

1 **CONSOLIDATION OF CHILD WELFARE**

2 **OVERSIGHT REPORTS**

3 2003 GENERAL SESSION

4 STATE OF UTAH

5 **This act modifies the human services code. This act modifies and consolidates reports**
6 **pertaining to the state's child welfare system.**

7 This act affects sections of Utah Code Annotated 1953 as follows:

8 AMENDS:

9 **62A-4a-107**, as last amended by Chapter 101, Laws of Utah 1999

10 **62A-4a-117**, as last amended by Chapter 274, Laws of Utah 1998

11 **62A-4a-118**, as last amended by Chapter 140, Laws of Utah 2000

12 **62A-4a-202**, as last amended by Chapter 274, Laws of Utah 1998

13 **62A-4a-202.7**, as last amended by Chapter 283, Laws of Utah 2002

14 **78-3a-911**, as last amended by Chapter 168, Laws of Utah 2002

15 **78-3g-102**, as last amended by Chapter 1, Laws of Utah 2000

16 *Be it enacted by the Legislature of the state of Utah:*

17 Section 1. Section **62A-4a-107** is amended to read:

18 **62A-4a-107. Mandatory education and training of caseworkers -- Development of**
19 **curriculum.**

20 (1) There is created within the division a full-time position of Child Welfare Training
21 Coordinator, who shall be appointed by and serve at the pleasure of the director. The employee
22 in that position shall not be responsible for direct casework services or the supervision of those
23 services, but shall:

24 (a) develop child welfare curriculum that is current and effective, consistent with the
25 division's mission and purpose for child welfare;

26 (b) recruit, select, and supervise child welfare trainers;

27 (c) develop a statewide training program, including a budget and identification of
28 sources of funding to support that training;

29 (d) evaluate the efficacy of training in improving job performance;

30 (e) assist child protective services and foster care workers in developing and fulfilling
31 their individual training plans;

32 (f) monitor staff compliance with division training requirements and individual training
33 plans; and

34 (g) expand the collaboration between the division and schools of social work within
35 institutions of higher education in developing child welfare services curriculum, and in
36 providing and evaluating training[~~;~~ ~~and~~].

37 [~~(h) report annually to the board and the Legislature on training activities, compliance~~
38 ~~with the training plan, and achievement of individual training goals.]~~

39 (2) (a) The director shall, with the assistance of the child welfare training coordinator,
40 establish a core curriculum for child welfare services that is substantially equivalent to the
41 Child Welfare League of America's Core Training for Child Welfare Caseworkers Curriculum.

42 (b) Any child welfare worker who is employed by the division for the first time after
43 July 1, 1999, shall, before assuming significant independent casework responsibilities,
44 successfully complete:

45 (i) the core curriculum; and

46 (ii) except as provided in Subsection (2)(c), on-the-job training that consists of
47 observing and accompanying at least two capable and experienced child welfare workers as
48 they perform work-related functions:

49 (A) for three months if the worker has less than six months of on-the-job experience as
50 a child welfare worker; or

51 (B) for two months if the worker has six months or more but less than 24 months of
52 on-the-job experience as a child welfare worker.

53 (c) A child welfare worker with at least 24 months of on-the-job experience is not
54 required to receive on-the-job training under Subsection (2)(b)(ii).

55 [~~(3) The division shall provide an annual report to the Legislative Child Welfare~~
56 ~~Oversight Panel before November 1 on the implementation and status of on-the-job training for~~
57 ~~child welfare workers required under Subsection (2).]~~

58 Section 2. Section **62A-4a-117** is amended to read:

59 **62A-4a-117. Performance monitoring system.**

60 (1) As used in this section:

61 (a) "Performance goals" means a target level of performance or an expected level of
62 performance against which actual performance is compared.

63 (b) "Performance indicators" means actual performance information regarding a
64 program or activity.

65 (c) "Performance monitoring system" means a process to regularly collect and analyze
66 performance information including performance indicators and performance goals.

