

# Montana State Senate



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ENERGY AND TELECOMMUNICATIONS

*The Big Sky Country*

## CHILDREN AND FAMILIES, HEALTH AND HUMAN SERVICES INTERIM COMMITTEE

March 30, 2005

INTERIM STUDY SJR 37

### AGENDA

8:00 AM CHILD AND FAMILY SERVICES REVIEW MICHELLE SWOBONIA,  
BRUCE DEITLE. PROGRAM BUREAU CHIEF, AND MICK LEARY FROM DPHHS

WORKFORCE AND TRAINING ISSUES: MILES EDWARDS

9:50 FOSTER CARE PARENTS RECRUITMENT AND RETENTION: CORY  
COSTELLO, REGIONAL ADMINISTRATOR, and CFSD

10:30 COURT ROUNDTABLE

1. COURT ASSESSMENT PROGRAM REPORT- SHERRI RAFTER, PROGRAM  
COORDINATOR.

2. CHILD PROTECTION UNIT- KATHLEEN JENKS, ASST. ATTORNEY  
GENERAL.

3. COUNTY ATTORNEY- SARAH CORBALLY, DEPUTY CASCADE COUNTY  
ATTORNEY

4. DISTRICT JUDGE- JEFFERY SHERLOCK

Law and Justice Interim Committee  
May 12, 2006  
Exhibit 1

5. PUBLIC DEFENDER- RANDI HOOD

PROBLEMS GETTING ASSESMENTS FROM SOCIAL WORKERS, TOO MUCH PAPER WORK,  
NATIONALLY, 65% OF CASES IN SYSTEM ARE CREATED BY DRUG USE, 5% METH, IT TAKES LONGER TO GET PARENTS THROUGH 15 MONTH METH TREATMENT PROGRAM

CONCLUSION:

1. ADD MORE STAFF,
2. MORE IN HOME SERVICES
3. 35 MORE STAFF 29 WOULD BE DIRECT FIELD STAFF, CURRENTLY WORKING WITH EXECUTIVE BUDGET PROCESS, NO FISCAL NOTE YET

ALSO NEED MORE SUPERVISORY STAFF, ANGER MANAGEMENT PROGRAMS  
FEDERAL GOVERNMENT REQUIRE THAT A CHILD BE IN SOME KIND OF PERMANCY IN 1 YEAR

29 NEW STAFF WOULD HELP FOSTER FAMILIES.

WORKFORCE AND TRAINING- MICK LEARY AND MILES EDWARDS, CONSULTANT  
EACH DIVISION DECIDED ON HOW TO REALLOCATE RESOURCES. HOW TO LOOK AT STAFF NEEDS AND ALLOCATE STAFF. CAN GET FEDERAL TRAINING DAYS FREE OF CHARGE.

MILES EDWARDS WORKS AS CONSULTANT FOR AMERICAN HUMANE SERVICES  
WORK= SERVICES FOR FAMILIES  
HOW MANY HOURS JUST TO GET THE JOB DONE? HOW MANY HOURS TO DO BEST PRACTICES. 60 PEOPLE PARTICIPATED IN THE STUDY PROCESS TO GET BEST PRACTICES.

WHEN YOU STUDY WORKLOAD IT IS A SNAPSHOT IN TIME.  
1999 HORNBY-ZELLER STUDY IN MONTANA SAID THAT DPHHS WAS SHORT 60 WORKERS OF DOING THE JOB THEN.

THE NEW REPORT WILL BE FINISHED BY JULY. AND FINALIZED IN OCT.

FOSTER CARE PARENTS- RECRUITMENT AND RETENTION

SOMETIMES TOO LITTLE TRAINING ON A REGULAR BASIS  
TWO-PRONGED APPROACH TO RECRUITMENT

1. STATEWIDE CONSISTANT EFFORT- USING THE SAME THEME  
"FOSTER THE FUTURE"

2. REGIONS WERE DOING FUNDRAISERS TO PUT TOWARD RECDRUITMENT  
CENTRAL PHONE # 1866-9FOSTER. WILL START ON APRIL THEY ARE  
IN THE PROCESS OF IMPROVING WEB SITE WITH APPROPRIATE LINKS.  
DEVELOPING PSA BY THE END OF APRIL.

NEW BROCHURES

FINDERS FEE?

STATEWIDE PSA

MAY NEED MORE MONEY

WEB BASED APPLLIATION

IDEA" ONE CHURCH ONE CHILD"

MAY NEED TO REQUEST MORE MONEY FOR INCREASING FOSTER CARE  
RATE 4% INCREASE WOULD BE REASONABLE.

DEPARTMENT ALWAYS TRIES TO PLACE WITH KINSHIP FIRST IF FAMILY  
CAN BE LICENCED

ANN LEE, SCOBEY, FOSTER AND ADOPDTIVE PARENT. PEDITRITIAN IS TWO  
HOURS AWAY. FIRST CUTS ARE ALWAYS TO CHILDREN S SEVICES.  
METH BABIES TAKEN AT BIRTH, VERY FRAGILE, SWIFT INTERVENTION  
NECESSARY. COURT SYSTEM A PROBLEM MORE STATE SUBSIDIZED  
ADOPTIONS WITH HIGH RISK MEDICAL PROBLEMS.

COURT ASSESMENT PROGRAM

SHERRI RAFTER-HOW ARE THE COURTS MOVING KIDS THROUGH THE  
SYSTEM

ONE PROBLEM IS THE NUMBER OF CONTINUANCES  
DIFFICULTIES IF FINDING ALL OF THE PARTIES  
TRYING TO GET PEOPLE SERVED

ICWA

50% OF ATTORNEYS HAVE HAD NO TRAINING IN CWC  
NEED MORE CONSISTANCE

STATEWIDE SUMMIT IN AUG WITH LOU TICE "CONSTITUTIONAL RIGHTS  
OF THE CHILD."

