

State Advisory Council Meeting

January 22, 2021 - 8:30am to 10:30am

301 So Park Ave. – Zoom Video Conference Call

Present: Chairwoman Edith Clark, Ken Holmlund, Rochelle Beley, Randy Schwickert, Trudi Schmidt, Dana Toole, Melissa Lavinder, April Sommers, Julie Fleck, Megan Bailey, Heather Denny, Valerie Winfield, Carrie Krepps, Gala Goodwin, Julie Burk

CFSD Representatives Present: Nikki Grossberg, Robin Graham, Kate Larcome, Jennifer Hoerauf, Sahrita Jones-Jessee, Eric Barnosky, Jason Larson, Laura McCullough, Mick Leary, Angie Smith, Lynne Johnston

Guest: Matt Schubert

Absent: Brenda Schye, E. Wayne Phillips, Randall Spaulding, Greg Daly, Brandon Wootan, Courtney Callaghan, Marti Vining, Joyce Funda, Loretta Rex, Angie Rolando

8:30 – 8:40am **Welcome and Introductions**

Chairwoman Edith Clark called the meeting to order at 8:30 AM. Nikki Grossberg asked everyone to introduce themselves. Visual Quorum was reached. The October 23, 2020 minutes were approved as submitted.

8:50 – 9:10am **Budget Update – Robin Graham**

Robin gave her budget update presentation

- As of the third quarter ending September 30, 2020, there were 3,485 children in care in foster care.
- As of the fourth quarter ending December 31, 2020, there were 3,350 children in care which has gone down by 135 kids in care. The average number of kids in care for SFY 2020 (12 month period) is at 3,646. The average number of kids in care so far in 2021 is 3,455 which is a down by 191 or a 5% change.
- IV-E Saturation rate as of September 30, 2020 we were at 31.68% which is a little lower than we like to see but it will fluctuate. As of December 31, 2020 we are at about 33%.
- Foster Care funding is projected to spend 29 million with the budget at 33 million. There will be a little excess for foster care.
- For Adoption, we are currently funding 3,174 children with adoption subsidies. It is projected to cost a little under 22 million to fund the children. Any child over age 2 is automatically IV-E eligible, so we will be able to recoup significant federal dollars.
- For Guardianship, we are funding 986 children with subsidies and plan to spend about 5.5 million. Funding is at a little more than 6 million. We will have a little excess from guardianship.
- The Division as a whole has 38 vacant positions which equates to 37.5 FTE. Of the 38 vacancies, there are 27 vacant CPS workers and one CI position.
- The Budget as a whole will have an excess in the general fund of \$1 million. We should be in good shape for 2021

Robin will get the materials out to the SAC group very soon for their review.

9:10-9:30 **CFSD Update**

Nikki wanted to discuss where we are at with the Legislative Session. Erica Johnston has been the acting director and has done a great job moving child and family services and the department forward as a whole with all the upcoming changes. The presentation for the Sub-appropriations Budget Committee is scheduled

for February 3. If anyone would like to present public comment, registration is required 24 hours in advance. Nikki will send out an email to the group with a link for registering. There are three bills that Child and Family Services has initiated and are working their way through the process.

HB 60 – Changes the language around our voluntary services and agreements to prevention plans to align with Families First and providing prevention services for families to prevent removal. It has passed out of committee and out of the second reading with full support.

HB 78 – Added another group into the mandatory reporting law. The new language in the reporting law is to include directors, employees, and volunteers of entities who provide organized activities for children. May be some amendments to the volunteers of entities. It is moving forward in the legislature.

HB 57 – A requirement under Families First with changes to congregate care where we need 60-day hearings when a child is placed in a therapeutic group home. Has been presented but not voted on yet.

HB 90 refers to the EPS hearing and is the pilot program we are doing across communities to get families in front of a judge as soon as possible when a child is removed. There have been a couple edits. Last year was for a 24 to 72-hour hearing and this year is looking at 5 days. Trying to find a middle ground.

Ken Holmlund reminded Nikki that there is another bill regarding suicide prevention. The bill passed out of the House yesterday (99-1 votes when it came off the floor). The bill changes the terminology that was used to update the suicidal awareness person from the administrator's position to mental health section. Couple amendments from a representative to modernize the suicide wording.

There are pilot programs in three counties. Nikki asked the regions to discuss how the Court pilot program is going in their region.

