

CIP Committee Meeting
April 16, 2009
11:30 am – 2:30 pm (central time)
Cedar Shores, Oacoma

1. Welcome:

- a. Attending: Judge Jeff Davis, Becky Morlock-Reeves, Tony Benning, Judge Myren, Dave Valandra, LuAnn Van Hunnik, Virgena Wieseler, Vicki Burger, Amy Benda, Sharon Kallemeyn (phone) and Sara Kelly
- b. Absent: Roxie Erickson & Carol Pitts

2. January meeting minutes: Motion to approve – Amy B. second – Virgena W.
Motion carried

3. CIP budget:

- a. Handout: The committee reviewed the CIP budget overview. Sara K. stated the basic grant is primarily used to support CASA programs and the data grant will be used to support the A&N component of the new case management system. The training grant is for various trainings. Sara K. stated she will present the committee with updated budget summaries at every meeting.

4. CIP funding application:

- a. Handout: The committee reviewed the new application CASA programs will need to fill out and sign before receiving CIP reimbursement funds. Sara K. stated each program must show a 25% non-federal funding match to the amount requested. This is to meet federal requirements. Virgena W. asked how the CIP knows if a program is recruiting, training and retaining volunteers. Sara K. stated that all CASA programs must report to National CASA annually on this, as well as to the CASA Commission, via the CIP, when applying for CASA Commission funds. Amy Benda stated if there is a concern with a program to notify both the State CASA Association and National CASA Regional Specialist.

5. Update on training video: Sara K. passed around the bids from three video production companies. After discussion on all three companies Dave V. moved to accept EPIC Multi-Media, second by Becky M-R. Judge Davis asked Sara K. to make reference contacts and confirm the choice with the committee before officially accepting the bid. Sara K. stated a sub-committee is needed to assist the production company in writing the script. Judge Davis, Virgena W., Amy Benda, Tony B. and Becky M-R stated they could help. Sara K. stated she will send out an email to the committee when a date and location to meet needs to be set.

6. Professional reference guides:

- a. Review drafts: The committee reviewed the attorney's representing children draft, no changes were noted. Judge Davis reported he and Judge

Myren have a draft and are still working on it. It was noted that the judge's reference guide will be longer than the others do to the various activities that take place with an A&N case. Virgena W. stated she is still editing the draft for social services. Tony B. recommended surveying Chief of Police and Sheriff Office's state wide on how they handle A&N calls. Judge Davis asked Tony B. to work with Sara K. on sending a letter out on behalf of the committee. Sara K. will also contact Pierre area police department and sheriff office for a copy of policy and procedure from their department manual. Vicki B. will ask Sioux Falls for a copy of their policy/procedure also. Sara K. asked if tribal police had any training or manual regarding A&N Cases. Dave V. reported in his 30 years in law enforcement he never knew of a procedure and thought tribal police would appreciate a reference guide. Sharon K. is working on the States Attorney reference guide.

- 7. A&N hearing definitions:** The committee reviewed the draft and made these changes: Adjudicatory Hearing – delete everything after petition. Advisory Hearing – delete second sentence. Evidentiary Hearing – omit. Post-Termination Review Hearing – omit. Suppression Hearing – omit. Add - Motions Hearing (ICWA) and spell out ICWA in definition. Add – (Non-ICWA) to current Motions Hearing, both have same definition. Add – Permanency Hearing, Sara K. and Virgena W. will draft a definition. Remove – Permanency Hearing from Dispositional Hearing.
- Judge Myren recommended making these changes to the Green Book the next time it is revised and reprinted.
- Judge Davis recommended identifying an ICWA case per child with the new case management system.
- Sara K. will revise the draft and email it to the committee via for approval.

