



Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

May 2, 2007

Joint Committee on Finance

Paper #746

Children's Court Initiative Project Federal Grant (Supreme Court)

Bill Agency

[LFB 2007-09 Budget Summary: Page 522, #3]

GOVERNOR

Provide \$58,000 GPR and 1.0 GPR training coordinator position and \$197,000 FED annually to support a new federal Court Improvement Program grant to the Director of State Courts Office. Funding would support training of judges, attorneys, and other legal personnel in child welfare cases, and cross-training initiatives with child welfare agencies and agency contractors. The training coordinator would be responsible for facilitating training and education programs in the child welfare system.

DISCUSSION POINTS

1. Since 1995, the federal Court Improvement Program (CIP) has provided grants to state court systems to: (a) conduct assessments of their foster care and adoption laws and judicial process; and (b) develop and implement a plan for system improvement. The Director of State Courts Office has received eleven CIP grants since 1995. Initiatives implemented over the years as a result of grant funding have included:

- Conducting training programs at local and statewide levels for legal and judicial professionals on topics relating to child abuse and neglect law and policy.
- Developing materials to clarify statutory confidentiality provisions and policies relating to children in need of protection or services (CHIPS), in order to improve interagency collaboration when working with children and families in the court system.

- Awarding and monitoring sub-grants to eligible entities to implement initiatives to improve processing of CHIPS cases.
- Developing the Children's Court Initiative in 2005 to assess and strengthen court processing of child welfare cases. The project established safety, permanency, due process and timeliness performance measures in CHIPS and termination of parental rights cases.

2. Two new CIP grants were created in February, 2006, under the federal Deficit Reduction Act of 2005. One grant provides \$10,000,000 annually to state courts for improved data collection of child abuse and neglect cases in order to ensure that the safety, permanence, and well-being needs of children are met in a timely and complete manner. The second grant provides \$10,000,000 annually to state courts to provide training of judges, attorneys, and other legal personnel in child welfare cases, and cross-training initiatives with child welfare agencies and agency contractors.

3. In September, 2006, the Director of State Courts Office (DSCO) was awarded funding for the first new CIP grant for improved data collection of child abuse and neglect cases. The total grant is \$262,600 annually, with 75% in federal funds (\$197,000), and a required 25% state match of \$65,600. Federal funding is authorized through federal fiscal year 2010. In order to implement the grant, the DSCO requested permanent federal position authority for 1.0 coordinator and 1.0 project assistant under s. 16.54(8) of the statutes. The Department of Administration approved the requested positions in September, 2006. For the required 25% state match, the DSCO is utilizing existing base resources.

4. In regards to the second new CIP grant for training legal professionals in child welfare cases, the DSCO indicates that they were unable to apply for the grant because the financial resources necessary to meet the state match requirement were not available. According to the DSCO, funding for CIP grants is allocated by the federal government on a formula basis and is generally awarded to state applicants.

5. In order that the DSCO could meet the state match requirement, Senate Bill 40 would provide \$58,000 GPR and 1.0 GPR training coordinator position and \$197,000 FED annually to support the new CIP grant. The \$58,000 GPR and 1.0 GPR position provided in the bill would be used to meet the 25% state match requirement for the training grant. Funding for the training grant is identical to the data collection grant: a total of \$262,600 annually, with 75% in federal funds (\$197,000), and a required 25% state match of \$65,600. The training grant would run from federal fiscal year 2007 through federal fiscal year 2010.

6. According to the DSCO, the training coordinator position would provide on-going education to judges, juvenile court clerks, social workers, and attorneys working in the child welfare system, including: (a) coordinating state education programs related to child welfare topics; (b) facilitating committee meetings to identify relevant topics and appropriate training methodologies; (c) developing training schedules, negotiating conference sites and contract costs; and (d) serving as the central contact for trainers.

7. Under current law, a project position may be created for a "planned undertaking which is not a regular function of the employing agency and which has an established probable date of termination." Under s. 230.27 of the statutes, project positions may not exist for more than four years. Since the federal funding authority ends in federal fiscal year 2010, the Committee may wish to modify Senate Bill 40 to provide a four-year project position instead of a permanent position. If federal funding is renewed and the DSCO is awarded a new training grant, position authorization could be addressed at that time.

8. Given the current budget restraints impacting the state's fiscal condition, the Committee may wish to delete the provision. As a result, the bill would be modified by -\$58,000 GPR and -1.0 GPR position and -\$197,000 FED annually.

ALTERNATIVES TO BILL

1. Approve the Governor's recommendation to provide \$58,000 GPR and 1.0 GPR training coordinator position and \$197,000 FED annually to support a new Court Improvement Program grant to the Director of State Courts Office "to provide for the training of judges, attorneys and other legal personnel in child welfare cases."

ALT 1	Change to Bill		Change to Base	
	Funding	Positions	Funding	Positions
GPR	\$0	0.00	\$116,000	1.00
FED	<u>0</u>	<u>0.00</u>	<u>394,000</u>	<u>0.00</u>
Total	\$0	0.00	\$510,000	1.00

2. Approve the Governor's recommendation with the modification to provide a four-year project position for the training coordinator, instead of a permanent position.

ALT 2	Change to Bill		Change to Base	
	Funding	Positions	Funding	Positions
GPR	\$0	0.00	\$116,000	1.00
FED	<u>0</u>	<u>0.00</u>	<u>394,000</u>	<u>0.00</u>
Total	\$0	0.00	\$510,000	1.00

3. Delete provision.

ALT 3	Change to Bill		Change to Base	
	Funding	Positions	Funding	Positions
GPR	-\$116,000	- 1.00	\$0	0.00
FED	<u>- 394,000</u>	<u>0.00</u>	<u>0</u>	<u>0.00</u>
Total	-\$510,000	- 1.00	\$0	0.00

Prepared by: Chris Carmichael