Jason Larson, Region 3 (Billings)

Region 3 has been doing EPS Hearings since last January with Judge Fehr and Judge Harada and added Judge Davies in June of 2020. Judge Todd takes care of Drug Court and Judge Souza handles ICWA court. They have six judges doing EPS hearings now. Created a new form with the help of Julie so they can give the family a notice to be in court the following week. The Pre-Hearings are causing an issue. Scott Peterson, county attorney's supervisor, asked that at the next meeting, they discuss not to have the Pre-Hearings before the EPS Hearings. It is hard to get parents to attend and to get legal counsel. They are doing a good job in getting things organized and getting families in front of a judge fairly fast. They will continue to work on scheduling.

Kate Larcom – Region 5 (Missoula)

Region 6 will notify parents that they will have their initial appearance in court the following Tuesday in front of Judge Halligan, who is the only judge in Missoula county who is handling them. After a Tuesday hearing, there will be an intervention conference the following Friday. There should be two appearances in the same week within 7-10 days of the child being removed. Any removals in court now will be for the first week in February. Region 6 will provide parent with a standard notification including sending them information on how to attend the initial appearance, zoom attendance links and keeping them informed on how things are moving forward. They just started the program and have no hearings yet, so they do not have any details on how it is working. Karen Kane from attorney general's office is helping to get it off the ground. Judge Halligan has been very helpful with the cases.

Angie Rolando(Kalispell) is unable to attend the meeting, so Nikki Grossberg reported for her. Their program is going well. They are able to access services earlier and Moving to in-home safety plan earlier and providing accountability to CFSD.

Valerie Winfield (Cascade County) – Great Falls’ case volume is very high and the same as Billings. On November 16, Great Falls had the same number of removals as Billings. Great Falls has fewer judges, and they are trying to get the program off the ground again. Valerie sees difficulties initiating the pilot program. Need to get attorneys involved in the program.

Nikki discussed an initiative we have called “Moving the Dial” with the Court Improvement program. This is a conference where we pulled together 10 teams from counties across the state such as Yellowstone with three teams and Cascade with two teams. We are incorporating judges, county attorneys, public defenders, our agency and CASA in order to spend time together to learn each other’s systems and sharing the same vision for what child welfare in Montana is and how to move it forward. The first training in November was virtual and went very well. To really make the changes, we have to look at the system’s issues, collaborating, being transparent, sharing same vision. Through this training, each of these communities have continued their own work to make the changes they want in their community and to create better outcomes for kids and families. At the original conference, we shared some CFSD data with everyone. We want to make sure we are data driven and that we are making changes and good decisions. The second training is planned for February. Comments are needed from the SAC group.

Julie Burk – The “Move the Dial” training is scheduled for February 24-25, 2021. Each of the 10 judges will report on what they are doing in the interim. At the next conference, we are having a PHD from Ohio State Medical Center talk about the effects of substance abuse on the brain, recovery and how it aligns with the parent’s ability to follow a treatment plan. On the second day, we are going to have Dr. Eric Arzubi from Billings to talk about how substance abuse affects the children. Our goal is to have these conference every quarter until we can have a regular in-person conference and hopefully include more judges. The Planning group is now working on the questions to ask.

Nikki wanted everyone to talk about how things have gone in their area and what the highlights are from the conference in order for them to “Move the Dial”.

Eric Barnosky , Region 1, said that it is a good process. It has brought together all the key partners within our court. The Eastern region is participating in Dawson County and use Judge Reager. It was positive to bring together the court of the defender’s office, CFSD CASA and attorney to have a conversation on what is working well within the court system and gather information that can be improved. Judge Reager has reached out and seeking more detailed information. We have not met since the November meeting but are building up a foundation for the meeting in February.

Sahrita Jones-Jessee, Region 2 – They took a look at Cascade county and how to improve their numbers. Did try Pre-hearing conferences a while ago, but they failed. They are bringing Pre-hearings back to Cascade County hoping they will succeed. Judge Best has gotten some outside attorneys to help assist and maybe will start in February. Attorney Travis Fishman will help with the mediation part of it. Working on trying to

improve the program. Judge Best struggles with assigning attorneys to parents. Hopefully, it will be better this time around. They have a lot of work to do to get better organized and improve.