67 (2) On or before May 1, 1996, the director, in cooperation with the board, shall develop
68 a performance monitoring system of each area in the child welfare system, including foster care
69 and other substitute care, child protective services, and adoption.

70 (3) On or before June 1, 1996, the director shall submit a description of that monitoring
71 system to the Child Welfare Legislative Oversight Panel for review.

72 (4) The division shall fully implement a performance monitoring system on or before
73 October 1, 1996.

74 (5) ~~[On or before December 31, 1997, and each year thereafter, the director shall~~
75 ~~submit, to the Legislative Fiscal Analyst and the director of the Office of Legislative Research~~
76 ~~and General Counsel,] Before January 1 each year the director shall submit a written report
77 describing the difference between actual performance and performance goals for the prior fiscal
78 year[:~~(6) The Legislative Fiscal Analyst shall convey the information contained in that report~~
79 ~~to the Health and Human Services Appropriation Subcommittee during the general session~~
80 ~~immediately following submission of the report. The subcommittee may consider that~~
81 ~~information in its deliberations regarding the budget for the division. The director of the Office~~
82 ~~of Legislative Research and General Counsel shall convey the information in that report] to the
83 Child Welfare Legislative Oversight Panel ~~[and to],~~ the Joint Health and Human Services
84 Appropriations Subcommittee, and the Utah Tomorrow Strategic Planning Committee. The
85 report shall include:~~~~

86 (a) a summary of the division's efforts during the prior fiscal year to implement the
87 Performance Milestone Plan;

88 (b) a summary of how performance must be improved to achieve full implementation
89 of the Performance Milestone Plan;

90 (c) data on the extent to which new and experienced division employees have received
91 training pursuant to statute and division policy;

92 (d) an analysis of the use and efficacy of family preservation services, both before and
93 after removal of children from their homes; and

94 (e) a description of the extent to which the pilot program under Section 62A-4a-202.7
95 has been expanded during the prior fiscal year and an explanation of how the performance of
96 regions that have previously implemented the program has been affected by the program,
97 including data showing the number of referrals to the division:

- 98 (i) accepted for an investigation;
99 (ii) accepted for a family assessment; or
100 (iii) not accepted.

101 Section 3. Section **62A-4a-118** is amended to read:

102 **62A-4a-118. Annual review of child welfare referrals and cases by executive**
103 **director -- Accountability to the Legislature -- Review by Legislative Auditor General.**

104 (1) The division shall use principles of quality management systems, including
105 statistical measures of processes of service, and the routine reporting of performance data to
106 employees.

107 (2) (a) In addition to development of quantifiable outcome measures and performance
108 measures in accordance with Section 62A-4a-117, the executive director, or his designee, shall
109 annually review a randomly selected sample of child welfare referrals to and cases handled by
110 the division. The purpose of that review shall be to assess whether the division is adequately
111 protecting children and providing appropriate services to families, in accordance with the
112 provisions of Title 62A, Chapter 4a, Child and Family Services, and Title 78, Chapter 3a, Part
113 3, Abuse, Neglect, and Dependency Proceedings, and Part 4, Termination of Parental Rights
114 Act. The review shall focus directly on the outcome of cases to children and families, and not
115 simply on procedural compliance with specified criteria.

116 (b) The executive director shall report, regarding his review of those cases, to the
117 Legislative Auditor General[;] and the Child Welfare Legislative Oversight Panel[~~and the~~
118 ~~Health and Human Services Interim Committee each year, on dates scheduled by the panel and~~
119 ~~committee~~].

120 (c) Information obtained as a result of the review shall be provided to caseworkers,
121 supervisors, and division personnel involved in the respective cases, for purposes of education,
122 training, and performance evaluation.

