

PUBLIC HEALTH, WELFARE & SAFETY

Exhibit No. 1Date 1-8-07Bill No. SB 83**Brown, Shirley K. (HHS)**

From: shirley & charly [cfjshirl@amerion.com]
Sent: Monday, January 08, 2007 8:52 AM
To: Brown, Shirley K. (HHS)
Subject: SB 83 Testimony

My name is Shirley Vincent Tiernan. I worked for DPHHS, Child & Family Services Division as a child protection social worker, investigation supervisor, residential treatment specialist, regional administrator and training bureau chief. I currently serve on a Foster Care Review Committee in Missoula. My address is 502 E. Sussex Ave. Missoula, MT 59801.

I am testifying as a proponent of SB 83 for the following reasons:

As the law is currently interpreted, a non-custodial parent can be given the child if he or she has no substantiated CPS allegations. A criminal check is not required. In some cases the non-custodial parent has had little or no contact with the child due to geographical or relationship distance. The non-custodial parent may or may not have been assisting in the financial support of the child. The child may or may not know or feel safe with, the non-custodial parent. The rights of the non-custodial parent often take precedence over the right of the child to feel safe and nurtured.

SB 83 will give District Courts the right to order Child & Family Services to evaluate the non-custodial parent before placing the child with her or him. It will also allow temporary placement with the non-custodial parent or other appropriate relative while the custodial parent works to successfully complete his or her court-ordered treatment plan.

This Bill, while allowing the Court to place directly with a non-custodial parent, also gives the Court and the Child & Family Services Division the right to evaluate and investigate options that will assure the safety and well-being of the child. In some instances, grand parents, aunts, uncles or other family members have close relationships with the child who has been removed from his or her parent. Young children have no ability to select their caretakers. SB 83 will help in securing temporary or permanent caretakers with whom the child feels and is, safe, secure and nurtured.