Jason Larson, Region 3, said they have three teams. Jason has been involved more in 2 of the 3 with Judge Davies and Judge Barnes. They focused mainly on visitation/parenting time and want to change that to just parenting time. It is an issue as to why they have to have supervised visitation versus finding natural resources so they can have more visitation rather a supervised setting. That was one of the goals. Also focused on DIMS which is a documentation tool within the courts that they want to use. They want to get providers and staff to be trained so that everything is documented into a system in which the judge has it in real time in order to look at what a client is and is not doing and be available at court time. They also have EPS Hearings. They want a team approach, not just where the judge makes all the decisions. The family can have success versus focusing on the negative aspects.

Jennifer Hoerauf, Region 4 – One of the things that Jennifer valued at the last discussion was working on safety resources and ways to implement in-home plans. It is a department task that they can work together to encourage our public defenders. Ways we can pull together as a team. More and better communication. Regular ongoing contact to identify barriers. Judge Whelan said he is going to take more time during the hearings to explain the conditions to the parents and have a better understanding of our attachment and why we are involved.

Kate Larcom, Region 5, – Kate has not participated in the court improvement plan. Courtney has been handling it. The pilot has been the meat of the work the group has done together. Active discussion and solution focused. There has been a lot of willingness to problem solve from all the people involved – office of public defender, staff, and judges. Discussion and understanding of our immediate danger assessments and conditions for return. Make sure parents understand how they help move the case forward and the decisions that go into that. We will continue to use intervention conferences and the court hearings.

Any questions or comments? CASA perspective – April Sommers has no questions or comments.

Trudi Schmidt asked if things are not going well in an area who gets it back on track? What is the problem in keeping it on track? Nikki said Marti is handling this and working closely with the regions. There are meetings occurring to dig into this issue. Each community has different challenges.

Valerie said the problem in Great Falls is that they have a community that has suffered since the recession and many people end up in Great Falls from the reservations and smaller communities. They need a place to live because Great Falls is the largest city for north-central Montana, and this is where the services are found. Great Falls has many bizarre cases. Nikki felt the answer could not be answered at this time.

Trudi asked what things need to change so people don't stay frustrated so they don't feel nothing is moving in the right direction.

Valerie feels that is not accurate - they are. They need to figure out why, as a community, do we have the child abuse and neglect rates in the first place? Issues include Meth, Opiate addiction, and unresolved mental

health issues. What can we do to get the problem solved with all these issues? We need to fix what is the causing the problem.

Program Bureau update – Mick Leary

- We have one vacancy that is posted and will oversee IV-E contracts with the tribes, University, Salish Community College.
- Implementation of Families First – Looking at how do we work with the PIP and case reviews.
- Ongoing projects with federal guidelines.
- Redoing policy and procedure manual – will be ready soon to get out to stakeholders and internally.
- How can we do things more efficiently with the inner workings of the bureau?
- Continue to look at adoptions and become more effective.
- Working with Mark Girdler on guardianships
- Nikki added that we submitted the Title IV-E Prevention Plan to ACF around Families First at the end of November. Have not heard back from them yet, but it usually takes them a few months.
- Just finished our first year of the program improvement plan. This is a three-year process with two years of implementing all our new strategies and goals and then a year of collecting more data to see if the changes we have made improved the outcomes for kids.
- Staff across the state and in the field has worked hard on the policy and procedures in order to make changes internally throughout the system.
- Centralized Intake has one supervisor who is leaving. They have done interviews for that position. Centralized Intake has stabilized.
- Call times are down to under two minutes. Wait times have improved.

9:40 – 10:10am Reports by Regional Administrators

Region 1: Eric Barnosky

- Working in several counties on the Meadowlark Project. Focusing on peri-natal substance abuse disorder working with partners to make sure expecting mothers can continue through the birth process.
- Miles City, Sidney and Hardin are in various stages of implementing the Meadowlark project.
- If there is a need for a protection plan when workers conduct their family assessments, they are quickly making referrals to the Family Support Team Coordinator. Scheduling meetings with the family so they can have the services they need.
- Have two vacancies left to fill.
- Supervisors focus on on-line training.
- Eric meets with every supervisor weekly on teleworking and other issues with COVID
- Eric has been able to attend more meetings every day due to the virtual meeting system. Traveling limited him from attending as many meetings as he should. Virtual meetings have let him be better at his job.

Region 2: Sahrta Jones-Jessee

- Great Falls has three CPS openings, one Social Service Tech opening and one Admin opening. Interviews as soon as all applications come in.

