

Attachment L  
TGSF Legislation

Sec. 40. GRADUATED SANCTION, COURT-ORDERED, AND GROUP FOSTER CARE SERVICES AND FUNDING WORK GROUP.

1. As used in this section, unless the context otherwise requires:

a. "Court-ordered services" means the defined or specific care and treatment that is ordered by the court for an eligible child and for which no other payment source is available to cover the cost.

b. "Department" means the department of human services.

c. "Eligible child" means a child who has been adjudicated delinquent, is at risk, or has been certified by the chief juvenile court officer as eligible for court-ordered services.

d. "Graduated sanction services" includes community-based interventions, school-based supervision, and supportive enhancements provided in community-based settings to an eligible child who is adjudicated delinquent or who is at risk of adjudication.

2. The division of criminal and juvenile justice planning of the department of human rights shall convene and provide administrative support to a work group to review and develop a plan to transfer the administration of graduated sanctions and court-ordered services and funding and the oversight of group foster care placements for eligible children from the department to the office of the state court administrator. The plan shall ensure that the office of the state court administrator has the capacity, resources, and expertise to manage the funding and services effectively.

3. a. In addition to a representative of the division of criminal and juvenile justice planning of the department of human rights, the membership of the work group shall include but is not limited to representatives of all of the following:

(1) The judicial branch, including the state court administrator or the state court administrator's designee, a juvenile court judge, at least one chief juvenile court officer, and a representative with fiscal and contract experience.

(2) The department of human services, including representatives with experience managing graduated sanctions funding and group foster care placements.

- (3) The department of justice.
- (4) The juvenile justice advisory committee.
- (5) Member and nonmember agencies of the coalition for family and children's services in Iowa.
- (6) Providers of community-based services for eligible children.
- (7) Providers of group foster care.
- (8) Attorneys who represent children in juvenile justice proceedings.
- (9) County attorneys.
- (10) Federal Title IV-E funding and services subject matter experts.
- (11) Individuals who formerly received services as eligible children or their parents.

b. In addition, the work group membership shall include four members of the general assembly. The legislative members shall serve as ex officio, nonvoting members of the work group, with one member to be appointed by each of the following: the majority leader of the senate, the minority leader of the senate, the speaker of the house of representatives, and the minority leader of the house of representatives.

c. In addition to the members specified, the division of criminal and juvenile justice planning may include other stakeholders with interest or expertise on the work group.

d. Any expenses incurred by a member of the work group shall be the responsibility of the individual member or the respective entity represented by the member.

4. The work group shall do all of the following:

a. Develop an action plan to transfer the administration of juvenile court graduated sanction services, court-ordered services, and associated funding from the department to the office of the state court administrator or other appropriate state entity.

b. Develop an action plan to transfer the oversight of group foster care services for eligible children from the department to the office of the state court administrator or other appropriate state entity with the necessary expertise to provide such services.

c. Develop an action plan to transfer administration of the

juvenile detention home fund created in section 232.142 from the department to the office of the state court administrator or other appropriate state entity.

d. Evaluate current resources to determine the most efficient means of suitably equipping the office of the state court administrator or other appropriate state entity with the policies and legal authority; staffing; contracting, procurement, data, and quality assurance capabilities; and other resources necessary to manage such funds and associated services effectively. The evaluation shall require collaboration with the department to manage transition activities.

e. Recommend statutory and administrative policies and court rules to promote collaborative case planning and quality assurance between the department and juvenile court services for youth who may be involved in both the child welfare and juvenile justice systems or who may utilize the same providers or services.

f. Determine the impact and role of the federal Family First Prevention Services Act relative to the various funding streams and services under the purview of the work group, and recommend statutory and administrative policies and rules to coordinate the duties of the work group with implementation and administration of the federal Act.

g. Determine the role of the decategorization of child welfare and juvenile justice funding initiative pursuant to section 232.188 relative to the other funding streams and services under the purview of the work group, and make recommendations regarding the future of the initiative including the potential transfer of administration of the initiative from the department to the office of the state court administrator or other appropriate state entity.

h. Consult with other state juvenile court systems and subject matter experts to review administration of similar programs, to glean information on lessons learned and best practices, and to determine the types of community and residential services that have demonstrated effectiveness for eligible children.

5. The division of criminal and juvenile justice planning

of the department of human rights shall submit a report of the findings and recommendations of the work group, including a plan to implement the recommendations by July 1, 2021, to the governor and the general assembly by December 15, 2019.