

# **State of Alaska FY2002 Governor's Operating Budget**

Department of Health and Social Services  
Court Orders and Reunification Efforts  
Component

## **Component: Court Orders and Reunification Efforts**

**Contact: Janet Clarke, Director, Administrative Services**

**Tel:** (907) 465-1630 **Fax:** (907) 465-2499 **E-mail:** janet\_clarke@health.state.ak.us

### **Component Mission**

The mission of the Division of Family and Youth Services is to protect children who are abused and neglected or at risk of abuse and neglect.

### **Component Services Provided**

Program Summary: AS 47.14.100 mandates the Department to provide for the "...care of every child committed to its custody by placing the child in a foster home or in the care of an agency or institution providing care for children inside or outside the state." (emphasis added). To meet this mandate, the Department, through the Division of Family & Youth Services (DFYS), provides various foster care programs to children placed in custody of the State. These are children who have been removed from situations of abuse and/or neglect and are at risk for further abuse and neglect.

Due to the severity of the abuse, removal is often emergent and not planned. When these children cannot be safely maintained in their own home they require out-of-home care until the conditions requiring their removal have been ameliorated or other permanency is established. Although every effort is made to place children with relatives, often non-relative foster care is required.

The Department provides a spectrum of foster care services including the Foster Care Base Rate, Foster Care Special Needs, Foster Care Augmented, and Foster Care AYI to meet the needs of children in State custody and to meet the Department's statutory mandate to provide for the care of children in State custody.

The Court Ordered and Reunification Efforts (CORE) component captures the cost of court ordered services and related expenditures necessary to meet the Department's "Reasonable Reunification Efforts" legal requirements and "Active Efforts" on behalf of native children and families. Court ordered services include, but are not limited to: drug and alcohol assessment; counseling, substance abuse treatment, mental health services, assistance to address domestic violence, visitation with family members, parenting classes, in-home services, temporary child care services, transportation and other services or treatment for biological parents; room and board for parents while they attend treatment; witness fees; finding missing parents; court teleconference hearings; and travel costs for family visits. Reasonable or reunification services and active efforts include but are not limited to drug and alcohol assessment and treatment for biological parents; travel costs for biological parents, grandparents, and siblings to visit children in custody; travel costs for home visits; and other services to assist in maintaining children in their homes or to return them to their biological parents.

This component improves accountability and makes a clear distinction between the cost of foster care services and services with the specific intent to preserve and reunite families. Accountability is improved by providing clear documentation of "active effort" services provided to native children and families.

### **Component Goals and Strategies**

#### **1) FOSTER CARE FUNDS SUPPORT FAMILY REUNIFICATION:**

· Every effort is made to maintain children in their own home. When, however, they cannot safely remain in their home and require out-of-home care, the Division places strong emphasis on reunification of the family. This reunification sometimes involves providing special education, training, or therapeutic intervention for the family members. Special funds can be accessed to support family reunification, ameliorating the issues and concerns which could place the child at continued risk when returned to the home.

· Special needs children present unique challenges to families already experiencing deficits due to substance abuse, criminal activity, parental handicaps, and other conditions. The Department's foster care programs provide support

services to reunite families. When family reunification is not possible, permanent homes must be located that can meet the needs of the child through guardianship or adoption.

2) PROVIDE FUNDING AND IDENTIFY COSTS ASSOCIATED WITH FAMILY REUNIFICATION EFFORTS, WHETHER ORDERED BY THE COURT OR UNDERTAKEN AS PART OF A DFYS CLIENT CASE PLAN:

· The Department provides a spectrum of foster care resources to meet its statutory mandate to provide for the care of children who have been taken into State custody. Typical services provided through the Department's foster care programs include: food, shelter, clothing, counseling, psychological and medical needs and other needs directly related to taking care of a child.

· In 1998 the Alaska Legislature passed new child protection legislation (Chapter 99, SLA 1998) which, in part, increases emphasis on prevention of out-of-home placement and reunification of families in the event of an out-of-home placement. This new law established AS 47.10.086 which mandates the Department to "...make timely, reasonable efforts to provide family support services to the child and to the parents or guardian of the child that are designed to prevent out-of-home placement of the child or to enable the safe return of the child to the family home, when appropriate, if the child is in an out-of-home placement..." (emphasis added). In the case of native children, the Federal Indian Child Welfare Act (ICWA) mandates the Department make active efforts towards the same goals. "Active efforts" denotes an even higher standard of service delivery to the child and to the parents or guardian of the child than the standard associated with "reasonable efforts".

· Family support services, as defined by AS 47.10.999 (9), include: counseling, substance abuse treatment, mental health services, assistance to address domestic violence, visitation with family members, parenting classes, in-home services, temporary child care services, and transportation.

· Federal requirements also demand reunification services be "time-limited" thereby stressing the importance of establishing permanency for children in State custody.

