panel established under AS 47.10.400 - 47.10.590 are not liable for civil damages for a negligent act or omission of the panel member that occurs in the performance of the member's duties under AS 47.10.400 - 47.10.590 unless the act results from

(1) gross negligence or reckless or intentional misconduct;

(2) the panel member's violation of AS 47.10.480(b);

or

(3) the panel member's violation of the oath or affirmation required under AS 47.10.400(g) or 47.10.420(g)."

Line 27.

delete "the child's foster parents" and "natural"

add after "the child's parents"

"or guardian, the child's guardian ad litem, the child's out-of-home care provider,"

Page 9. Line 3 and Line 6.

delete "State Children's Citizen Review Panel"

add "Citizens' Review Panel for Permanency Planning"

PROPOSED AMENDMENTS TO CSHB 19

Page 6

Page 10. Line 25-26.

delete "State Children's Citizen Review Panel"

add: "Citizens' Review Panel for Permanency Planning"

Line 25 and Line 27.

insert "public" between "initial members"

Line 29.

delete sentence starting with "A license foster parent..."

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR CS FOR HOUSE BILL NO. 19 (JUD)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to citizen panels for certain  
7 children in state custody; court review of cases relating  
8 to children; establishing the Citizens' Review Panel for  
9 Permanency Planning amending Rule 19 of the Child in Need  
10 of Aid Rules; and providing for an effective date."

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

12 \* Section 1. FINDINGS AND PURPOSE. The legislature finds that there is a need  
13 in the state for a citizen review process for the cases of children who are in state  
14 custody, either in foster care or in other out-of-home placement. The purpose of  
15 this Act is to establish a citizen review process in order to ensure that children  
16 do not linger unnecessarily in out-of-home care placements, but rather that they  
17 receive the support and benefits of a permanent home. The goal of this Act is to  
18 reunite children with their families by ensuring that services are available and  
19 appropriate for reunification, and if reunification is not in the best interests  
20 of the child, to expeditiously place the child in a secure, permanent home.

21 \* Sec. 2. AS 47.10 is amended by adding new sections to read:

22 ARTICLE 6. CITIZENS' REVIEW PANEL FOR PERMANENCY PLANNING

23 Sec. 47.10.400. CITIZENS' REVIEW PANEL FOR PERMANENCY PLANNING (a)

24 There is created in the Office of the Governor the Citizens' Review Panel for  
25 Permanency Planning. The state panel consists of five members appointed by  
26 the governor from among present members of local citizen review panels  
27 established under AS 47.10.420, the commissioner of Health and Social  
28 Services, the commissioner of administration, the attorney general, the chief  
29 justice of the Alaska Supreme Court, or their designees. The governor shall

1 appoint at least one state panel member from each judicial district. The  
2 governor may not appoint a person who has committed a felony or violated AS  
3 11.51.130 or a law with substantially similar elements.

4 (b) Members of the state panel serve at the pleasure of the governor  
5 for staggered terms of three years or until their successors are appointed.

6 (c) The state panel shall elect from its members a chair who shall serve  
7 for two years. A majority of the state panel constitutes a quorum for the  
8 transaction of business.

9 (d) Members of the state panel are entitled to reimbursement for actual  
10 expenses necessary to perform their duties as state panel members. The  
11 reimbursement may not exceed the amount of per diem and expenses authorized  
12 for boards and commissions under AS 39.20.180.

13 (e) The state panel shall meet twice annually. Meetings may take place  
14 telephonically.

15 (f) The state panel may employ a director who shall serve at the  
16 pleasure of the state panel. The director shall employ staff as necessary  
17 to carry out the director's duties under state panel directives.

18 (g) Meetings during which the state panel discusses confidential  
19 material provided by a local panel are confidential. When a person is  
20 appointed to serve on the state panel, the person shall swear or affirm to  
21 keep confidential all confidential material provided by a local panel.

22 Sec. 47.10.410. DUTIES OF THE STATE PANEL. The state panel shall

23 (1) adopt regulations, policies and procedures to carry out its  
24 duties and to govern the performance of the duties of the local panels  
25 established under AS 47.10.420;

26 (2) assures that local panel members receive a minimum level of  
27 training to effectively carry out their duties;

28 (3) coordinate and review the activities of the local panels and  
29 make recommendations to the governor on appointments to the local panels;

1 (4) Report annually to the legislature by the 10th day of each  
2 regular session, concerning the activities of the state and local panels; the  
3 report must include the number of cases reviewed by each local panel, a  
4 description of the characteristics of the children who were subject to review  
5 by the panels, the number of children reunited with their families; the number  
6 of children placed in other permanent homes, the number of cases in which  
7 progress toward a permanent placement has been made, gaps in the services  
8 needed to prevent placement of children in out-of-home care, and gaps in  
9 services that prevent or hinder achievement of permanent homes for children.  
10 The report may contain other information on the experience of the local panels  
11 and recommendations for change in the review panel system.

12 Sec. 47.10.420. APPOINTMENT OF LOCAL PANELS. (a) The governor shall  
13 appoint for each judicial district a local citizen out-of-home care review  
14 panel composed of five members and two alternates who are residents of the  
15 judicial district. Members shall serve three-year terms except that when a  
16 local panel is initially appointed, two members shall be appointed for three-  
17 year terms, two members for two-year terms, and one member for a one-year  
18 term. Alternates shall be appointed to three-year terms.

19 (b) The governor shall appoint to a local panel persons who have  
20 training, experience, special knowledge, or a demonstrated interest in the  
21 welfare of children. A licensed foster parent or a person employed by the  
22 court system, the department, the Office of Public Advocacy, the Public  
23 Defenders Agency, or the Department of Law may not serve a member or alternate  
24 member of the local panel. The governor may not appoint a person who has  
25 committed a felony or violated AS 11.51.130 or a law with substantially  
26 similar elements.

27 (c) The composition of a local panel must be reasonably representative  
28 of the various social, economic, racial, ethnic, and cultural groups of the  
29 region from which the members may be appointed.

1 (d) If the state panel determines that additional local panels are  
2 necessary in a judicial district because of excessively large or complex  
3 caseloads for review or because of the demographics of cases, or determines  
4 that a local panel is not necessary because of a reduced caseload, the  
5 governor may create or dissolve a local panel. The governor may not reduce  
6 the number of panels in a judicial district to fewer than one. Appointments  
7 to a panel established under this subsection are governed by (a) - (c) of this  
8 section.

9 (e) A local panel shall conduct its meetings in the judicial district  
10 in which its members reside.

11 (f) The local panel shall elect one of its members to serve as chair.