123 (3) The executive director's review and report to the Legislature shall include:

124 (a) the criteria used by the executive director, or his designee, in making the

125 evaluation;

126 (b) findings regarding whether state statutes, division policy, and legislative policy
127 were followed in each sample case;

128 (c) findings regarding whether, in each sample case, referrals, removals, or cases were
129 appropriately handled by the division and its employees, and whether children were adequately
130 and appropriately protected and appropriate services provided to families, in accordance with
131 the provisions of Title 62A, Chapter 4a, and Title 78, Chapter 3a, Parts 3 and 4, and division
132 policy;

133 (d) an assessment of the division's intake procedures and decisions, including an
134 assessment of the appropriateness of decisions not to accept referrals; and

135 (e) an assessment of the appropriateness of the division's assignment of priority.

136 (4) (a) In addition to the review conducted by the executive director, the Legislative
137 Auditor General shall audit a sample of child welfare referrals to and cases handled by the
138 division, and report his findings to the Child Welfare Legislative Oversight Panel [~~and the~~
139 ~~Health and Human Services Interim Committee each year, on dates scheduled by the panel and~~
140 ~~committee~~] each year.

141 (b) With regard to the sample of referrals, removals, and cases, the Legislative Auditor
142 General's report shall include:

143 (i) findings regarding whether state statutes, division policy, and legislative policy were
144 followed by the division and its employees;

145 (ii) a determination regarding whether referrals, removals, and cases were appropriately
146 handled by the division and its employees, and whether children were adequately and
147 appropriately protected and appropriate services provided for families, in accordance with the
148 provisions of Title 62A, Chapter 4a, and Title 78, Chapter 3a, Parts 3 and 4, and division
149 policy;

150 (iii) an assessment of the division's intake procedures and decisions, including an
151 assessment of the appropriateness of decisions not to accept referrals;

152 (iv) an assessment of the appropriateness of the division's assignment of priority; and

153 (v) a determination regarding whether the department's review process is effecting
154 beneficial change within the division and accomplishing the mission established by the
155 Legislature and the department for that review process.

156 Section 4. Section **62A-4a-202** is amended to read:

157 **62A-4a-202. Preventive services -- Family preservation services.**

158 (1) (a) Within appropriations from the Legislature, the division shall provide
159 preventive, in-home services and family preservation services for families whose children are
160 at immediate risk of being removed from the home and for families in crisis, if the child's
161 welfare is not immediately endangered and the division determines that it is possible and
162 appropriate.

163 (b) In determining whether preventive or family preservation services are reasonable
164 and appropriate, in keeping with the provisions of Subsection 62A-4a-201(1) the child's health,
165 safety, and welfare shall be the paramount concern. The division shall consider whether those
166 services will be effective within a six-month period, and whether they are likely to prevent
167 reabuse or continued neglect of the child.

168 (2) ~~[(a) On or before December 1, 1994, the]~~ The division shall ~~[complete]~~ maintain a
169 statewide inventory of early intervention, preventive, and family preservation services ~~[that are]~~
170 available through public and private agencies or individuals for use by caseworkers. The
171 inventory shall ~~[also]~~ include:

172 ~~[(i)]~~ (a) the method of accessing each service;

173 ~~[(ii)]~~ (b) eligibility requirements for each service; and

174 ~~[(iii)]~~ (c) the geographic areas and the number of families that can be served by each
175 service, and information regarding waiting lists for each service.

176 ~~[(b) The information shall be stored, updated annually, and made available in a usable
177 form as a resource directory for all caseworkers.]~~

178 ~~[(c) The division shall provide a copy of the inventory to the Office of Legislative
179 Research and General Counsel on or before December 1, 1994, and each subsequent year
180 thereafter.]~~

181 (3) As a part of its preventive services, the division shall provide family preservation
182 services that are short-term, intensive, crisis intervention programs, and that address:

183 (a) the safety of children;

184 (b) the physical and emotional needs of parents and children; the division shall also
185 evaluate specific needs of the family, including depression, addiction, and mental illness;

186 (c) the child's physical surroundings, including cleaning and repairing physical

187 housing, and addressing needs for necessities such as food, heat, and electricity;

188 (d) personal cleanliness, nutrition, and provision of personal grooming supplies and
189 clothing;

190 (e) budgeting, money management, and employment; and

191 (f) parenting skills, including nonviolent discipline, nurturing, and structure, and
192 teaching responsibility, respect for others, cooperation, and moral values.

