

**REVISED MINUTES OF THE
CHILD WELFARE LEGISLATIVE OVERSIGHT PANEL**
Tuesday, June 27, 2006 – 2:00 p.m. – Room W020 House Building

Members Present:

Rep. Steven R. Mascaro, House Chair
Sen. Gene Davis
Rep. David Litvack

Staff Present:

Mr. Mark D. Andrews, Policy Analyst
Mr. Thomas R. Vaughn, Associate General Counsel
Ms. Wendy L. Bangerter, Legislative Secretary

Members Absent:

Sen. Dan R. Eastman, Senate Chair
Rep. Paul Ray

Note: A list of others present, copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

1. Committee Business

Chair Mascaro called the meeting to order at 2:07 p.m.

MOTION: Sen. Davis moved to approve the minutes of the November 7, 2005 meeting. The motion passed unanimously.

2. Update on Federal Court Oversight

It was noted that Mr. Richard Anderson Director, Division of Child and Family Services (DCFS), was named manager of the year by the Utah Public Employees Association.

Mr. Craig C. Barlow, Assistant Utah Attorney General, Office of the Attorney General, briefed the Panel on recent developments in the federal court's oversight of Utah's child welfare system. He summarized the May, 2006 hearing. He stated that the court monitor has been impressed with the progress Utah has made and that the court may consider a termination of the "*David C.*" case. He referred to a letter included in the packet from Mr. Paul Vincent commenting on successes of DCFS. He indicated there would be a November court review where more evidence of the division's compliance will be presented. He stated that papers will be prepared in the spring that will hopefully allow termination of this case.

Mr. Richard Anderson, Director, DCFS, expressed his feelings of confidence regarding the reality of positive changes made by the division and the meeting of imposed goals. He expressed appreciation for the support from the Legislature.

When asked about the cultural differences of today and how they affect the system, Mr. Anderson explained how the system is more open now, that families are able to have more input, and that because of the division's computer excellent computer database the division now relies on actual rather than sample data.

Rep. Mascaro indicated that he believes a committee like the Panel will be needed even after the "*David C.*" case has been dismissed and that he will recommend its continuation as a liaison with DCFS.

Sen. Davis stated that the division has become better because of better monitoring and expressed his hope that once the case is dismissed, the good work will continue.

Minutes of the Child Welfare Legislative Oversight Panel

June 27, 2006

Page 2

Mr. Barlow indicated that DCFS is going forward as though it still has to prove itself to the court and that dismissal of the case will depend on the continued support of the Legislature.

Mr. Anderson noted it has been the partnership of all the players coming together that has been key to the success of division changes. He said that the levels the division is being asked to achieve by next year have never been asked of or met by any other state's child welfare system.

3. DCFS Director's Report

Mr. Richard Anderson explained the process followed by DCFS when a child welfare law is changed.

Ms. Patti VanWagoner, Assistant Director, DCFS, distributed "Statutory Changes and Training." She said that purpose of DCFS guidelines and training is to ensure that appropriate changes to practice are made as directed by the Legislature and by statute.

Mr. Duane Betournay, Deputy Director, DCFS, explained the child welfare worker training given in every region of the state. He stated that the training is widely attended and successful. He noted that web-based training is also becoming an option.

4. Follow-up to Guardian ad Litem Audit

In February 2005, the Legislative Auditor General released a performance audit of the Office of the Guardian ad Litem. In response to a recommendation by the auditor, the Panel reviewed the oversight structure of the Office.

Ms. Debra Moore, chair of the Guardian ad Litem Oversight Committee of the Utah Judicial Council, reported on the committee's activities of the past year and stated that its current focus is a performance review of the director of the Office of the Guardian ad Litem. One aspect of the audit was the recommendation that high caseloads be addressed. She stated that a budget request had been recommended but did not pass the General Session. She reviewed a few ideas the committee is discussing as it considers alternative ways to manage high caseloads.

Sen. Davis indicated that he would like the Panel to review the Guardian ad Litem's budget request for FY 08 in October and wondered whether legislation should be developed to get the office's caseload down to a specified rate.

5. Interim Study Schedule

MOTION: Sen. Davis to moved to have this item placed on the next agenda. The motion passed unanimously.

6. Other Business

The next meeting was scheduled for July 12, 2006 at 2:00 p.m.

7. Adjournment

Minutes of the Child Welfare Legislative Oversight Panel

June 27, 2006

Page 3

MOTION: Rep. Litvack moved to adjourn the meeting. The motion passed unanimously.

Chair Mascaro adjourned the meeting at 3:25 p.m.