- Intake Unit is almost fully staffed at 13 now, and 7 of those are under one year of child and family service experience, so quite a bit of training going on.
- Ongoing unit has one opening with the rest of the units being fully staffed
- As soon as the front line is filled, Sahrita wants to fill her safety resource specialist
- Havre has one CPS opening which has been open for 3 months.
- Currently advertising for the Conrad supervisor position.
- Taking care of family support teams for over 18 months now
- Working on pre-hearing conferences.
- Child Abuse Neglect (CAN) community team educates the community focusing on taking away the stigmas of child abuse and neglect in Great Falls.
- They have a worker who specifically works on the Meadowlark Program. In December, they had eight meth babies born all at once and has not eased up yet.
- Have seven pregnant workers so planning to handle this in the spring. All are due within 2 weeks of each other.
- Looking at having a Meadowlark Program set up in the Browning reservation area for meth addiction treatment.
- Have 36 community resources in the family support teams.

Region 3: Jason Larson

- Five CPS vacancies with one promoted to supervisor.
- Social Service Technician position open. Getting applications.
- Family Support Team launched in Billings on December 18.
- Judge Todd and Judge Souza are waiting on funding for the positions in their courts.
- Meadowlark Program had training with CPS supervisors and Meadowlark Coordinator in Billings. Want to get the program going.
- Rurals are fully staffed in Fergus County.

Region 4: Jennifer Hoerauf and Laura McCullough

- Helena area is fully staffed and operating great
- Having second-round interviews for the regional position of Field Lead Training position that covers the Helena, Butte Bozeman area.
- Workforce Training Consultant position is through UofM.
- Helena Meadowlark program just started and now have 10 families.
- Bringing Domestic Violence training back again. Friendship Center and others for further training on domestic violence.

Jennifer Hoerauf –

- Five CPS workers set up for MCAN training. One position in Bozeman and one in Butte
- Working with supervisors to get back to simplistic way of things with staff and explaining why we are doing what we are doing.
- Judge Peter Ohman has replaced Judge Holly Brown in Bozeman and Gallatin district.
- Livingston (Park County) is looking at starting MDT Forensic team. Talking about building team for Park County community.

Region 5: Kate Larcom

- Staffing pattern is solid. CPS worker and Supervisor position open.
- Focusing on training and retention of staff
- Stable caseload numbers. Kids in care is 152.
- Additional Recovery program launched in 2018.
- Currently working on implementing family support teams in Missoula County office
- Partnerships with Community Health Center and St. Patrick's Hospital who work with Meadowlark program. All staff training about plans of safe care and peri-natal substance abuse disorder.
- Missoula County has a Foster Child Health program and Foster care Clinic that the health department helps with. Both these programs will transfer to Partnership Health Center soon.

Region 6: Angie Rolando

Not available at the meeting

10:10 – 10:20

Public Comment:

There are no public comments available.

Nikki will send out links for Appropriations Committee public comments.

Chairwoman Edith asked Nikki about her presentation with the Appropriations Committee on February 3 and any discussion on public comment. If there is public comments, oral or written, Nikki will send out the links for public comments. Trudi Schmidt asked who was chairing the Appropriations Committee. Nikki said that Representative Keith Rigier from Kalispell is chairing the committee.

Dana Toole had other bills for DOJ that were up the first two weeks of the session. Nikki will send it out. There is an online registration system if public comment wants to be heard. The committees are not providing second chances on the deadline. If you want to testify you will have to go to the legislative site and sign in to testify by noon the day before the committee hearing. It will require entering your position, name and a short sentence about why you are there. The opportunity to upload written testimony is available if wanted. If testimony is uploaded, the committee may not let you speak.

Megan – for written comment do you still need to register? Dana said yes. Nikki will send out information. Megan asked if someone could send out information on House Bills and testifying.

Heather Denny, Office of Public Instruction – SB 18 is another bill that impacts children in foster care that is carried by Dan Salomon. SB18 came out of Senate Tribal Relations Committee. It allows any student who has had educational disruption to request a state minimum diploma from their local school board. This would include children who are homeless, in foster care, incarcerated or have a mental health crisis. Anything that impacted their ability to stay on track to graduate.

Megan – Is there a way for those of us on this board to send a list of what is important so anyone can testify if they want? Nikki said yes she can help with that.

10:20-10:30am Wrap Up/Next Meeting: Chairwoman Edith Clark

Edith Clark gave her thanks to everyone for their help and support.

The next SAC meeting will be April 16 or 23 and should be virtual. Hopefully by summer, we may go back to in-person. Invite will be sent out for next meeting as soon as a decision has been made on the actual date.

Meeting adjourned at 10:27am