193 (4) (a) The division may use only specially trained caseworkers or private providers to
194 provide the family preservation services described in Subsection (3).

195 (b) Family preservation caseworkers may only be assigned a minimum number of
196 families, but the division shall require that they be available 24 hours for an intensive period of
197 at least six weeks, and that they respond to an assigned family within 24 hours.

198 (c) The division shall allow family preservation caseworkers to be creative and flexible
199 in responding to the needs of each individual family.

200 Section 5. Section **62A-4a-202.7** is amended to read:

201 **62A-4a-202.7. Pilot program for differentiated responses to child abuse and**
202 **neglect reports.**

203 (1) (a) Before July 1, 2000, the executive director shall select no less than one and no
204 more than three regions within the division to establish a pilot program that complies with the
205 provisions of this section.

206 (b) After July 1, 2001, the executive director may add one region, in addition to those
207 selected under Subsection (1)(a), to the pilot program every four months.

208 (2) This section shall be repealed in accordance with Section 63-55-262.

209 (3) (a) This section applies only to:

210 (i) those regions that have been selected under Subsection (1) to participate in this pilot
211 program; and

212 (ii) the response of the division to reports of child abuse or neglect in the participating
213 regions.

214 (b) Except as provided in Subsection (3)(a), nothing in this section may be construed
215 as:

216 (i) superceding or otherwise altering the provisions of this chapter or Title 78, Chapter
217 3a, Part 3, Abuse, Neglect, and Dependency Proceedings; or

218 (ii) as restricting the ability of the division to provide services, remove the child, or
219 otherwise proceed in accordance with this chapter and Title 78, Chapter 3a, Part 3, Abuse,
220 Neglect, and Dependency Hearings.

221 (4) Within each region selected, the division shall establish a process that classifies
222 reports of child abuse and neglect into one of the following three categories:

- 223 (a) accepted for an investigation;
- 224 (b) accepted for a family assessment; and
- 225 (c) not accepted.

226 (5) The division may only initiate contact with a family member in connection with a
227 report if the report has been officially accepted by the division for investigation or family
228 assessment in accordance with this section.

229 (6) (a) Except as provided in Subsection (7), a report shall be accepted for an
230 investigation if:

- 231 (i) required by Section 62A-4a-409; or
- 232 (ii) three prior reports involving the same family have been accepted by the division for
233 either an investigation or a family assessment.

234 (b) Except as provided in Subsection (6)(c), the division shall conduct an investigation
235 of a report accepted pursuant to Subsection (6)(a) in accordance with Section 62A-4a-409.

236 (c) The division may refer a case for a family assessment if at any time during the
237 investigation, the division determines that:

- 238 (i) the case is limited to a form of abuse or neglect listed in Subsection (7); or
- 239 (ii) (A) the harm to the child is minor; and
- 240 (B) the family indicates a willingness to participate in a family assessment.

241 (d) The division shall conduct an investigation anytime that it receives a report
242 accepted for investigation under this Subsection (6), even if:

- 243 (i) the report also includes allegations that would qualify for a family assessment under
244 Subsection (7); or
- 245 (ii) a second report is received before the investigation has occurred that would qualify
246 for a family assessment under Subsection (7).

247 (7) A report shall be accepted for a family assessment if there is a reasonable basis to
248 suspect that:

- 249 (a) the child is ungovernable; or
- 250 (b) one or more of the following has occurred:
- 251 (i) neglect involving a verbal child who is six years of age or older that is not serious or
- 252 chronic;
- 253 (ii) lack of proper supervision of a child;
- 254 (iii) domestic violence outside of a child's presence;
- 255 (iv) the receipt of three unaccepted reports involving the same family;
- 256 (v) a parent and child conflict indicating a significant breakdown in the parent-child
- 257 relationship and the need for direct intervention to prevent a foreseeable risk of violence or
- 258 abuse; or
- 259 (vi) educational neglect.
- 260 (8) The purpose of a family assessment is to:
- 261 (a) ensure that the child is safe;
- 262 (b) seek the cooperation of the family in learning about and participating in state and
- 263 community services; and
- 264 (c) determine with the family whether the family could benefit from division or
- 265 community services in view of the specific strengths, challenges, available resources, and
- 266 needs of the family.
- 267 (9) (a) The division shall visit the child's home within three working days to begin a
- 268 family assessment for a report accepted pursuant to Subsection (7).
- 269 (b) In accordance with Subsection (8), the division shall seek the cooperation of the
- 270 family in participating in a family assessment.
- 271 (c) If the family declines to participate in a family assessment at the initial point of
- 272 contact, the division shall, by virtue of the fact that a report was accepted pursuant to
- 273 Subsection (7):
- 274 (i) complete the family assessment components provided in Subsection (10); and
- 275 (ii) initiate an investigation if there is evidence of abuse or neglect for which an
- 276 investigation is required under Subsection (6).
- 277 (10) A family assessment shall consist of the following components:
- 278 (a) an analysis of the circumstances resulting in the report;
- 279 (b) a risk assessment designed to ensure the child's safety;

280 (c) a thorough review of the division's records of prior involvement with the family;
281 and

282 (d) speaking face-to-face with the child, which may be conducted outside of the
283 presence of others if the division believes that it is necessary and appropriate under the
284 circumstances.

285 (11) (a) A family assessment may include additional information from the family as
286 may be needed and that the family is willing to provide to better understand the family's
287 strengths, challenges, available resources, and needs.

288 (b) In requesting information under Subsection (11)(a), the division shall explain to the
289 family how it intends to use the information it collects.

290 (c) In performing a family assessment, the division shall inform the family orally or in
291 writing before the division contacts persons who are not immediate family members.

292 (12) (a) The division shall initiate an investigation if it determines during the course of
293 a family assessment that an investigation is required under Subsection (6).

294 (b) A family assessment may be discontinued if after completing the family assessment
295 components the division determines that:

296 (i) the circumstances do not warrant further involvement; or

297 (ii) the family requests the discontinuation of the assessment.

298 (13) The division may perform a family assessment for a family that requests one, even
299 if a report has not been accepted for a family assessment.

300 (14) A family assessment shall be completed within 30 days of the initial contact with
301 the family.

302 (15) (a) With respect to information acquired from a family assessment, the division
303 may only record the family assessment components described in Subsection (10) onto the
304 Management Information System described in Section 62A-4a-116.

305 (b) Nothing in Subsection (15)(a) may be construed as limiting the information that
306 may be recorded onto the management information system as a result of:

307 (i) a report of child abuse or neglect;

308 (ii) an investigation;

309 (iii) division services provided to the family; or

310 (iv) any other division involvement with the family apart from the family assessment.

- 311 (16) All references to a report accepted for a family assessment shall be deleted from
312 the management information system after five years unless:
- 313 (a) the executive director determines that there is good cause for keeping the report on
314 the management information system based on standards established by rule; or
- 315 (b) a subsequent report involving the same alleged initiator has occurred within that
316 five-year period.
- 317 (17) In connection with this pilot program, the division shall:
- 318 (a) standardize the key elements of the program;
- 319 (b) adequately train division employees to:
- 320 (i) process and classify incoming reports;
- 321 (ii) perform family assessments; and
- 322 (iii) conduct investigations;
- 323 (c) work within the FACT initiative to identify community partnerships to facilitate
324 delivery of services based on family assessments;
- 325 (d) establish quality assurance panels to review no less than twice each month the
326 appropriateness of classifying reports as unaccepted;
- 327 (e) consider the feasibility and, if appropriate, implementation of a system that:
- 328 (i) directs incoming reports of child abuse and neglect to a central location; and
- 329 (ii) sends reports from the central location to the appropriate regional offices for a
330 determination of whether, applying the provisions of this section, a particular report should be
331 accepted for investigation, accepted for a family assessment, or not accepted;
- 332 (f) contract before July 1, 2001, with an independent entity pursuant to Title 63,
333 Chapter 56, Utah Procurement Code, to evaluate the outcomes of the pilot program with
334 respect to:
- 335 (i) the safety of children;
- 336 (ii) the needs and perspectives of families;
- 337 (iii) the recurrence of child abuse and neglect;
- 338 (iv) the perspectives of child welfare and community partners;
- 339 (v) the perspectives of division employees; and
- 340 (vi) other areas identified by the division; and
- 341 (g) send a copy of any written report by the independent evaluator to the Child Welfare

