

**HOUSE COMMITTEE ON CHILDREN AND FAMILIES**

**April 10, 1997 Hearing Room D**

**1:00PM Tapes 61-62**

**MEMBERS PRESENT:**

**Rep. Liz VanLeeuwen, Chair**

**Rep. Kitty Piercy, Vice-Chair**

**Rep. Bob Jenson**

**Rep. Jeff Kruse**

**Rep. Dennis Luke**

**Rep. Kurt Schrader**

**Rep. Mark Simmons**

**MEMBER EXCUSED:**

**STAFF PRESENT:**

**Janet Carlson, Administrator**

**Berri Sellers, Administrative Support**

**MEASURE/ISSUES HEARD:**

**SB 49 A Public Hearing and Work Session**

**HB 2266 Public Hearing and Work Session**

**SB 55 Public Hearing and Work Session**

**HB 2787 Public Hearing**

**HB 3506 Public Hearing**

**These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.**

Tape/#	Speaker	Comments
TAPE 61, A		

002	Chair VanLeeuwen	Chair calls meeting to order at 1:17 pm. Opens public hearing on SB 49.
<u>SB 49 PUBLIC HEARING</u>		
013	Chair VanLeeuwen	Closes public hearing and opens work session on SB 49.
<u>SB 49 WORK SESSION</u>		
016	Rep. Piercy	<b>MOTION: Moves SB 49A to the floor with a DO PASS recommendation.</b>
		<b>VOTE: 7-0</b>
	Chair VanLeeuwen	Declares the motion <b>CARRIED.</b>
032		Closes work session on SB 49. Opens public hearing on HB 2266.
<u>HB 2266 PUBLIC HEARING</u>		
033	Chair VanLeeuwen	Closes public hearing on HB 2266 and opens work session on HB 2266.
<u>HB 2266 WORK SESSION</u>		
037	Vice-Chair Piercy	<b>MOTION: Moves HB 2266 to the floor with a DO PASS recommendation.</b>
		<b>VOTE: 7-0</b>
	Chair VanLeeuwen	Declares the motion <b>CARRIED.</b>
049		Closes work session on HB 2266. Opens public hearing on SB 55.
<u>SB 55 PUBLIC HEARING</u>		
050	Chair VanLeeuwen	Closes public hearing on SB 55. Opens work session on SB 55.
<u>SB 55 WORK SESSION</u>		

053	Rep. Piercy	<b>MOTION: Moves SB 55 to the floor with a DO PASS recommendation.</b>
		<b>VOTE: 7-0</b>
	Chair VanLeeuwen	<b>Declares the motion CARRIED.</b>
075		<b>Closes work session on SB 55. Opens public hearing on HB 2787.</b>
<b><u>HB 2787</u></b> <b><u>PUBLIC</u></b> <b><u>HEARING</u></b>		
079	Janet Carlson	<b>Committee Administrator. Provides background information on HB 2787. Explains that this bill would implement family decision- making models for certain cases within the State Office for Services to Children and Families (SCF).</b>
102		<b>Explains that statistics show SCF has been holding more family decision-making meetings than they have previously.</b>
119	Rep. Luke	<b>Why is there a referral to the people in HB 2787?</b>
123	Chair VanLeeuwen	<b>Explains that it was drafted incorrectly in Legislative Counsel, but she did not have this intention.</b>
125	Rep. Luke	<b>Will this work with the family court model?</b>
128	Carlson	<b>Does not know, but we will have people from family courts coming to testify next week. They could answer that question.</b>
139	Chair VanLeeuwen	<b>Explains that she is flexible in the wording of HB 2787.</b>
155	Vice-Chair Piercy	<b>Explains that the bill says the family decision-making model will be part of family planning.</b>
166	Rep. Jenson	<b>Wants definition for family decision-making model and family unity model, perhaps the people who are testifying can answer that question.</b>
198	Florence Brown	<b>Grandparents for Justice. Provides written testimony (EXHIBIT A).</b>
230		<b>Comments that we need an investigation group that is separate from Services to Children and Families.</b>
304	Diane Lancaster	<b>Staff at Services to Children and Families. Provides written testimony (EXHIBIT B). Explains opposition of SCF to HB 2787.</b>
366	Chair VanLeeuwen	<b>Why are there so few families that have used this method?</b>
373	Lancaster	<b>They have held over 2400 family unity meetings since the Emergency Board met in October 1996 and are hoping to increase that number in the future, depending upon how much money they receive.</b>

389	Chair VanLeeuwen	How many children do you serve?
391	Lancaster	We serve about 21,000 cases a year. That number has remained consistent for over three years.
412	Rep. Luke	When you are talking about the Governor's budget, which budget are you referring to?
419	Lancaster	The original recommended budget.
TAPE 62,A		
051	Lancaster	At the time this bill would go into effect, we would have at least 13,000 existing case files. We figure that one full-time person can handle 176 family decision meetings a year. Impact on the first biennium would be about \$14 million.
074		Explains that each family unity meeting costs approximately \$297.
082	Chair VanLeeuwen	What is your terminology of a "case?"
084	Victor Congleton	Branch Manager for Services to Children and Families. Responds that a "case" is any complaint that has received investigation or follow-up.
118	Lancaster	We are already using the family system model. SCF is in its second year of using the Strengths-Need Based System of Care.
148	Rep. Jenson	Could he have some materials provided to him about this system of care?
151	Lancaster	Yes, they can provide that first thing in the morning.
180	Rep. Luke	Is there anywhere in statute that defines these family models?
184	Lancaster	No, there is a policy sheet.
187	Rep. Luke	We need to define this in law.
194	Tim Travis	Attorney for the Juvenile Rights Project. Provides written testimony (EXHIBIT C). Begins by responding to comments made by prior witnesses.
222		Oregon has a waiver for Title IVE money that we can use foster care money in slightly different ways than other places can use it, in the Strengths-Need Based model.
224		Comments that the Juvenile Rights Project is committed to family involvement. Explains that this bill has some major legal flaws. Excludes anyone who has ever committed a felony or anyone who has ever committed abuse against the child. This clause in the law is unconstitutional.
265		Explains that there is potential in the bill to remove both the parents and child from the decision-making process, which is unconstitutional.
276	Chair VanLeeuwen	Title IVE waivers cannot be used if the family decided to put the child into foster care?

