

HOUSE COMMITTEE ON CHILDREN & FAMILIES

Hearing Room Tapes - 42

MEMBERS PRESENT: Rep. John Meek, Chair Rep. Judith Uherbelau, Vice-Chair Rep. George Eighmey Rep. Bill Fisher Rep. Kitty Piercy Rep. Lynn Sn

MEMBER EXCUSED: Rep. Patti Milne

STAFF PRESENT: Tom Mann, Committee Administrator Pamela Berger, Committee Assistant

MEASURE HEARD: HB 2029 - Public Hearing

These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation mark report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes.

TAPE , A

CHAIR MEEK: Calls the meeting to order at 8:36 a.m.

HB 2029 - Public Hearing

010 LORRAINE & CHARLES MULLINS: Testifies on HB 2029 -am trying to adopt our grandchildren -spend \$50,000 -have had psychological tests

CHAIR MEEK: Refers to HB 2029-A working version (EXHIBIT A) -testimony heard at previous hearing regarding challenging allegations and need

EIGHMEY: Clarifies charge

116 CHAIR MEEK: Section 4 regarding family group coordinator when they may make unsuccessful efforts to gather family members for the c

200 Members discuss the possibility of allowing confidentiality of information for family members by not allowing the family group coord to divulge information, except when it is criminal

247 MANN:: Issue of family reunification adjudicating the petition may clarify problem

380 TIMOTHY TRAVIS, JUVENILE RIGHTS PROJECT: Does not like postponing the petition; information becomes stale -describes current proced

TAPE 42, SIDE A

-court can give temporary custody to family member and not to the State -due process requires proof -would like to see that reunification oc

050 EIGHMEY: Discusses adjudication process

100 TRAVIS: His view of an ideal process

UHERBELAU: suggests that Travis work with staff in developing language

138 TRAVIS: In response to Piercy, discusses termination process

CHAIR MEEK: Bill allows for several checks and balances

166 NANCY MILLER, CITIZENS REVIEW BOARD (CRB): Caution about postponing petitions and the significant amount of federal funds tied to p among other things

205 EIGHMEY: Worse case scenario

FISHER: Influence of federal funds

MILLER: Clarifies about federal funds and laws

TRAVIS: Purpose of federal laws pertaining to placements

240 FISHER: Comments

TRAVIS: Removal criteria

FISHER: Refers to previously heard testimony about information provided to

judicial officer

MILLER: Responds -in response to Fisher, will provide Kentucky law regarding reasonable efforts; will have conversation with Judge Fitzgeral

260 UHERBELAU: Discusses affidavit process and adding work for already over-worked CSD workers

MEEK: In response to Eighmey, will also be working on 24 hour issue

FISHER: Lack of coordination in his district

TAPE 41, SIDE B

040 BARBARA GOMAN: Testifies on HB 2029 -addresses language section 2 line 26 regarding to psychological injury

CHAIR MEEK: Responds about setting higher standards -we can not dictate to a DA to press charges; trying to define what abuse is in HB 3180

135 FISHER: Psychological and emotional needs to be defined

160 ROBERT COOLEY, PSYCHOLOGIST: Testifies on HB 2029 -comments on the defining of psychological and or emotional abuse as something th

205 JOANNE DERR: Testifies on HB 2029 -concerned about language in section 5 regarding family representation

CHAIR MEEK: Clarifies

DERR: In the cases that I've seen, it seems that the child's attorney has some connection with CSD and there is no input from the family

CHAIR MEEK: Responds about family group conferences

266 SNODGRASS: Language is not specific enough to include for example the boyfriend

UHERBELAU: Role of the child's attorney

290 PIERCY: What avenues to people have if they don't feel that things are functioning as they should?

CHAIR MEEK: The family group coordinator

EIGHMEY: Attorney's strict rules regarding contact -attorneys volunteer time to represent children

340 Members discuss family representation

408 CLAUDE DERR: In our situation, seemed that every effort was made that we, as the grandparents, were not involved

TAPE 42, SIDE B

EIGHMEY: Role of child's attorney

040 UHERBELAU: Role of child's attorney

SNODGRASS: Representative for the child may be somebody besides an attorney (i.e. foster parent)

CHAIR MEEK: Responds

076 CHAIR MEEK: In response to Fisher, refers to section 3 of Exhibit A

EIGHMEY: Clarifies language for Fisher

140 MANN: Clarifies language for Fisher

CHAIR MEEK: In response to Fisher, discusses strategy for reaching goal

PIERCY: Concerned about participants in family conference -- intent needs to be clear that the goal is to work together as a family

C. DERR: State law

L. DERR: Pre-trial conference

210 CHAIR MEEK: Adjourns the meeting at 10:15 a.m.

Submitted by, Reviewed by,

Pamela Berger Tom Mann Committee Assistant Committee Administrator

EXHIBIT SUMMARY: A - HB 2029 - conceptual amendments - staff - 9 pp.