

**MINUTES OF THE  
JUDICIARY INTERIM COMMITTEE**

Wednesday, June 20, 2012 – 8:00 a.m. – Room 25 House Building

**Members Present:**

Sen. Mark B. Madsen, Senate Chair  
Rep. Kay L. McIff, House Cochair  
Sen. Lyle W. Hillyard  
Rep. Derek E. Brown  
Rep. LaVar Christensen  
Rep. Fred C. Cox  
Rep. Christopher N. Herrod  
Rep. Brian S. King  
Rep. Paul Ray  
Rep. V. Lowry Snow  
Rep. R. Curt Webb

**Members Absent:**

Sen. Ross I. Romero  
Sen. Stephen H. Urquhart  
Rep. Mark A. Wheatley

**Staff Present:**

Mr. Jerry D. Howe, Policy Analyst  
Ms. Esther D. Chelsea-McCarty, Associate General Counsel  
Ms. Jennifer Christopherson, Legislative Secretary

**Note:** A list of others present, a copy of related materials, and an audio recording of the meeting can be found at [www.le.utah.gov](http://www.le.utah.gov).

**1. Committee Business**

Chair Madsen called the meeting to order at 8:30 a.m.

**MOTION:** Rep. Cox moved to approve the minutes of the May 16, 2012 meeting. The motion passed unanimously with Rep. King and Rep. Ray absent for the vote.

**2. H.B. 161 "Rights of Parents and Children": Required Review of the Division of Child and Family Services (DCFS) Audit**

Rep. Christensen gave an introduction and urged the committee to think about Utah values, home and family, and the proper role of government with respect to parental rights.

Ms. Maria Stahla, Audit Supervisor, and Mr. Rick Coleman, Deputy Auditor General, Office of Legislative Auditor, distributed "A Performance Audit of The Division of Child and Family Services" and "5 Things Lawmakers Need to Know." They also gave a presentation of the Audit Report of DCFS stating that in the past decade, the foster care population has grown 38%. They responded to questions from the committee and said that the balance between foster care and in-home care should be more towards in-home care.

Mr. Steve Jardine, Fiscal Analyst, Office of the Legislative Fiscal Analyst, distributed and discussed "Department of Human Services - Follow Up on Child and Family Services Audit." He explained that the follow up audit was done to summarize key points from the performance audit of DCFS. Mr. Jardine responded to questions from the committee and committee discussion followed.

Mr. Palmer DePaulis, Executive Director, Department of Human Services, distributed and explained "Who Received DCFS Services and Who Did Not" and "Snapshot of Key Child Welfare Metrics." He stated that DCFS is concerned primarily for those children who cannot rely on, or do not have, families, a community support system, or churches for help.

Mr. DePaulis and Mr. Brent Platt, Director, DFCS, responded to questions from the committee stating that some in home clients are voluntary and some are not due to safety issues.

Mr. Platt distributed "DCFS Performance Audit (Report 2011-02)" and said that, to date, DCFS has completed eleven of the nineteen recommendations from the audit and are in the process of completing the remaining eight.

Mr. Platt and Mr. Depaulis responded to questions from the committee and said that in-home services are funded by general funds and that those funds are the first to be cut when the economy goes down.

**3. Alimony**

This item was not discussed.

**4. Offer of Judgement in Civil Cases**

This item was not discussed.

**5. Other Business / Adjourn**

**MOTION:** Sen. Hillyard moved to adjourn the meeting. The motion passed unanimously with Rep. King and Rep. Ray absent for the vote.

Chair Madsen adjourned the meeting at 10:18 a.m.