285	Travis	The family cannot get together and decide the fate of the child without the consent of the agency. The agency has the final word on placement even before the word of the court. To do otherwise is to jeopardize Title IVE dollars.
310	Nancy Miller	Citizen Review Board. Provides written testimony (EXHIBIT D). Explains why the citizen review boards are in favor of HB 2787. Provides background as to their successes with having used the family decision-making models.
375		Provides data that relates to family decision-making models.
396		Discusses that the agency is unwilling to implement these policies at this time.
437		Believes that this is a shift in balancing the power to recognize families in the decision-making models.
467		Explains that this is good case work practice and that the fiscal impact should not be relevant.
<b>TAPE 61,B</b>		
048	Marcel Bendshadler	Explains that he is in favor of HB 2787.
066		Describes personal experience with family unity meetings. Has serious reservations with SCF running family unity meetings. Both he and his wife would have been excluded from the family unity meeting if the agency determined who was invited.
086		Expresses his concern with the terminology "reasonable diligence."
103		Explains that he would like to see the agency try harder to find and notify families of decisions that have been made with their children.
171	Chair VanLeeuwen	Closes public hearing on HB 2787. Opens public hearing on HB 3506.
<b><u>HB 3506</u></b> <b><u>PUBLIC</u></b> <b><u>HEARING</u></b>		
177	Carlson	Provides an overview for HB 3506, including: a comparison of citizen review boards and Court Appointed Special Advocates; how they differ and how they are similar. Intent of the bill was to promote a discussion on how the two programs can work better together.
209	Ann Van Lydeoraf	Member of a citizen review board. Here to testify in opposition to HB 3506. Explains that she is a family nurse practitioner. Explains that they are not part of SCF, but are an independent entity.
233		Explains that she volunteers about 250 hours a year to this program.
244		

		<b>Believes that the Court Appointed Special Advocate program is an excellent program, but that they are very different and the two should not be compared.</b>
<b>280</b>	<b>Mickey Lansing</b>	<b>Deputy Director for the Oregon Commission on Children and Families.</b>
<b>300</b>		<b>Explains differences between the Court Appointed Special Advocates and the citizen review boards.</b>
<b>329</b>		<b>Explains that the citizen review boards and court appointed special advocates are significantly enough different that they should not be combined and that State Commission on Children and Families is against HB 3506. They believe both Court Appointed Special Advocates and citizen review boards are important elements to the system.</b>
<b>TAPE 62, B</b>		
<b>021</b>	<b>Miller</b>	<b>Describes what the citizen review boards are still working on to improve their services.</b>
<b>065</b>	<b>Rep. Schrader</b>	<b>Is there a way that the citizen review boards could share their budget with the Court Appointed Special Advocates program?</b>
<b>070</b>	<b>Miller</b>	<b>Most of their budget goes towards staff support and she is not sure if they could share funding.</b>
<b>094</b>	<b>Rep. Schrader</b>	<b>How many staff does it take to operate a citizen review board?</b>
<b>096</b>	<b>Miller</b>	<b>Staff supports 6-7 review boards each.</b>
<b>099</b>	<b>Ida Dezotell</b>	<b>Polk County Court Appointed Special Advocates program. Explains their relationship with SCF.</b>
<b>126</b>	<b>Judge Terry Leggert</b>	<b>Juvenile Court Judge in Marion County. Supports both citizen review boards and court appointed special advocates.</b>
<b>148</b>	<b>Donaline Points</b>	<b>Citizen review board member from Sweet Home. Discusses rejection and sexual abuse as the two most damaging things that can happen to a child.</b>
<b>170</b>		<b>Explains her support of uniting families in the decision-making process.</b>
<b>182</b>		<b>Talks about citizen review boards and how they look at each case individually. Explains that at some reviews there are no family members present.</b>
<b>200</b>		<b>Explains the difference between the court appointed special advocate and the court appointed attorney.</b>
<b>235</b>	<b>Chair VanLeeuwen</b>	<b>Adjourns committee at 3:00 pm.</b>

**Submitted By, Reviewed By,**

**Berri Sellers, Janet Carlson,**

**Administrative Support Administrator**

**EXHIBIT SUMMARY**

**A -HB 2787, written testimony, Florence Brown, 2pp.**

**B - HB 2787, written testimony, Dianne Lancaster, 3pp.**

**C - HB 2787, written testimony, Timothy Travis, 3pp.**

**D - HB 2787, written testimony, Nancy Miller, 10pp.**

**E - HB 3506, written testimony, Mickey Lansing, 2pp.**