12 (g) When a person is appointed to serve on a local panel, the person  
13 shall swear or affirm to keep confidential all information that comes before  
14 the local panel, except for reports required under AS 47.17, information  
15 required by court order for good cause shown, or information required for  
16 preparation of the state panel report under AS 47.10.410(4) which does not  
17 identify individual children or families.

18 (h) Before serving on the local panel, a member must receive a minimum  
19 of five days training in historical and legal bases of child welfare services,  
20 identification of child maltreatment, the dynamics of child maltreatment in  
21 families, risk assessment as well as the assessment of the child's needs, the  
22 cultural diversity of children and families who are served in the child  
23 welfare system, and the child welfare service delivery process including  
24 alternative placement options. A local panel member must receive one day of  
25 additional training per quarter in a subject related to child welfare and  
26 services for delinquent youths.

27 Sec. 47.10.430. QUORUM. A majority of the members of a local panel  
28 constitutes a quorum. A majority of the members of the local panel may decide  
29 an issue before the local panel.

1           Sec. 47.10.450. REIMBURSEMENT FOR EXPENSES. Local panel members are  
2 entitled to reimbursement for actual expenses necessary to perform their  
3 duties as local panel members. The reimbursement may not exceed the amount  
4 of per diem and expense authorized for boards and commissions under AS  
5 39.20.180.

6           Sec. 47.10.460. DUTIES OF LOCAL PANELS. (a) A local panel shall review  
7 the case plan of a child in custody of the department and in a placement other  
8 than the child's own home under AS 47.10.080 (b) (3), (c) (1), or (c) (3),  
9 47.10.142, or 47.10.230(c), who is under the jurisdiction of the judicial  
10 district served by the panel. A local panel may request a local panel in  
11 another jurisdiction to conduct a review and submit a report if that local  
12 panel is more convenient for the child and other persons involved.

13           (b) The local panel shall review a case as required under 42 U.S.C. 671  
14 - 675 (P.L. 96-272) within 180 days from the date of the initial removal from  
15 the child's own home and every six months thereafter. A court review may be  
16 substituted for a review required under this subsection if the court review  
17 meets the requirements of this subsection.

18           (c) At least one month before it begins a review, the local panel shall  
19 provide written notice to the department, the child's guardian ad litem, the  
20 Department of Law, and to each party that a review will be conducted and that  
21 each party may participate in the review.

22           (d) The review shall assess the progress toward achievement of family  
23 reunification or an alternative permanent placement plan. In reviewing a  
24 case, the local panel shall consider the case plan and any progress report  
25 of the department or the child's guardian ad litem, court records, and other  
26 information about the child and child's family. The local panel shall provide  
27 to the following persons an opportunity to be interviewed by or provide  
28 written material to the panel: a child over 10 years of age, parents,  
29 custodians, other relatives of the child, guardian, guardian ad litem, the

1 case worker or social worker assigned to the case, foster care or residential  
2 care providers, the designated representative of the child's tribal  
3 organization, and other persons with a close personal knowledge of the case.  
4 At the discretion of the child's guardian ad litem, a child under 10 years  
5 of age may be present at interviews or may be interviewed. The local panel  
6 may conduct interviews in person or by telephone.

7 (e) During a review under (a) of this section, a local panel shall  
8 assure that

9 (1) each child has a case plan designed to achieve placement in  
10 the least restrictive (most family like) setting available and in close  
11 proximity to the parents home that is consistent with the best interest and  
12 special needs of the child;

13 (2) the continuing necessity for and appropriateness of the  
14 placement, the extent of compliance with the case plan, and the extent  
15 of progress which has been made toward alleviating or mitigating the  
16 causes necessitating placement away from the child's parents and  
17 family;

18 (3) that there is a likely date by which the child may be  
19 returned to the home or placed for adoption or legal guardianship;

20 (4) the extent of compliance with applicable provisions of 25  
21 U.S.C. 1901 -1963 (Indian Child Welfare Act);

22 (5) the extent of compliance with the court review requirement  
23 under AS 47.10.420 (g) (h).

24 (f) The local panel shall, within 30 days after reviewing a case,  
25 submit a written report to the court, the department, the guardian ad litem  
26 for the child, the child's parents, the child's out-of-home provider, and if  
27 the child's case is governed by 25 U.S.C. 1901 - 1963 (Indian Child Welfare  
28 Act) the leaders of the child's Indian tribe or an Indian custodian who has  
29 intervened, and any other person who has been allowed to intervene by the

1 court. The report must make advisory recommendations based on the best  
2 interests of the child in accordance with AS 47.10.082, and shall include  
3 notification of the right <sup>to</sup> request a court review under AS 47.10.080(f). If  
4 the court has scheduled the case for review, the local panel shall submit its  
5 report at least 20 days before the hearing.

6 Sec. 47.10.470. COOPERATION WITH THE CITIZEN REVIEW PANELS. The  
7 department, Department of Law, Office of Public Advocacy, and the court  
8 system shall cooperate with the state and local panels to facilitate the  
9 timely review of the plans for children who are placed out of their home.

10 Sec. 47.10.480. RECORDS; COMMUNICATIONS. (a) At the request of a  
11 local panel, the department, the child's guardian ad litem, and the court  
12 shall furnish to the local panel records concerning a child and the child's  
13 family who is the subject of a local panel review. All copies of records  
14 provided to panel members under this section shall be returned to the staff  
15 of the local panel or to the agency from which the original copy was obtained  
16 at the conclusion of the review, unless the records are required by panel  
17 members for preparation of the report required under AS 47.10.460(f).  
18 Notwithstanding AS 44.62.310, records and reports of the local panel,  
19 testimony before the local panel, and deliberations of the local panel are  
20 confidential under AS 47.10.090.

21 (b) A local panel member may not reveal to another person a  
22 communication made to the member while performing the member's duties under  
23 AS 47.10.400 - 47.10.590 except as required under As 47.17 or as required by  
24 court order for good cause shown.

25 (c) A local panel proceeding is not governed by AS 44.62.310.

26 Sec. 47.10.490. COURT REVIEW OF REPORT. (a) The court shall consider  
27 the report of the local panel in its review under AS 47.10.080(f) of the  
28 placement of a child in need of aid under AS 47.10.080(c)(1) or when it  
29 considers the report of the department or guardian of a child in need of aid

1 under AS 47.10.080(c) (3).

2 (b) The court may refer to the local panel a case called for a special  
3 review under AS 47.10.080(f).

4 Sec. 47.10.500. CIVIL LIABILITY OF PANEL MEMBERS. Notwithstanding  
5 other provisions of law members of a state or local panel established under  
6 AS 47.10.400 - 47.10.590 are not liable for civil damages for a negligent act  
7 or omission of the panel member that occurs in the performance of the  
8 member's duties under AS 47.10.400 - 47.10.590 unless the act results from

9 (1) gross negligence or reckless or intentional misconduct;

10 (2) the panel member's violation of AS 47.10.480(b); or

11 (3) the panel member's violation of the oath or affirmation  
12 required under AS 47.10.400(g) or 47.10.420(g).

13 Sec. 47.10.590. DEFINITIONS. In AS 47.10.400 - 47.10.590

14 (1) "local panel" means a local citizen review panel appointed  
15 under AS 47.10.420;

16 (2) "party" means the child or the child's legal representative,  
17 the child's parents or guardian, the child's guardian ad litem, the child's  
18 out-of-home care provider, and if the child's case is governed by 25 U.S.C.  
19 1909 -1963 (Indian Child Welfare Act) the leaders of the child's Indian tribe  
20 or an Indian custodian who has intervened, and any other person who has been  
21 allowed to intervene by the court;

22 (3) "state panel" means the Citizens' Review Panel for  
23 Permanency Planning established under AS 47.10.400.

24 \* Sec. 3. AS 44.66.010(a) is amended by adding a new paragraph to read:

25 (17) Citizens' Review Panel for Permanency Planning under AS  
26 47.10.400 -- June 30, 1994.

27 \* Sec. 4. AS 47.10.080(f) is amended to read:

28 (f) A minor found to be delinquent or a child in need of aid is a ward  
29 of the state while committed to the department or the department has the

1 power to supervise the minor's actions. The court shall review an order made  
2 under (b) or (c) (1) or (2) of this section annually, and may review the order  
3 more frequently to determine if continued placement, probation, or  
4 supervision, as it is being provided, is in the best interest of the minor  
5 and the public. If annual review under this subsection would arise within  
6 90 days of the hearing required under (1) of this section, the court may  
7 postpone review under this subsection until the time set for the hearing.

8 The department, the minor, the minor's parents, guardian, or custodian are  
9 entitled, when good cause is shown, to a review upon application. If the  
10 application is granted, the court shall afford these parties and their  
11 counsel reasonable notice in advance of the review and hold a hearing where  
12 these parties and their counsel shall be afforded an opportunity to be heard.  
13 The minor shall be afforded the opportunity to be present at the review.

14 \* Sec. 5. AS 47.10.080 is amended by adding new subsections to read:

15 (1) Within 18 months of the date a minor is initially taken into  
16 custody by the department under AS 47.10.142(c) or committed to the custody  
17 of the department under AS 47.10.080(b)(3), (c)(1) or (c)(3) and AS  
18 47.230(c), the court shall hold a hearing to review the placement and  
19 services provided and to determine the future status of the minor. The court  
20 shall make appropriate written findings, including findings related to the  
21 following:

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

23 (2) whether the child should remain in out-of-home care for a  
24 specified period;

25 (3) whether the child should remain in out-of-home care on a  
26 permanent or long-term basis because of special needs or circumstances.

27 (m) When the court orders a child committed to the department under  
28 (c) of this section and at a review under (f) or (l) of this section, the  
29 court shall inform the parties about the local foster care review panel

1 established under AS 47.10.420.

2 \* Sec. 6. AS 47.142 is amended by adding new subsections to read:

3 (g) When a court orders a child committed to the department under this  
4 section, the court shall inform the following persons about the local foster  
5 care review panel established under AS 47.10.420:

6 (1) the child and the child's guardian ad litem;

7 (2) the parents or guardian of the child;

8 (3) the leaders of the child's tribe if the child's case is  
9 subject to 25 U.S.C. 1901 -1963 (Indian Child Welfare Act).

10 (h) Within 18 months after a minor is committed to the department  
11 under this section, the court shall review the placement plan and actual  
12 placement of the minor under AS 47.10.080(1).

13 \* Sec. 7. Notwithstanding AS 47.10.400(b), enacted by sec. 2 of this Act, the  
14 governor shall appoint the initial public members of the Citizens' Review Panel for  
15 Permanency Planning so that one serves a one-year term, two serve two-year terms,  
16 and two serve three-year terms. The initial public members must be persons who  
17 have training, experience, special knowledge, or a demonstrated interest in the  
18 welfare of children.

19 \* Sec. 8. AS 47.10.490, enacted by sec. 2 of this Act, has the effect of  
20 amending Rule 19 of the Child In Need of Aid Rules by requiring a court to consider  
21 recommendations from a citizen review panel when conducting a review of the  
22 placement of a child in out-of-home care.

23 \* Sec. 9. This Act takes effect July 1, 1990.

6-0133R  
Lauterbach  
3/16/90

Original sponsor(s): REP. COLLINS, Gruenberg, Ulmer, Furnace, Hanley

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 19 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to citizen review panels for certain  
7 children in state custody; court review of cases  
8 relating to children; establishing the Citizens'  
9 Review Panel for Permanency Planning; and providing  
10 for an effective date."

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

12 \* Section 1. FINDINGS AND PURPOSE. The legislature finds that there is  
13 a need in the state for a citizen review process for the cases of children  
14 in state custody who are in either foster care or other out-of-home place-  
15 ment. The purpose of this Act is to establish a citizen review process in  
16 order to ensure that children do not linger unnecessarily in out-of-home  
17 placements, but rather that they receive the support and benefits of a  
18 permanent home. The goal of this Act is to reunite the children with their  
19 families by ensuring that services are available and appropriate for re-  
20 unification, and if reunification is not in the best interests of the  
21 child, to expeditiously place the child in a secure, permanent home.

22 \* Sec. 2. AS 47.10 is amended by adding new sections to read:

23 ARTICLE 6. CITIZENS' REVIEW PANEL FOR PERMANENCY PLANNING.

24 Sec. 47.10.400. CITIZENS' REVIEW PANEL FOR PERMANENCY PLANNING.

25 (a) There is created in the Department of Administration the Citiz-  
26 zens' Review Panel for Permanency Planning. The state panel consists  
27 of five voting members appointed by the governor from among present  
28 members of local citizen review panels established under AS 47.10.420.  
29 The governor shall appoint at least one voting state panel member from

1 each judicial district. The governor may not appoint a person who has  
2 committed a felony or violated AS 11.51.130 or a law with substantial-  
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4 nonvoting members who serve ex officio or their designees: the com-  
5 missioner of health and social services, the director of the office of  
6 public advocacy, the attorney general, the public defender appointed  
7 under AS 18.85.030, and the chief justice of the Alaska Supreme Court.

8 (b) Appointed members of the state panel serve at the pleasure  
9 of the governor for staggered terms of three years or until their  
10 successors are appointed.

11 (c) The voting members of the state panel shall elect from among  
12 the voting members a chair who shall serve for one year. Three voting  
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16 (d) Members of the state panel are entitled to reimbursement for  
17 actual expenses necessary to perform their duties as state panel  
18 members. The reimbursement may not exceed the amount of per diem and  
19 expenses authorized for boards and commissions under AS 39.20.180.

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21 take place telephonically.

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23 serve at the pleasure of the state panel. The executive director  
24 shall employ staff as necessary to carry out the executive director's  
25 duties under state panel directives and to provide clerical assistance  
26 to local panels.

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29 (1) by regulation adopt policies and procedures to carry

1 out its duties and to govern the performance of the duties of the  
2 local panels established under AS 47.10.420;

3 (2) ensure that local panel members receive the minimum  
4 level of training necessary to effectively carry out their duties;

5 (3) coordinate and review the activities of the local  
6 panels and make recommendations to the governor on appointments to the  
7 local panels;

8 (4) report annually to the legislature by the 10th day of  
9 each regular session, concerning the activities of the state and local  
10 panels during the previous fiscal year; the report must include the  
11 number of cases reviewed by each local panel, a description of the  
12 characteristics of the children whose cases were reviewed by the  
13 panels, the number of children reunited with their families, the  
14 number of children placed in other permanent homes, and recommenda-  
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17 report may contain other information on the experience of the local  
18 panels.

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22 residents of the judicial district. Members shall serve three-year  
23 terms except that when a local panel is initially appointed, two  
24 members shall be appointed for three-year terms, two members for  
25 two-year terms, and one member for a one-year term. Alternates shall  
26 be appointed to three-year terms.

27 (b) The governor shall appoint to a local panel persons who have  
28 training, experience, special knowledge, or a demonstrated interest in  
29 the welfare of children. An out-of-home care provider or a person

1 employed by the court system, the department, the office of public  
2 advocacy, the Public Defender Agency, or the Department of Law may not  
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4 may not appoint a person who has committed a felony or violated  
5 AS 11.51.130 or a law with substantially similar elements.

6 (c) The composition of a local panel must be reasonably repre-  
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8 tural groups of the district from which the members are appointed.

9 (d) If the state panel determines that additional local panels  
10 are necessary in a judicial district because of excessively large or  
11 complex caseloads for review or because of the demographics of cases,  
12 or determines that a local panel is not necessary because of a reduced  
13 caseload, the governor may create or dissolve a local panel. The  
14 governor may not reduce the number of panels in a judicial district to  
15 fewer than one. Appointments to a panel established under this sub-  
16 section are governed by (a) - (c) of this section.

17 (e) When a person is appointed to serve on a local panel, the  
18 person shall swear or affirm to keep confidential all information that  
19 comes before the local panel except for nonidentifying case informa-  
20 tion included in a report to the state panel, information for reports  
21 required under AS 47.17, or as required by court order for good cause  
22 shown. A local panel member may also share confidential information  
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27 reside.

28 (b) The local panel shall elect one of its members to serve as  
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4 (d) A local panel member is not eligible for travel expenses,  
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13 review the case plan of each child in the custody of the department  
14 who is in a placement other than the child's own home under AS 47.-  
15 10.080(b)(3), (c)(1), or (c)(3), 47.10.142, or 47.10.230(c) if the  
16 case is under the jurisdiction of a court in the judicial district  
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18 another judicial district to conduct a review and make a report if  
19 that local panel is more convenient for the child and other persons  
20 involved.

21 (b) The local panel shall review a case as required under 42  
22 U.S.C. 671 - 675 (P.L. 96-272) within 180 days after the day the child  
23 is initially removed from the child's home and every six months there-  
24 after. A court review may be substituted for a review required under  
25 this subsection if the court review meets the requirements of this  
26 subsection.

27 (c) At least 30 days before it begins a review, the local panel  
28 shall provide written notice to the following persons that a review  
29 will be conducted and that each person notified may participate in the

1 review:

- 2 (1) the department;
- 3 (2) the child or the child's legal representative;
- 4 (3) the child's parents;
- 5 (4) the child's guardian;
- 6 (5) the child's guardian ad litem;
- 7 (6) the child's out-of-home care provider; and
- 8 (7) if the case is governed by 25 U.S.C. 1901 - 1963

9 (Indian Child Welfare Act),

10 (A) the child's Indian custodian; and

11 (B) the designated representative of the child's  
12 Indian tribe if the tribe has intervened in the case.

13 (d) In reviewing a case, the local panel shall consider the case  
14 plan and any progress report of the department or the child's guardian  
15 ad litem, court records, and other relevant information about the  
16 child and the child's family. The local panel shall also provide to  
17 the following persons an opportunity to be interviewed by the panel in  
18 person or by telephone or to provide written material to the panel:

19 (1) the child whose case is being reviewed if the child is  
20 10 years of age or older;

21 (2) the parents, custodians, or other relatives of the  
22 child;

23 (3) the child's out-of-home care provider;

24 (4) the child's guardian;

25 (5) the child's guardian ad litem;

26 (6) the case worker or social worker assigned to the case;

27 (7) if the case is governed by 25 U.S.C. 1901 - 1963  
28 (Indian Child Welfare Act),

29 (A) the child's Indian custodian; and

1 (B) the designated representative of the child's  
2 Indian tribe if the tribe has intervened in the case; and

3 (8) other persons with a close personal knowledge of the  
4 case.

5 (e) At the discretion of the child's guardian ad litem, if the  
6 child whose case is being reviewed is under 10 years of age, the child  
7 may be present at interviews conducted under (d) of this section and  
8 during review by the panel, or may be interviewed. At the child's  
9 request, a child who is 10 years of age or older shall be allowed to  
10 be present at interviews or a review of the local panel that concerns  
11 the child's case unless the panel determines that for good cause the  
12 child's presence would be contrary to the best interests of the child  
13 or there is other good cause for denying the child's request.

14 (f) During a review under (a) of this section, a local panel  
15 shall

16 (1) determine whether the child has a case plan designed to  
17 achieve placement in the least restrictive, most family-like setting  
18 available in close proximity to the home of the child's parents that  
19 is consistent with the best interests of and special needs and circum-  
20 stances of the child;

21 (2) evaluate the continuing necessity and appropriateness  
22 of the child's placement, the extent of the compliance with the  
23 child's case plan, and the extent of progress that has been made  
24 toward mitigating the causes that necessitated placement away from the  
25 child's parents;

26 (3) ascertain the date by which it is likely the child may  
27 be returned to the home or placed for adoption or legal guardianship;

28 (4) determine whether there has been compliance with appli-  
29 cable provisions of 25 U.S.C. 1901 - 1963 (Indian Child Welfare Act)

1 and other applicable state and federal laws; and

2 (5) determine whether there has been compliance with court  
3 review requirements of AS 47.10.080(f) and (l) and 47.10.142(h).

4 (g) The local panel shall within 30 days after reviewing the  
5 case submit a written report to the persons listed in (c) of this  
6 section.

7 (h) The report required under (g) of this section must make  
8 advisory recommendations based on the best interests of the child in  
9 accordance with AS 47.10.082 and must include notification of the  
10 right to request court review under AS 47.10.080(f). If the court has  
11 scheduled the case for review, the local panel shall submit its report  
12 at least 20 days before the hearing.

13 (i) The local panel shall report to the state panel information  
14 needed by the state panel to prepare the report required under AS 47.-  
15 10.410.

16 Sec. 47.10.450. COOPERATION WITH STATE AND LOCAL PANELS. The  
17 department, Department of Law, public defender, office of public  
18 advocacy, and court system shall cooperate with the state panel and  
19 the local panels to facilitate timely review of plans for children  
20 whose cases are under the jurisdiction of the panels.

21 Sec. 47.10.460. RECORDS; COMMUNICATIONS. (a) Notwithstanding  
22 AS 47.10.090, at the request of a local panel, the department, the  
23 child's guardian ad litem, and the court shall furnish to the local  
24 panel relevant records concerning a child and the child's family who  
25 are the subjects of a local panel review. At the conclusion of a  
26 review, all copies of records provided to a local panel under this  
27 section shall be returned to the staff that serves the local panel or  
28 to the agency from which the original copy was obtained unless the  
29 panel members need the copies to prepare the reports required under

1 AS 47.10.440(g) - (i). Copies retained for preparation of the reports  
2 shall be returned to the staff that serves the local panel or to the  
3 originating agency upon completion of the reports. Notwithstanding  
4 AS 44.62.310, records and reports of the local panel, testimony before  
5 the local panel, and deliberations of the local panel are confidential  
6 under AS 47.10.090.

7 (b) A local panel member may not reveal to another person, other  
8 than another member of the local panel or the staff serving the local  
9 panel, a communication made to the member while performing the mem-  
10 ber's duties under AS 47.10.400 - 47.10.490 except as required under  
11 AS 47.17 or as required by court order for good cause shown. A local  
12 panel member may share with the state panel communications made during  
13 the local panel member's performance of official duties if the local  
14 panel member omits identifying information.

15 (c) A local panel proceeding is not governed by AS 44.62.310.

16 Sec. 47.10.470. COURT REVIEW OF REPORT. (a) When a report is  
17 admissible under court rules, the court may consider the report of the  
18 local panel in its review under AS 47.10.080(f) and at other disposi-  
19 tion hearings other than hearings related to delinquency proceedings.

20 (b) The court may refer to the local panel a case called for a  
21 special review under AS 47.10.080(f).

22 Sec. 47.10.480. INDEMNIFICATION OF PANEL MEMBERS. A state panel  
23 member and a local panel member shall be indemnified by the state for  
24 civil liability for a negligent act or omission of the panel member  
25 that occurs in the performance of the member's duties under AS 47.10.-  
26 400 - 47.10.490 unless the civil liability results from the panel  
27 member's violation of

28 (1) AS 47.10.460(b); or

29 (2) the oath or affirmation required under AS 47.10.420(e).

1           Sec. 47.10.490. DEFINITIONS. In AS 47.10.400 - 47.10.490

2           (1) "local panel" means a local citizen out-of-home care  
3 review panel appointed under AS 47.10.420;

4           (2) "out-of-home care provider" means an agency or a per-  
5 son, other than the child's legal parents, with whom the child is  
6 currently placed and who is in the custody of the state under AS 47.-  
7 10.080(b)(3), (c)(1), or (c)(3), 47.10.142, or 47.10.230(c), including  
8 a foster parent, a relative other than a parent, a person who has  
9 petitioned for adoption of the child, or a residential child care  
10 facility;

11           (3) "state panel" means the Citizens' Review Panel for  
12 Permanency Planning established under AS 47.10.400.

13 \* Sec. 3. AS 44.66.010(a) is amended by adding a new paragraph to read:

14           (17) Citizens' Review Panel for Permanency Planning under  
15 AS 47.10.400 -- June 30, 1994.

16 \* Sec. 4. AS 47.10.080(f) is amended to read:

17           (f) A minor found to be delinquent or a child in need of aid is  
18 a ward of the state while committed to the department or the depart-  
19 ment has the power to supervise the minor's actions. The court shall  
20 review an order made under (b) or (c)(1) or (2) of this section an-  
21 nually, and may review the order more frequently to determine if  
22 continued placement, probation, or supervision, as it is being pro-  
23 vided, is in the best interest of the minor and the public. If annual  
24 review under this subsection would arise within 90 days of the hearing  
25 required under (1) of this section, the court may postpone review  
26 under this subsection until the time set for the hearing. The depart-  
27 ment, the minor, the minor's parents, guardian, or custodian are  
28 entitled, when good cause is shown, to a review on application. If  
29 the application is granted, the court shall afford these parties and

1 their counsel reasonable notice in advance of the review and hold a  
2 hearing where these parties and their counsel shall be afforded an  
3 opportunity to be heard. The minor shall be afforded the opportunity  
4 to be present at the review.

5 \* Sec. 5. AS 47.10.080 is amended by adding new subsections to read:

6 (1) Within 18 months after the date a child is initially taken  
7 into custody by the department under AS 47.10.142(c) or committed to  
8 the custody of the department under AS 47.10.080(b)(3), (c)(1), or  
9 (c)(3), or 47.10.230(c), the court shall hold a hearing to review the  
10 placement and services provided and to determine the future status of  
11 the minor. The court shall make appropriate written findings, includ-  
12 ing findings related to the following:

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

14 (2) whether the child should remain in out-of-home care for  
15 a specified period;

16 (3) whether the child should remain in out-of-home care on  
17 a permanent or long-term basis because of special needs or circum-  
18 stances;

19 (4) whether the child should be placed for adoption or  
20 legal guardianship.

21 (m) Within 60 days after the date a child is removed from the  
22 child's home by the department, the department shall notify the appro-  
23 priate local citizen out-of-home care review panel established under  
24 AS 47.10.420.

25 (n) Within 60 days after a court orders a child committed to the  
26 department under (c) of this section and at a review under (f) or (l)  
27 of this section, the department shall inform the parties about the  
28 local citizen out-of-home care review panel established under AS 47.-  
29 10.420.

1 \* Sec. 6. AS 47.10.142 is amended by adding new subsections to read:

2 (g) Within 60 days after a court orders a child committed to  
3 the department under this section, the department shall inform the  
4 parties about the local citizen out-of-home care review panel estab-  
5 lished under AS 47.10.420.

6 (h) Within 18 months after a minor is committed to the depart-  
7 ment under this section, the court shall review the placement plan and  
8 actual placement of the minor under AS 47.10.080(1).

9 \* Sec. 7. Notwithstanding AS 47.10.400, enacted by sec. 2 of this Act,  
10 the governor shall appoint the initial public members of the Citizens'  
11 Review Panel for Permanency Planning so that one serves a one-year term,  
12 two serve two-year terms, and two serve three-year terms. The initial  
13 public members must be persons who have training, experience, special  
14 knowledge, or a demonstrated interest in the welfare of children.

15 \* Sec. 8. This Act takes effect July 1, 1990.  
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26  
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29

6-0133R  
Lauterbach  
3/16/90

Original sponsor(s): REP. COLLINS, Gruenberg, Ulmer, Furnace, Hanley

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 19 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to citizen review panels for certain  
7 children in state custody; court review of cases  
8 relating to children; establishing the Citizens'  
9 Review Panel for Permanency Planning; and providing  
10 for an effective date."

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

12 \* Section 1. FINDINGS AND PURPOSE. The legislature finds that there is  
13 a need in the state for a citizen review process for the cases of children  
14 in state custody who are in either foster care or other out-of-home place-  
15 ment. The purpose of this Act is to establish a citizen review process in  
16 order to ensure that children do not linger unnecessarily in out-of-home  
17 placements, but rather that they receive the support and benefits of a  
18 permanent home. The goal of this Act is to reunite the children with their  
19 families by ensuring that services are available and appropriate for re-  
20 unification, and if reunification is not in the best interests of the  
21 child, to expeditiously place the child in a secure, permanent home.

22 \* Sec. 2. AS 47.10 is amended by adding new sections to read:

23 ARTICLE 6. CITIZENS' REVIEW PANEL FOR PERMANENCY PLANNING.

24 Sec. 47.10.400. CITIZENS' REVIEW PANEL FOR PERMANENCY PLANNING.

25 (a) There is created in the Department of Administration the Citi-  
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29 The governor shall appoint at least one voting state panel member from

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2 committed a felony or violated AS 11.51.130 or a law with substantial-  
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4 nonvoting members who serve ex officio or their designees: the com-  
5 missioner of health and social services, the director of the office of  
6 public advocacy, the attorney general, the public defender appointed  
7 under AS 18.85.030, and the chief justice of the Alaska Supreme Court.

8 (b) Appointed members of the state panel serve at the pleasure  
9 of the governor for staggered terms of three years or until their  
10 successors are appointed.

11 (c) The voting members of the state panel shall elect from among  
12 the voting members a chair who shall serve for one year. Three voting  
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14 business. The panel may not take official action without the affirma-  
15 tive vote of at least three of its members.

16 (d) Members of the state panel are entitled to reimbursement for  
17 actual expenses necessary to perform their duties as state panel  
18 members. The reimbursement may not exceed the amount of per diem and  
19 expenses authorized for boards and commissions under AS 39.20.180.

20 (e) The state panel shall meet twice annually. Meetings may  
21 take place telephonically.

22 (f) The state panel may employ an executive director who shall  
23 serve at the pleasure of the state panel. The executive director  
24 shall employ staff as necessary to carry out the executive director's  
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5 (3) coordinate and review the activities of the local  
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8 (4) report annually to the legislature by the 10th day of  
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10 panels during the previous fiscal year; the report must include the  
11 number of cases reviewed by each local panel, a description of the  
12 characteristics of the children whose cases were reviewed by the  
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- 3 (2) the child or the child's legal representative;
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- 5 (4) the child's guardian;
- 6 (5) the child's guardian ad litem;
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18 person or by telephone or to provide written material to the panel:

19 (1) the child whose case is being reviewed if the child is

20 10 years of age or older;

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22 child;

23 (3) the child's out-of-home care provider;

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25 (5) the child's guardian ad litem;

26 (6) the case worker or social worker assigned to the case;

27 (7) if the case is governed by 25 U.S.C. 1901 - 1963

28 (Indian Child Welfare Act),

29 (A) the child's Indian custodian; and

1 (B) the designated representative of the child's  
2 Indian tribe if the tribe has intervened in the case; and

3 (8) other persons with a close personal knowledge of the  
4 case.

5 (e) At the discretion of the child's guardian ad litem, if the  
6 child whose case is being reviewed is under 10 years of age, the child  
7 may be present at interviews conducted under (d) of this section and  
8 during review by the panel, or may be interviewed. At the child's  
9 request, a child who is 10 years of age or older shall be allowed to  
10 be present at interviews or a review of the local panel that concerns  
11 the child's case unless the panel determines that for good cause the  
12 child's presence would be contrary to the best interests of the child  
13 or there is other good cause for denying the child's request.

14 (f) During a review under (a) of this section, a local panel  
15 shall

16 (1) determine whether the child has a case plan designed to  
17 achieve placement in the least restrictive, most family-like setting  
18 available in close proximity to the home of the child's parents that  
19 is consistent with the best interests of and special needs and circum-  
20 stances of the child;

21 (2) evaluate the continuing necessity and appropriateness  
22 of the child's placement, the extent of the compliance with the  
23 child's case plan, and the extent of progress that has been made  
24 toward mitigating the causes that necessitated placement away from the  
25 child's parents;

26 (3) ascertain the date by which it is likely the child may  
27 be returned to the home or placed for adoption or legal guardianship;

28 (4) determine whether there has been compliance with appli-  
29 cable provisions of 25 U.S.C. 1901 - 1963 (Indian Child Welfare Act)

1 and other applicable state and federal laws; and

2 (5) determine whether there has been compliance with court  
3 review requirements of AS 47.10.080(f) and (l) and 47.10.142(h).

4 (g) The local panel shall within 30 days after reviewing the  
5 case submit a written report to the persons listed in (c) of this  
6 section.