NEW FEDERAL PROGRAMS TO PAY FOR COURT MANAGEMENT DATA AND  
CROSS TRAINING IN AGENCIES. SUMMIT TO IDENTIFY PROBLEMS THEN  
MAY NEED STATE MATCH

KATHLEEN JENKS-ASSISTANT ATTORNEY GENERAL WORKS WITH CASES OF ABUSE AND NEGLECT WORKS WITH SMALLER COUNTIES. PROVIDE TRAININGS. CURRENTLY NEED TO TURN AWAY CASES. THE RESPOND WITH TECHNICAL ASSISTANCE. TO COUNTIES AND ALSO RESPOND TO CASA. SHE SUGGESTED THAT THE LEGISLATURE REVISE ALL STATE STATUTES INVOLVED WITH CHILD ABUSE AND NEGLECT. SHE THINKS THAT THEY NEED TO BE SCRAPPED AND REWRITTEN. THEY ARE UNWORKABLE TO A LARGE DEGREE. NEED TO BE MORE ACCESSABLE. MAYBE ATTORNEY GENERALS OFFICE SHOULD ASSUME ALL PROSECUTION OF CASES INSTEAD OF COUNTY ATTORNEYS, THEY COULD ASSURE MORE CONSISTANCY AND STREAMLINE THE PROCESS. AND REQUIRE MORE TRAINING AND ACCOUNTABILITY.

SARAH CORBALLY-DEPUTY CASCADE COUNTY ATTORNEY DPHSS SYSTEM ACTUALLY VICITIMIZES OUR KIDS. SCANDANAVIAN COMPANY USING A PUBLIC HEALTH MODEL INSTEAD OF ADVERSARIAL MODEL. SHE IS WORKING ON 200 CASES RIGHT NOW. TAKE THE VEIL OF SECRECY OFF CASES. GET RID OF CONTINUENCES SOME LAWAYERS ARE NOT TRAINED AND NOT INTERESTED IN CHILD PROTECTION CASES. ADVERSARIAL BAD MODEL. COURT NEEDS TO BE MORE ATUNED TO CHILDS TIME LINE. 1 YEA IS A LONG TIME IN CHILDS LIFE.

JUDGE SHERLOCK- STATUTES OUT OF TOUCH WITH WHAT HE ACTUALLY DOES. ONLY SEES PARENTS AT LAST HEARING. CHILDRENS INTEREST IS PARAMOUNT JUDGES EXPECTED TO SPEND MORE TIME ON CASES THAT THEY CAN. IN READING STATUTES HERESAY STATUTES ARE WRONG. IN CRIMINAL LAW ON EXCEPTION FOR CHILDRENS HERESAY STATEMENTS SHOULD BE PUT IN TERMINATION HEARING.

RANDI HOOD. CHIEF PUBLIC DEFENDER. PARENTS CASES ARE LEFT TO PUBLIC DEFENDERS OFFICE, THEY ARE PROVIDING WELL TRAINED ALLIES FOR PARENT. THEY ARE CURRENTLY ADOPTING STANDARDS. TEN FULL TIME OFFICES. WILL EVENTUALLY DEFEND MOTHERS BECAUSE MOTHERS ARE ALMOST ALWAYS INVOLVED WITH THE CHILD. THEY WILL PLACE PRIVATE LAWYER FOR FATHER OUTSIDE THE OFFICE UNDER CONTRACT  
IF FELONY CHARGED THEY WILL SEE A LAWYER WITHIN 72 HOURS.  
PROVIDE FULL TIME TRAINER FOR LAWYERS. MORE HELP FOR STATES ATTORNEY WOULD BE HELPFUL.

PUBLIC COMMENT:

SHIRLEY TEIRNAN- DPHSS NEED MORE CASE WORKERS AND FIELD STAFF. \$118,000 OF IVE MONEY LOST EVERY MONTH IN MISSOULA BECAUSE PERMANANCY IS NOT BEING ACHIEVED

INTERMOUNTAIN HOME, GYPSY RAY MISSOULA SECOND CHANCE HOME  
60% OF TEEN MOMS HAVE BEEN SEXUALLY ABUSED

COLLEEN MURPHY, MONTANA ASSN. OF SOCIAL WORKERS. SEES  
COMPASSION FATIGUE. SOCIAL WORKERS TRAUMATIZED. TITLE  
PROTECTION AND LICENSURE ARE STILL AN ISSUE. TIME IS ABSTRACT  
FOR CHILDREN AND INSTABILITY IS DANGEROUS

PASTOR COOK, KADISH (means SANCTUARY) WANTS MIRANDA RIGHTS FOR  
FAMILIES.

KANDI MATHEWS JENKINS

BRENDA NEY ABUSED IN FOSTER CARE. SHE LOST HER KIDS

BETH BRENNAMAN- MAP-THEIR PROBLEM IS RESOURCES AND  
INVESTIGATION OF CHILD ABUSE AND NEGLECT CASE

PAT DAVIS GREAT FALLS PSYCHOLOGISTS. CONCERNED WITH PARENTAL  
PSYCHOLOGICAL EVALUATIONS. SOME STATES OFFER IMMUNITY TO  
CONDUCT EXAMS. IF PSYCHOLOGISTS HAD IMMUNITY THEY WOULD BE  
MORE WILLING TO DO THIS WORK.