· In many instances, the Court System has ordered DFYS to provide to DFYS clients and their families services that fall outside of the realm of what is normally considered foster care. For example, the court may order DFYS to pay for drug and alcohol assessment and treatment for biological parents, room and board for parents while they attend treatment, and travel costs for family visits.

3) IDENTIFY COSTS INCURRED BY THE DIVISION DUE TO STATE AND FEDERAL "REASONABLE EFFORTS" AND "ACTIVE EFFORTS" REQUIREMENTS TO PREVENT OUT-OF-HOME PLACEMENT AND TO REUNIFY FAMILIES:

· Federal foster care regulations and State law require the Department to make "reasonable efforts" to prevent out-of-home placements and to reunify families in a time-limited manner in the event of an out-of-home placement for non-native children. Services are provided to prevent out-of-home placements or to reunify children who have been removed. Yet these services are provided in a time-limited manner to also focus on permanency or "a child's sense of time." The same regulations and State law require the Department to make "active efforts" for native children. The Department, in response to these requirements, provides a range of services to children in custody and their families.

· "Reasonable efforts" and "active efforts" expenditures often extend beyond standard foster care services. Common "reasonable and active efforts" expenditures include drug and alcohol assessment and treatment for biological parents; travel costs for biological parents, grandparents, and siblings to visit children in custody; travel costs for home visits; and other services to assist in maintaining children in their home or to return them to their biological parents. If a timely reunification is not possible, services are focused on establishing permanency for the child through guardianship or adoption.

### **Key Component Issues for FY2001 – 2002**

During FY2000 the Department, in order to comply with AS 47.10.086, created a new Court Ordered and Reunification Efforts component for FY2001. This component is used to capture the cost of court ordered services and other expenditures necessary to meet the Department's "Reasonable Efforts" and "Active Efforts" legal requirements. These costs were previously paid from the Foster Care Special Needs component. The new

component was created to improve accountability and make a clear distinction between foster care services and services to preserve and reunite families. It also supplies the necessary documentation of "Active Effort" services being provided to a specific population mandated by the Indian Child Welfare Act (ICWA).

### Major Component Accomplishments for FY2000

This is a new budget component for FY2001. The Division will report accomplishments after the program is in operation for at least one budget cycle. The Division expects this component will increase accountability in tracking the foster care services intended to preserve and reunite families.

### Statutory and Regulatory Authority

AS 47.05 Administration of Welfare, Social Services, and Institutions.  
 AS 47.10 Children in Need of Aid.  
 AS 47.14.100 Care of Children.  
 AS 47.17 Child Protection.  
 AS 47.40 Purchase of Services.  
 7 AAC 53, Article 1 Child Care Foster Care Payments.  
 7 AAC 53, Article 3 Children in Custody or Under Supervision : Needs and Income.  
 Titles IV-B and IV-E of the Social Security Act  
 Indian Child Welfare Act

### Key Performance Measures for FY2002

**Measure: The performance measure for this component is set up at the BRU level. Please see the performance under the Purchased Services BRU.**  
*(Not yet addressed by Legislature.)*

### Status of FY2001 Performance Measures

	<i>Achieved</i>	<i>On track</i>	<i>Too soon to tell</i>	<i>Not likely to achieve</i>	<i>Needs modification</i>
<ul style="list-style-type: none"> <li>The performance measure for this component is set up at the BRU level. Please see the performance under the Purchased Services BRU.</li> </ul>			X		

**Court Orders and Reunification Efforts****Component Financial Summary***All dollars in thousands*

	<b>FY2000 Actuals</b>	<b>FY2001 Authorized</b>	<b>FY2002 Governor</b>
<b>Formula Program:</b>			
<b>Component Expenditures:</b>			
71000 Personal Services	0.0	0.0	0.0
72000 Travel	0.0	0.0	0.0
73000 Contractual	0.0	0.0	0.0
74000 Supplies	0.0	0.0	0.0
75000 Equipment	0.0	0.0	0.0
76000 Land/Buildings	0.0	0.0	0.0
77000 Grants, Claims	0.0	500.0	500.0
78000 Miscellaneous	0.0	0.0	0.0
<b>Expenditure Totals</b>	<b>0.0</b>	<b>500.0</b>	<b>500.0</b>
<b>Funding Sources:</b>			
1004 General Fund Receipts	0.0	500.0	500.0
<b>Funding Totals</b>	<b>0.0</b>	<b>500.0</b>	<b>500.0</b>

**Court Orders and Reunification Efforts**

**Proposed Changes in Levels of Service for FY2002**

No changes are proposed for FY2002.

**Summary of Component Budget Changes**

**From FY2001 Authorized to FY2002 Governor**

*All dollars in thousands*

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
<b>FY2001 Authorized</b>	500.0	0.0	0.0	500.0
<b>FY2002 Governor</b>	500.0	0.0	0.0	500.0