



State of Utah

GARY R. HERBERT  
Governor

GREG BELL  
Lieutenant Governor

## Department of Administrative Services

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Executive Director

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July 9, 2012

Child Welfare Legislative Oversight Panel  
Utah State Capitol Complex  
House Building, Suite W210  
Salt Lake City, UT 84114-5210

RE: Office of Child Welfare Parental Defense Annual Report

I hereby submit the Annual Report of the Office of Child Welfare Parental Defense as required by UCA 63A-11-106. The duties, functions and responsibilities of the office include:

- Providing assistance and advice to parental defense attorneys;
- Developing and providing educational and training programs for parental defense attorneys;
- Providing information and advice to assist parental defense attorneys to comply with their professional, contractual, and ethical duties.

In August 2011 the Department of Administrative Services (DAS) entered into a new contract with the Parental Defense Alliance of Utah (PDA) to provide training and educational services to parental defenders. The contract was awarded to PDA after a competitive procurement was conducted. The new contract has a two year term with two, two-year renewals.

Two rules affecting the Office of Child Welfare Parental Defense came into effect in January 2012. The first made formal, under recommendation of counsel, the status of The Child Welfare Parental Defense Oversight Committee which provides advice to the Office of Child Welfare Parental Defense and the PDA. The Oversight Committee is composed of three private citizens, the Juvenile Court Administrator, the Executive Director of the Commission on Criminal and Juvenile Justice, the Office of Child Welfare Parental Defense Program Administrator, and a member of the Legislature (currently unfilled).

The second rule allows the Oversight Committee to conduct meetings electronically.

In fulfilling its obligations under the contract and meeting the responsibilities of the Office of Child Welfare Parental Defense, the PDA, in FY 2012:

- Produced, in partnership with the Office of the Guardian Ad Litem, an annual conference designed to improve the quality of legal representation. 162 people attended the conference. 123 attorneys received 11.5 hours - including 1 hour each of Ethics, and Professionalism and Civility - of CLE credits. 35 attendees identified themselves as contract attorneys.

The 2012 Annual Conference was very well received. Ninety-one percent of the survey respondents found the conference relevant to their practice. Nine percent of the respondents found it “somewhat” relevant.

One hundred percent of the survey respondents rated the conference as either “good” or “excellent.” Thirty eight percent of the respondents rated the conference as “good.” Sixty two percent rated it as “excellent.”

Eighteen percent of the respondents indicated that this was their first time attending the conference.

- Held seminars on telling a compelling story during opening statements in a TPR trial. Seven individuals attended the seminar in Cedar City and five attended the seminar in Moab.
- Conferred with, and acted as a resource for parental defense attorneys in Utah. Continued to provide valuable information – practice tips, legislative and legal updates, and news relevant to representing parents - via e-bulletins and newsletters.
- Extended financial assistance to indigent parental defendants for expert witness services, paralegal services, and court transcripts on appeal, subject to certain monetary limits.

The PDA continues to solicit practitioners and observe court proceedings for ideas about educational and training opportunities to help ensure that it continues

to provide effective training to parental defense attorneys.

The Office of Child Welfare Parental Defense uses expenditures under the contract between the Department of Administrative Services and the PDA as an “in kind match” for a federal grant submitted by the Court Improvement Project for court training programs.

Sincerely,

Salvador D. Petilos  
Program Administrator  
Office of Child Welfare Parental Defense