- 8. ICWA expert training:** Dave V. reported the Greater Sioux Nation Consortium has not met and is probably disbanding. Dave V. asked if the department of Social Services would like to create a curriculum and train Qualified Expert Witness' (QEW). Virgena W. stated the department is willing to move forward with it and will set up a sub-committee to begin developing a curriculum, standards, and training. Virgena W. stated she would like to see a QEW name list on the state and UJS website as a reference for judges, attorneys, etc. Sara K. stated UJS could post those names once they are certified.

- 9. Update on juvenile tracking system:**
- a. Terminating cases without a court order after child ages out: Sara K. stated during case reviews she has noticed cases having no action for several years, the child is now over 18 years old and no longer in the custody of DSS. A clerk asked if a case can be terminated without a court order. Judge Myren recommended a case closure affidavit form for judges to sign. Tony B. recommended having the name, date-of-birth, and last date

of filing from the ROA on it. Sara stated she will have Judith Roberts help in drafting the document and send it to the committee.

- b. Terminating cases after dispositional hearing when child is still in foster care: Sara reported that the current system will automatically terminate cases when a Dispositional Hearing is entered, even though the child is still in foster care and future hearings are required. Tony B. stated the system is set up to terminate after Dispositional Hearings and can only reopen if another hearing date is entered. Sara K stated by doing this the system does not generate accurate reports and skews statistics for judicial work load. Judge Davis asked Sara K. to check with IT on possibly overriding the auto-terminating for A&N cases and to discuss this concern with IT for the new case management system.

10. Update on PIP: Virgena W.

- a. Permanency Planning/Hearing: Virgena W. updated the committee on the department's Program Improvement Plan (PIP). The main areas of concern were in safety and permanency. Virgena W. commented on the federal review team's concern with DSS not terminating cases, due to compelling reasons, but not working with the parents due to the child's permanent placement. Judge Davis recommended that the report to the court have the compelling reasons to not terminate in the recommendations section of the report and the court order can state DSS does not have to maintain contact for such reasons. Virgena W. also talked about concurrent planning training and the need to work on the permanency hearing process.
- b. "Why We Remove Kids": Virgena W. handed out this article; Judge Myren recommended sharing the article with all judges. Judge Davis stated he is working with Karn Barth to have several small presentations at the Judicial Conference and maybe a presentation on permanency hearings would be appropriate. Virgena W. stated they could present and would try to have a former (adult) foster child give testimony.

11. Memorandum of Understanding

- a. CASA, DSS-CPS & UJS: Sara K. reported that it was brought to her attention that National CASA requires MOU's to be reviewed and resigned every four years. Amy B. gave the history of the original MOU and its importance. Sara K. stated the document was not consistently signed from one circuit to the next and stressed the importance of consistency. Sara K. also noted the MOU needs to be updated with proper titles and positions. Judge Myren stated we need to assist CASA programs meet the standards of compliance through a centralized process and recommended the responsible persons to sign the MOU should be Presiding Judges, Director of CPS, and each CASA programs Executive Director. The committee agreed. Amy B. offered to work with Virgena W. on revising the current MOU and presenting it to the committee at the next

meeting. Amy B. will present it to the CASA directors and Virgena W. will inform DSS staff accordingly.

12. Other:

- a. Upcoming conferences: Sara K. presented information on two conference options. The first is a data sharing conference for UJS and DSS. Sara K. stated Pat Duggan, State Court Administrator, felt this conference was premature since UJS does not have a vendor selected for the new case management system. The second conference is a continuation from 2005 & 2007 National Judicial Leadership Summit. This conference/summit recommends a team of both UJS and DSS to attend. The committee agreed the summit was the more appropriate one to attend and asked Sara K. to contact Pat Duggan and Deb Bowman, DSS Secretary, if they want to participate and send a team. Sara K. stated she will follow up and notify the committee accordingly.

13. Next meeting: Sara K. stated that most of the work generated from today's meeting can be either reviewed or voted on via email and suggested the next meeting be set after the training video is near completion, so the committee can view it. The committee so agreed, Judge Myren stated the more notice the better so schedules can be cleared and/or made available.

14. Meeting adjourned: 3:55 pm