7 (h) The report required under (g) of this section must make  
8 advisory recommendations based on the best interests of the child in  
9 accordance with AS 47.10.082 and must include notification of the  
10 right to request court review under AS 47.10.080(f). If the court has  
11 scheduled the case for review, the local panel shall submit its report  
12 at least 20 days before the hearing.

13 (i) The local panel shall report to the state panel information  
14 needed by the state panel to prepare the report required under AS 47.-  
15 10.410.

16 Sec. 47.10.450. COOPERATION WITH STATE AND LOCAL PANELS. The  
17 department, Department of Law, public defender, office of public  
18 advocacy, and court system shall cooperate with the state panel and  
19 the local panels to facilitate timely review of plans for children  
20 whose cases are under the jurisdiction of the panels.

21 Sec. 47.10.460. RECORDS; COMMUNICATIONS. (a) Notwithstanding  
22 AS 47.10.090, at the request of a local panel, the department, the  
23 child's guardian ad litem, and the court shall furnish to the local  
24 panel relevant records concerning a child and the child's family who  
25 are the subjects of a local panel review. At the conclusion of a  
26 review, all copies of records provided to a local panel under this  
27 section shall be returned to the staff that serves the local panel or  
28 to the agency from which the original copy was obtained unless the  
29 panel members need the copies to prepare the reports required under

1 AS 47.10.440(g) - (i). Copies retained for preparation of the reports  
2 shall be returned to the staff that serves the local panel or to the  
3 originating agency upon completion of the reports. Notwithstanding  
4 AS 44.62.310, records and reports of the local panel, testimony before  
5 the local panel, and deliberations of the local panel are confidential  
6 under AS 47.10.090.

7 (b) A local panel member may not reveal to another person, other  
8 than another member of the local panel or the staff serving the local  
9 panel, a communication made to the member while performing the mem-  
10 ber's duties under AS 47.10.400 - 47.10.490 except as required under  
11 AS 47.17 or as required by court order for good cause shown. A local  
12 panel member may share with the state panel communications made during  
13 the local panel member's performance of official duties if the local  
14 panel member omits identifying information.

15 (c) A local panel proceeding is not governed by AS 44.62.310.

16 Sec. 47.10.470. COURT REVIEW OF REPORT. (a) When a report is  
17 admissible under court rules, the court may consider the report of the  
18 local panel in its review under AS 47.10.080(f) and at other disposi-  
19 tion hearings other than hearings related to delinquency proceedings.

20 (b) The court may refer to the local panel a case called for a  
21 special review under AS 47.10.080(f).

22 Sec. 47.10.480. INDEMNIFICATION OF PANEL MEMBERS. A state panel  
23 member and a local panel member shall be indemnified by the state for  
24 civil liability for a negligent act or omission of the panel member  
25 that occurs in the performance of the member's duties under AS 47.10.-  
26 400 - 47.10.490 unless the civil liability results from the panel  
27 member's violation of

28 (1) AS 47.10.460(b); or

29 (2) the oath or affirmation required under AS 47.10.420(e).

1           Sec. 47.10.490. DEFINITIONS. In AS 47.10.400 - 47.10.490

2           (1) "local panel" means a local citizen out-of-home care  
3 review panel appointed under AS 47.10.420;

4           (2) "out-of-home care provider" means an agency or a per-  
5 son, other than the child's legal parents, with whom the child is  
6 currently placed and who is in the custody of the state under AS 47.-  
7 10.080(b)(3), (c)(1), or (c)(3), 47.10.142, or 47.10.230(c), including  
8 a foster parent, a relative other than a parent, a person who has  
9 petitioned for adoption of the child, or a residential child care  
10 facility;

11           (3) "state panel" means the Citizens' Review Panel for  
12 Permanency Planning established under AS 47.10.400.

13 \* Sec. 3. AS 44.66.010(a) is amended by adding a new paragraph to read:

14           (17) Citizens' Review Panel for Permanency Planning under  
15 AS 47.10.400 -- June 30, 1994.

16 \* Sec. 4. AS 47.10.080(f) is amended to read:

17           (f) A minor found to be delinquent or a child in need of aid is  
18 a ward of the state while committed to the department or the depart-  
19 ment has the power to supervise the minor's actions. The court shall  
20 review an order made under (b) or (c)(1) or (2) of this section an-  
21 nually, and may review the order more frequently to determine if  
22 continued placement, probation, or supervision, as it is being pro-  
23 vided, is in the best interest of the minor and the public. If annual  
24 review under this subsection would arise within 90 days of the hearing  
25 required under (1) of this section, the court may postpone review  
26 under this subsection until the time set for the hearing. The depart-  
27 ment, the minor, the minor's parents, guardian, or custodian are  
28 entitled, when good cause is shown, to a review on application. If  
29 the application is granted, the court shall afford these parties and

1 their counsel reasonable notice in advance of the review and hold a  
2 hearing where these parties and their counsel shall be afforded an  
3 opportunity to be heard. The minor shall be afforded the opportunity  
4 to be present at the review.

5 \* Sec. 5. AS 47.10.080 is amended by adding new subsections to read:

6 (1) Within 18 months after the date a child is initially taken  
7 into custody by the department under AS 47.10.142(c) or committed to  
8 the custody of the department under AS 47.10.080(b)(3), (c)(1), or  
9 (c)(3), or 47.10.230(c), the court shall hold a hearing to review the  
10 placement and services provided and to determine the future status of  
11 the minor. The court shall make appropriate written findings, includ-  
12 ing findings related to the following:

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

14 (2) whether the child should remain in out-of-home care for  
15 a specified period;

16 (3) whether the child should remain in out-of-home care on  
17 a permanent or long-term basis because of special needs or circum-  
18 stances;

19 (4) whether the child should be placed for adoption or  
20 legal guardianship.

21 (m) Within 60 days after the date a child is removed from the  
22 child's home by the department, the department shall notify the appro-  
23 priate local citizen out-of-home care review panel established under  
24 AS 47.10.420.

25 (n) Within 60 days after a court orders a child committed to the  
26 department under (c) of this section and at a review under (f) or (l)  
27 of this section, the department shall inform the parties about the  
28 local citizen out-of-home care review panel established under AS 47.-  
29 10.420.

1 \* Sec. 6. AS 47.10.142 is amended by adding new subsections to read:

2 (g) Within 60 days after a court orders a child committed to  
3 the department under this section, the department shall inform the  
4 parties about the local citizen out-of-home care review panel estab-  
5 lished under AS 47.10.420.

6 (h) Within 18 months after a minor is committed to the depart-  
7 ment under this section, the court shall review the placement plan and  
8 actual placement of the minor under AS 47.10.080(1).

9 \* Sec. 7. Notwithstanding AS 47.10.400, enacted by sec. 2 of this Act,  
10 the governor shall appoint the initial public members of the Citizens'  
11 Review Panel for Permanency Planning so that one serves a one-year term,  
12 two serve two-year terms, and two serve three-year terms. The initial  
13 public members must be persons who have training, experience, special  
14 knowledge, or a demonstrated interest in the welfare of children.

15 \* Sec. 8. This Act takes effect July 1, 1990.  
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6-0133R  
Lauterbach  
3/12/90

Original sponsor(s): REP. COLLINS, Gruenberg, Ulmer, Furnace, Hanley

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 19 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to citizen review panels for certain  
7 children in state custody; court review of cases  
8 relating to children; establishing the Citizens'  
9 Review Panel for Permanency Planning; and providing  
10 for an effective date."

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

12 \* Section 1. FINDINGS AND PURPOSE. The legislature finds that there is  
13 a need in the state for a citizen review process for the cases of children  
14 in state custody who are in either foster care or other out-of-home place-  
15 ment. The purpose of this Act is to establish a citizen review process in  
16 order to ensure that children do not linger unnecessarily in out-of-home  
17 placements, but rather that they receive the support and benefits of a  
18 permanent home. The goal of this Act is to reunite the children with their  
19 families by ensuring that services are available and appropriate for re-  
20 unification, and if reunification is not in the best interests of the  
21 child, to expeditiously place the child in a secure, permanent home.

22 \* Sec. 2. AS 47.10 is amended by adding new sections to read:

23 ARTICLE 6. CITIZENS' REVIEW PANEL FOR PERMANENCY PLANNING.

24 Sec. 47.10.400. CITIZENS' REVIEW PANEL FOR PERMANENCY PLANNING.

25 (a) There is created in the Department of Administration the Citi-  
26 zens' Review Panel for Permanency Planning. The state panel consists  
27 of five voting members appointed by the governor from among present  
28 members of local citizen review panels established under AS 47.10.420.  
29 The governor shall appoint at least one voting state panel member from

1 each judicial district. The governor may not appoint a person who has  
2 committed a felony or violated AS 11.51.130 or a law with substantial-  
3 ly similar elements. The panel also includes the following five  
4 nonvoting members who serve ex officio or their designees: the com-  
5 missioner of health and social services, the director of the office of  
6 public advocacy, the attorney general, the public defender appointed  
7 under AS 18.85.030, and the chief justice of the Alaska Supreme Court.

8 (b) Appointed members of the state panel serve at the pleasure  
9 of the governor for staggered terms of three years or until their  
10 successors are appointed.

11 (c) The voting members of the state panel shall elect from among  
12 the voting members a chair who shall serve for two years. Three  
13 voting members of the state panel constitute a quorum for the trans-  
14 action of business.

15 (d) Members of the state panel are entitled to reimbursement for  
16 actual expenses necessary to perform their duties as state panel  
17 members. The reimbursement may not exceed the amount of per diem and  
18 expenses authorized for boards and commissions under AS 39.20.180.

19 (e) The state panel shall meet twice annually. Meetings may  
20 take place telephonically.

21 (f) The state panel may employ an executive director who shall  
22 serve at the pleasure of the state panel. The executive director  
23 shall employ staff as necessary to carry out the executive director's  
24 duties under state panel directives and to provide clerical assistance  
25 to local panels.

26 Sec. 47.10.410. DUTIES OF THE STATE PANEL. The state panel  
27 shall

28 (1) by regulation adopt policies and procedures to carry  
29 out its duties and to govern the performance of the duties of the

1 local panels established under AS 47.10.420;

2 (2) ensure that local panel members receive the minimum  
3 level of training necessary to effectively carry out their duties;

4 (3) coordinate and review the activities of the local  
5 panels and make recommendations to the governor on appointments to the  
6 local panels;

7 (4) report annually to the legislature by the 10th day of  
8 each regular session, concerning the activities of the state and local  
9 panels during the previous fiscal year; the report must include the  
10 number of cases reviewed by each local panel, a description of the  
11 characteristics of the children whose cases were reviewed by the  
12 panels, the number of children reunited with their families, the  
13 number of children placed in other permanent homes, and recommenda-  
14 tions and justifications for program improvement, including recommen-  
15 dations relating to state agencies and to the panel review system; the  
16 report may contain other information on the experience of the local  
17 panels.

18 Sec. 47.10.420. APPOINTMENT OF LOCAL PANELS. (a) The governor  
19 shall appoint for each judicial district a local citizen out-of-home  
20 care review panel composed of five members and two alternates who are  
21 residents of the judicial district. Members shall serve three-year  
22 terms except that when a local panel is initially appointed, two  
23 members shall be appointed for three-year terms, two members for  
24 two-year terms, and one member for a one-year term. Alternates shall  
25 be appointed to three-year terms.

26 (b) The governor shall appoint to a local panel persons who have  
27 training, experience, special knowledge, or a demonstrated interest in  
28 the welfare of children. An out-of-home care provider or a person  
29 employed by the court system, the department, the office of public

1 advocacy, the Public Defender Agency, or the Department of Law may not  
2 serve as a member or alternate member of a local panel. The governor  
3 may not appoint a person who has committed a felony or violated  
4 AS 11.51.130 or a law with substantially similar elements.

5 (c) The composition of a local panel must be reasonably repre-  
6 sentative of the various social, economic, racial, ethnic, and cul-  
7 tural groups of the district from which the members are appointed.

8 (d) If the state panel determines that additional local panels  
9 are necessary in a judicial district because of excessively large or  
10 complex caseloads for review or because of the demographics of cases,  
11 or determines that a local panel is not necessary because of a reduced  
12 caseload, the governor may create or dissolve a local panel. The  
13 governor may not reduce the number of panels in a judicial district to  
14 fewer than one. Appointments to a panel established under this sub-  
15 section are governed by (a) - (c) of this section.

16 (e) When a person is appointed to serve on a local panel, the  
17 person shall swear or affirm to keep confidential all information that  
18 comes before the local panel except for nonidentifying information  
19 included in a report to the state panel, information for reports  
20 required under AS 47.17, or as required by court order for good cause  
21 shown.

22 Sec. 47.10.430. MEETINGS. (a) A local panel shall conduct its  
23 meetings in the judicial district in which its members reside.

24 (b) The local panel shall elect one of its members to serve as  
25 chair.

26 (c) A majority of the members of a local panel constitutes a  
27 quorum.

28 Sec. 47.10.440. DUTIES OF LOCAL PANEL. (a) A local panel shall  
29 review the case plan of each child in the custody of the department