

# REPORTS DUE TO THE CHILD WELFARE LEGISLATIVE OVERSIGHT PANEL

Prepared by Office of Legislative Research and General Counsel, May 8, 2003

## REPORTS REQUIRED BY STATUTE

### **1. DCFS DIRECTOR'S ANNUAL REPORT (§62A-4a-117(5))**

- (5) *Before January 1 each year the director shall submit a written report describing the difference between actual performance and performance goals for the prior fiscal year to the Child Welfare Legislative Oversight Panel, the Joint Health and Human Services Appropriations Subcommittee, and the Utah Tomorrow Strategic Planning Committee. The report shall include:*
- (a) *a summary of the division's efforts during the prior fiscal year to implement the Performance Milestone Plan;*
  - (b) *a summary of how performance must be improved to achieve full implementation of the Performance Milestone Plan;*
  - (c) *data on the extent to which new and experienced division employees have received training pursuant to statute and division policy;*
  - (d) *an analysis of the use and efficacy of family preservation services, both before and after removal of children from their homes; and*
  - (e) *a description of the extent to which the pilot program under Section 62A-4a-202.7 has been expanded during the prior fiscal year and an explanation of how the performance of regions that have previously implemented the program has been affected by the program, including data showing the number of referrals to the division:*
    - (i) *accepted for an investigation;*
    - (ii) *accepted for a family assessment; or*
    - (iii) *not accepted.*

### **3. DHS ANNUAL REPORT ON REVIEW OF REFERRALS AND CASES (§62A-4a-118)**

*...the executive director, or his designee, shall annually review a randomly selected sample of child welfare referrals to and cases handled by the division. The purpose of that review shall be to assess whether the division is adequately protecting children and providing appropriate services to families....The review shall focus directly on the outcome of cases to children and families, and not simply on procedural compliance with specified criteria....The executive director shall report, regarding his review of those cases, to the Legislative Auditor General and the Child Welfare Legislative Oversight Panel....The executive director's review and report to the Legislature shall include:...findings regarding whether state statutes, division policy, and legislative policy were followed in each sample case;...findings regarding whether, in each sample case, referrals, removals, or cases were appropriately handled by the division and its employees, and whether children were adequately and appropriately protected and appropriate services provided to families...an assessment of the division's intake procedures and decisions, including an assessment of the appropriateness of decisions not to accept referrals; and...an assessment of the appropriateness of the division's assignment of priority.*

### **2. COMPLIANCE WITH TIME LIMITS (§62A-4a-207(4))**

- (c) *before October 1, 2002, and before October 1 of each year thereafter receive reports from the division, the attorney general, and the judicial branch identifying the cases not in compliance with the time limits established in Section 78-3a-308, regarding pretrial and adjudication hearings, Section 78-3a-311, regarding dispositional hearings and reunification services, and Section 78-3a-312, regarding permanency hearings and petitions for termination, and the reasons for the noncompliance;*

### **4. LEGISLATIVE AUDITOR GENERAL (§62A-4a-118(4))**

- (4) (a) *...beginning July 1, 2004, the Legislative Auditor General shall audit a sample of child welfare referrals to and cases handled by the division and report his findings to the Child Welfare Legislative Oversight Panel.*
- (b) *An audit under Subsection (4)(a) shall be conducted at least once every three years, but may be conducted more frequently pursuant to Subsection (4)(d)....*
- (c) *...the Legislative Auditor General's report may include:...*
- (v) *a determination regarding whether the department's review process is effecting beneficial change within the division and accomplishing the mission established by the Legislature and the department for that review process;...*
- (d) *An audit under Subsection (4)(a) may be initiated by:*
- (i) *the Audit Subcommittee of the Legislative Management Committee;*
  - (ii) *the Child Welfare Legislative Oversight Panel; or*
  - (iii) *the Legislative Auditor General, based on the results of the executive director's review under Subsection (2).*

### **5. EVALUATION OF PILOT PROGRAM FOR DIFFERENTIATED RESPONSES TO REFERRALS (§62A-4a-202.7(17)(g))**

- (g) *send a copy of any written report by the independent evaluator to the Child Welfare Legislative Oversight Panel within 30 days of receipt;*

### **6. JUVENILE COURT PILOT FOR EXPANDED ACCESS TO HEARINGS AND RECORDS (§78-3-21)**

- (15) (b) *Prior to the 2005 Annual General Session, the Judicial Council shall report to the Child Welfare Legislative Oversight Panel and the Judiciary Interim Committee on the effects of this act [2003 H.B. 222] and recommend whether the provisions of this act should be continued, modified, or repealed.*

## REPORTS REQUIRED BY THE PERFORMANCE MILESTONE PLAN

**7. MILESTONE 1, PRACTICE MODEL DEVELOPMENT, TRAINING, AND IMPLEMENTATION (p. 22).**

*DCFS agrees to voluntarily report the results of the staff practice surveys scheduled for January 2001 and September 2001, as well as action taken based on these survey results, to the Child Welfare Legislative Oversight Committee.*

**8. MILESTONE 2, SYSTEM INVESTMENTS (pp. 26, 41).**

*The Division and DHS will continue its efforts to sustain the state's financial commitment throughout the implementation of this plan. In addition, DCFS will report its fiscal status to the Child Welfare Legislative Oversight Committee in July of each year.*

*...the Division will make a report each July to the Child Welfare Legislative Oversight Committee regarding the Division's fiscal maintenance of effort.*