

1 **** BILL NO. ****
2 INTRODUCED BY ****
3 BY REQUEST OF THE ****
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR CONTINUED INTERIM LEGISLATIVE REVIEW
6 OF CHILD PROTECTIVE SERVICES MATTERS; REQUIRING REPORTING ON THE RESULTS OF PILOT
7 PROJECTS FOR CHILD ABUSE AND NEGLECT PROCEEDINGS; ESTABLISHING CONDITIONS FOR
8 APPOINTMENT OF A SUBCOMMITTEE; PROVIDING FOR SUBCOMMITTEE MEMBERSHIP AND DUTIES;
9 PROVIDING AN APPROPRIATION; AND PROVIDING AN EFFECTIVE DATE."

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11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
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13 NEW SECTION. **Section 1. Emergency protective service hearings -- findings -- report to**
14 **interim committee -- working group.** (1) The legislature finds that district courts concerned about high
15 numbers of child abuse and neglect cases have undertaken federally grant-funded pilot projects to institute
16 prehearing conferences and quicker show cause hearings in order to improve:

- 17 (a) the manner and timeliness with which the cases are handled; and
18 (b) the outcomes for children and families involved in the child protective services system.

19 (2) The legislature further finds that the district courts and the office of court administrator are
20 collecting data to evaluate the effectiveness of the pilot projects, including whether the pilot projects have led to
21 quicker reunification of families or resulted in permanency for children more quickly.

22 (3) The legislature further finds that the information collected as part of the pilot program would assist
23 the legislature in determining effective approaches to:

- 24 (a) reducing the number of children in out-of-home care;
25 (b) reducing the length of time children who are removed in the home spend in out-of-home care;
26 (c) providing for family reunification; and
27 (d) ensuring that children are placed in a permanent and stable living situation in the quickest and
28 safest manner possible.

1 (4) The office of the court administrator and the district courts involved in the pilot project shall report
2 the results of the pilot projects to the children, families, health, and human services interim committee no later
3 than September 30, 2021.

4 (5) (a) If the preliminary results indicate that the pilot project improved outcomes in child abuse and
5 neglect proceedings, the interim committee shall create a working group to:

6 (i) determine whether the elements of the pilot project could be replicated in other areas of the state;

7 (ii) evaluate whether existing child abuse and neglect statutes must be revised to implement the pilot
8 project more widely;

9 (iii) assess, to the degree possible, the costs of implementing the pilot project more widely; and

10 (iv) make recommendations to the committee on legislation, funding, and other elements needed to
11 carry out the pilot projects in other regions of the state.

12 (b) The working group must be composed of at least two committee members, one from each political
13 party as selected by the presiding officer of the committee, and one representative each of:

14 (c) The subcommittee must be composed of at least two committee members, one from each political
15 party as selected by the presiding officer of the committee, and one representative each of:

16 (i) a county attorney's office;

17 (ii) the office of public defender;

18 (iii) court-appointed special advocates;

19 (iv) the department of public health and human services;

20 (v) district court judges;

21 (vi) the court improvement program; and

22 (vii) the public.

23 (d) The presiding officer shall appoint the nonlegislative members based on recommendations from
24 associations or agencies representing the entities listed in subsection (5)(c). Appointees should have
25 experience with child abuse and neglect proceedings.

26 (6)(a) A nonlegislative member of the working group who is not a full-time salaried officer or employee
27 of the state or a political subdivision of the state is entitled to salary and expenses to the same extent as a
28 legislative member.

1 (b) A working group member who is a full-time salaried officer or employee of the state or of a political
2 subdivision of the state is entitled to reimbursement for travel expenses as provided for in 2-18-501 through 2-
3 18-503.

4 (7) The children, families, health, and human services interim committee shall report to the legislature,
5 as provided in 5-11-210, on the recommendations of the working group.

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7 **NEW SECTION. Section 2. Appropriation.** There is appropriated AN AMOUNT from the general
8 fund to the legislative services division for the work group provided for in [section 1].

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10 **NEW SECTION. Section 3. Effective date.** [This act] is effective July 1, 2021.

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12 - END -