342 Legislative Oversight Panel within 30 days of receipt[~~and~~].
 343 [~~(h) send a written report to the Child Welfare Legislative Oversight Panel 30 days~~
 344 ~~before a region is added to the pilot program pursuant to Subsection (1)(b), identifying:~~
 345 ~~[(i) the overall status of the pilot program; and]~~
 346 ~~[(ii) the reasons supporting the executive director's decision to expand the pilot~~
 347 ~~program to the region selected.]~~

348 Section 6. Section **78-3a-911** is amended to read:

349 **78-3a-911. Office of Guardian Ad Litem Director -- Appointment of director --**
 350 **Duties of director – Contracts in second, third, and fourth districts.**

351 (1) There is hereby created the Office of Guardian Ad Litem Director under the direct
 352 supervision of the Judicial Council in accordance with Subsection 78-3-21(13).

353 (2) (a) The Judicial Council shall appoint one person to serve full time as the guardian
 354 ad litem director for the state. The guardian ad litem director shall serve at the pleasure of the
 355 Judicial Council.

356 (b) The director shall be an attorney licensed to practice law in this state and selected
 357 on the basis of:

358 (i) professional ability;

359 (ii) experience in abuse, neglect, and dependency proceedings;

360 (iii) familiarity with the role, purpose, and function of guardians ad litem in both
 361 juvenile and district courts; and

362 (iv) ability to develop training curricula and reliable methods for data collection and
 363 evaluation.

364 (c) The director shall be trained in the United States Department of Justice National
 365 Court Appointed Special Advocate program prior to or immediately after his appointment.

366 (3) The guardian ad litem director shall:

367 (a) establish policy and procedure for the management of a statewide guardian ad litem
 368 program;

369 (b) manage the guardian ad litem program to assure that minors receive qualified
 370 guardian ad litem services in abuse, neglect, and dependency proceedings in accordance with
 371 state and federal law and policy;

372 (c) develop standards for contracts of employment and contracts with independent

373 contractors, and employ or contract with attorneys licensed to practice law in this state, to act
374 as attorney guardians ad litem in accordance with Section 78-3a-912;

375 (d) develop and provide training programs for attorney guardians ad litem and
376 volunteers in accordance with the United States Department of Justice National Court
377 Appointed Special Advocates Association standards;

378 (e) update and develop the guardian ad litem manual, combining elements of the
379 National Court Appointed Special Advocates Association manual with specific information
380 about the law and policy of this state;

381 (f) develop and provide a library of materials for the continuing education of attorney
382 guardians ad litem and volunteers;

383 (g) educate court personnel regarding the role and function of guardians ad litem;

384 (h) develop needs assessment strategies, perform needs assessment surveys, and ensure
385 that guardian ad litem training programs correspond with actual and perceived needs for
386 training;

387 (i) design and implement evaluation tools based on specific objectives targeted in the
388 needs assessments described in Subsection (3)(h);

389 (j) prepare and submit an annual report to the Judicial Council and the ~~[Health and~~
390 ~~Human Services Interim Committee]~~ Child Welfare Legislative Oversight Panel regarding the
391 development, policy, and management of the statewide guardian ad litem program, and the
392 training and evaluation of attorney guardians ad litem and volunteers;

393 (k) hire, train, and supervise investigators; and

394 (l) administer the program of private guardians ad litem established by Section
395 78-7-45.

