EXHIBIT 15
DATE 1/12/07
HB 250

DEPARTMENT OF JUSTICE
Child Protection Unit Attorneys

Background

Prompt, effective legal work can make a huge difference in an abused child's life, so it is especially important to address child abuse and neglect situations as quickly as possible. To improve the state's handling of these cases, the 1999 Montana Legislature authorized the creation of a new Child Protection Unit (CPU) within the Prosecution Services Bureau. The unit currently includes:

- two attorneys in Missoula, one of whom is the unit's supervising attorney;
- two attorneys in Billings, and
- part-time secretaries in Missoula, Miles City and Billings.

The CPU takes cases at the request of county attorneys for a variety of reasons – to help manage heavy caseloads, to avoid conflicts of interest, and to assist with complex cases that require additional expertise. The CPU also routinely advises county attorneys about child abuse and neglect cases through training and telephone contact. Although not all counties send the CPU cases, most do.

CPU attorneys provide training in the necessary court procedures, legal issues and interplay of social workers, experts, prosecutors and others. The goal is to ensure that the state's efforts to protect children are appropriate, legal and effective.

Caseload Increases

The number of child abuse and neglect cases increases every year. Methamphetamine use has had a dramatic effect, as demonstrated by the high number of children now in foster care because of their parents' drug use. Child abuse and neglect cases are also litigated much more actively than they were 10 years ago and the laws have become much more complicated. Courts now require separate filings for each child within a family unit, substantially increasing the paperwork each case generates.

As of December 2006, the **CPU had 213 open cases:**

- 119 in the Missoula office and
- 94 in the Billings office.

The CPU must frequently turn away requests for assistance because it simply does not have the resources to handle the volume of cases. This is especially true in rural areas where assistance requires considerable travel time.

Additional Staff and Funding Request

The department requests two CPU attorney positions.

	FY 08	FY09
General Fund	$124,052	$119,721
Federal Special Revenue	$ 43,014	$ 41,526
Total	$167,066	$161,247