

# HJR 48/49: CHILD PROTECTIVE SERVICES SUMMARY OF SUGGESTIONS

## BACKGROUND

The Children, Families, Health, and Human Services Interim Committee has heard from a wide array of stakeholders for its House Joint Resolution 48/49 study of the child protective services system. Those stakeholders include judges at the district and Supreme Court levels; county attorney and public defender representatives; court-appointed special advocates for children; family members involved in CPS cases; and the Department of Public Health and Human Services, including workers who directly handle investigations of child abuse and neglect and determine whether a child needs to be removed from the home. The committee also has taken extensive public comment on the study topics.

This briefing paper summarizes suggestions that stakeholders have made to date, both during formal presentations and during public comment periods. The summary is designed to help committee members as they consider areas of focus for the rest of the interim.

## STAKEHOLDER SUGGESTIONS

The table below groups suggestions into general categories and includes space for additional ideas that may be raised at the March 20 meeting.

Topic Area	Suggestions
CPS Workforce-Related Changes	<ul style="list-style-type: none"> <li>• Increase the number of CPS caseworkers to reduce caseloads</li> <li>• Reduce turnover among CPS workers by:                             <ul style="list-style-type: none"> <li>○ increasing pay for caseworkers</li> <li>○ providing pay differentials for workers in high-cost areas of the state</li> <li>○ creating a scholarship or loan repayment program</li> <li>○ providing immunity for actions taken in the course of their work</li> <li>○ adding staff support positions</li> </ul> </li> <li>• Require licensure and annual continuing education for caseworkers</li> </ul>

Topic Area	Suggestions
System Process Changes	<ul style="list-style-type: none"> <li>● Move the intake function for abuse and neglect complaints from DPHHS to the Department of Justice</li> <li>● Require a court order or law enforcement determination of an emergency circumstance before a child is removed from the home</li> <li>● Require a legal representative or advocate to be present when CPS interviews children</li> <li>● Require taping of CPS interviews with children</li> <li>● Require the Office of Child and Family Ombudsman to review proposals for new or revised CPS policies before they are implemented</li> <li>● Require consistent use of existing information-sharing resources such as child protection teams and treatment teams</li> <li>● Create processes for resolving conflicts between CPS staff and parents; consider using the citizen advisory councils provided for in law to create the processes</li> <li>● Create a penalty for knowingly making a false or malicious report of child abuse or neglect</li> </ul>
DPHHS-Related Changes	<ul style="list-style-type: none"> <li>● Improve the process for completing adoption paperwork so adoptions are finalized in a more timely manner</li> <li>● Require accountability for CPS employees for failing to follow laws or policies or violating the rights of parents</li> <li>● Prohibit the use of mental health providers who have been sanctioned by a professional licensing board</li> <li>● Implement the Family First Prevention Services Act</li> <li>● Implement as a prevention practice the Parent Resource Center model developed by the Casey Family Programs</li> </ul>
Judicial System Changes	<ul style="list-style-type: none"> <li>● Expand the pre-hearing conference pilot program</li> <li>● Hold shelter care hearings within 72 hours of a child's removal from the home</li> <li>● Require regular status hearings for CPS cases</li> <li>● Increase the number of public defenders devoted to CPS cases to provide quicker and more effective legal representation to parents</li> <li>● Improve communication among county attorneys, public defenders, and court-appointed special advocates</li> <li>● Increase the number of attorneys in the Department of Justice's Child Protection Unit</li> <li>● Increase the number of courts designated as Indian Child Welfare Act (ICWA) courts</li> <li>● Create Family Courts</li> </ul>
Parent Issues	<ul style="list-style-type: none"> <li>● Fund transportation, housing, or other services that will assist parents with their treatment plans and help families achieve reunification</li> <li>● Create a clearer statutory purpose section in the child abuse and neglect laws, to clarify that the potential harm of leaving a child in the home must be balanced with the trauma of removal</li> <li>● Connect parents to behavioral health evaluations and treatment more quickly</li> <li>● Increase the use of unsupervised visits</li> </ul>

Topic Area	Suggestions
Training, Education, and Mentoring	<ul style="list-style-type: none"> <li>• Require law enforcement officers, county attorneys, and judges to receive additional training in child protective services matters</li> <li>• Require CPS workers and providers to be trained in working with parents with disabilities</li> <li>• Increase mandatory education requirements for foster parents</li> <li>• Allow parents who have successfully reunified with their children to provide peer support to families in the CPS system</li> <li>• Allow foster parents to mentor parents involved in the CPS system</li> </ul>
Public Involvement/ Transparency	<ul style="list-style-type: none"> <li>• Improve and make better use of the citizen advisory council structure required under federal law by: <ul style="list-style-type: none"> <li>○ ensuring that public and provider members make up at least 51% of the council's membership</li> <li>○ improving public notice of the meetings and public participation in the meetings</li> <li>○ making meeting minutes public while respecting confidentiality of any specific cases that were discussed</li> </ul> </li> </ul>
Ideas from the March 20 Meeting	