396 (4) A contract of employment or independent contract described under Subsection
397 (3)(c) shall provide that attorney guardians ad litem in the second, third, and fourth judicial
398 districts devote their full time and attention to the role of attorney guardian ad litem, having no
399 clients other than the children whose interest they represent within the guardian ad litem
400 program.

401 Section 7. Section **78-3g-102** is amended to read:

402 **78-3g-102. Foster Care Citizen Review Board Steering Committee -- Membership**
403 **-- Chair -- Compensation -- Duties.**

404 (1) There is created within state government the Foster Care Citizen Review Board
405 Steering Committee composed of the following members:

406 (a) a member of the Board of Child and Family Services, within the Department of
407 Human Services, appointed by the chair of that board;

408 (b) the director of the division, or his designee;

409 (c) a juvenile court judge, appointed by the presiding officer of the Judicial Council;

410 (d) a juvenile court administrator, appointed by the administrator of the courts;

411 (e) a representative of the Utah Foster Parents Association, appointed by the president
412 of that organization;

413 (f) a representative of a statewide advocacy organization for children, appointed by the
414 chair of the committee;

415 (g) a representative of an agency or organization that provides services to children who
416 have been adjudicated to be under the jurisdiction of the juvenile court, appointed by the chair
417 of the committee;

418 (h) the guardian ad litem director, appointed pursuant to Section 78-3a-911, or the
419 director's designee;

420 (i) the director or chief of the child protection unit within the Office of the Attorney
421 General, or his designee;

422 (j) one person from each region who is a member of a board, appointed by the chair of
423 the committee; and

424 (k) a private citizen, appointed by the chair of the committee.

425 (2) The persons described in Subsection (1) shall annually elect a chair of the
426 committee from among themselves.

427 (3) A majority of the members of the committee constitutes a quorum. The action of
428 the majority of a quorum represents the action of the committee.

429 (4) (a) Members of the committee who are not government employees shall receive no
430 compensation or benefits for their services, but may receive per diem and expenses incurred in
431 the performance of the member's official duties at the rates established by the Division of
432 Finance under Sections 63A-3-106 and 63A-3-107.

433 (b) State government officer and employee members who do not receive salary, per
434 diem, or expenses from their agency for their service may receive per diem and expenses

435 incurred in the performance of their official duties from the board at the rates established by the
436 Division of Finance under Sections 63A-3-106 and 63A-3-107.

437 (c) Local government members who do not receive salary, per diem, or expenses from
438 the entity that they represent for their service may receive per diem and expenses incurred in
439 the performance of their official duties at the rates established by the Division of Finance under
440 Sections 63A-3-106 and 63A-3-107.

441 (d) Members of the committee may decline to receive per diem and expenses for their
442 services.

443 (5) The committee shall:

444 (a) within appropriations from the Legislature, appoint members of boards in each
445 juvenile court district;

446 (b) supervise the recruitment, training, and retention of board members;

447 (c) supervise and evaluate the boards;

448 (d) establish and approve policies for the boards; and

449 (e) submit a report detailing the results of the boards to the Child Welfare Legislative
450 [Health and Human Services and] Oversight Panel, the Judiciary Interim [Committees]
451 Committee, and the Board of Juvenile Court Judges[;] on or before December 31 of each year.

452 (6) (a) The Department of Human Services shall provide fiscal management services,
453 including payroll and accounting services, to the committee.

454 (b) Within appropriations from the Legislature, the committee may hire professional
455 and clerical staff as it considers necessary and appropriate.

456 (7) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the
457 committee may make rules necessary for:

458 (a) recruitment, appointment, and training of board members;

459 (b) supervision and evaluation of boards; and

460 (c) establishment of policy for boards.

461 (8) The committee may receive gifts, grants, devises, and donations. If the donor
462 designates a specific purpose or use for the gift, grant, devise, or donation, it shall be used
463 solely for that purpose. Undesignated gifts, grants, devises, and donations shall be used for
464 foster care citizen review boards in accordance with the requirements and provisions of this
465 chapter.

Legislative Review Note
as of 12-2-02 3:31 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel