

February 1, 2012

The Honorable Mike Kiegerl, Chairperson
House Committee on Children and Families
Statehouse, Room 173-W
Topeka, Kansas 66612

Dear Representative Kiegerl:

SUBJECT: Fiscal Note for HB 2542 by House Committee on Children and Families

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2542 is respectfully submitted to your committee.

Currently citizen review boards are composed of community volunteers who are appointed by the administrative judge of a judicial district to review the status of cases involving children in the child welfare or juvenile justice system. The citizen review boards include three to seven members. Their responsibilities include:

1. Reviewing cases and pertinent information about the cases, and accessing information in the court's case file;
2. Determining the progress which has been made to acquire a permanent home for the children;
3. Suggesting alternative placement goals for the cases, if progress is insufficient; and
4. Making recommendations to the court regarding further actions on the cases.

HB 2542 moves the authority to appoint the members of the citizen review board from the administrative judge of a judicial district to the Governor and the Secretary of Social and Rehabilitation Services (SRS). HB 2542 also amends the Child in Need of Care Code to add the recommendation of the citizen review board when making a custody determination at the dispositional hearing. It also changes the roles of the court and the citizen review board in permanency decisions. Currently, either the court or the citizen review board is responsible for reviewing a foster child's permanency goal, whether it be reintegration with the parents, adoption, or placement with a permanent custodian. The bill would make the citizen review board solely responsible for this review.

| Estimated State Fiscal Effect | | | | |
|-------------------------------|----------------|----------------------|----------------|----------------------|
| | FY 2012 SGF | FY 2012 All Funds | FY 2013 SGF | FY 2013 All Funds |
| Revenue | -- | -- | -- | -- |
| Expenditure | -- | -- | \$4,084,340 | \$4,084,340 |
| FTE Pos. | -- | -- | -- | 1.5 |

Under current law, funding for child in need of care citizen review boards comes from the Family and Children Investment Fund, which receives a specific percentage of docket fees and a portion of birth certificate fees. There are currently ten operating citizen review boards in the ten judicial districts that have requested one. HB 2542 appears to require a citizen review board in every judicial district. The current funding source would not be adequate for operating 31 citizen review boards. In addition, the bill would expand the duties of the boards which would further increase costs. HB 2542 would require the boards to review the case of every child in need of care and submit recommendations to the judge for consideration before the judge enters an order of disposition. The Office of Judicial Administration estimates that this new requirement would make an additional 6,169 proceedings necessary. The cost of each of these proceedings is estimated at \$341, so additional expenditures of \$2,103,629 ($\$341 \times 6,169$) are estimated.

HB 2542 would also require the boards to conduct a permanency hearing once a year for every child removed from the home. On December 31, 2011, 5,443 children were in placement with the Department of Social and Rehabilitation Services. The estimated additional expenditures for these annual proceedings would be \$1,856,063 ($\$341 \times 5,443$). The Office of Judicial Administration would require an additional 1.5 FTE positions to administer community review board programs at an annual cost of \$105,398. These administrative personnel would conduct annual program reviews, submit and review the initial and annual criminal history record investigations required for board volunteers, train program directors, and provide technical assistance to each of the programs.

In addition to the general administrative duties of judges relative to citizen review board programs, HB 2542 would require Judicial Branch personnel to solicit and recruit board volunteers whose names would be submitted to the Governor and the Secretary of SRS. Each volunteer is required to pass a fingerprint background check through the Kansas Bureau of Investigation (KBI) at a cost of \$35 per check. It is estimated that an additional 550 volunteers would be necessary to sit on the additional boards. Therefore, additional expenditures of \$19,250 ($\35×550) would be incurred for the KBI checks of the new volunteers.

The Honorable Mike Kiegerl, Chairperson

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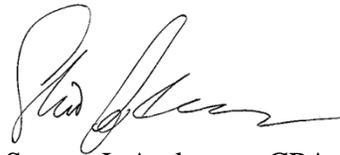
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The total estimated additional expenditures for the Judicial Branch that would result from passage of HB 2542 are as follows:

| | |
|----------------------------------------|---------------|
| Disposition Hearings | \$2,103,629 |
| Permanency Hearings | 1,856,063 |
| Administrative Staff | 105,398 |
| Criminal History Record Investigations | <u>19,250</u> |
| Total | \$4,084,340 |

Both the Governor's Office and SRS state that duties required in HB 2542 could be done within current resources, so they would experience no fiscal effect from passage of the bill. Any fiscal effect associated with HB 2542 is not reflected in *The FY 2013 Governor's Budget Report*.

Sincerely,



Steven J. Anderson, CPA, MBA
Director of the Budget

cc: Mary Rinehart, Judiciary
Jackie Aubert, SRS