

STATE POST ADJUDICATION REVIEW ADVISORY BOARD MEETING MINUTES

**Regular Meeting
January 20, 2023
10:00 a.m.**

1. Welcome and Introduction of Members and Guests and a Call to Order

The meeting was called to order at 10:04 a.m. by Chairperson, Deanna Chancellor. Determination of quorum was established for members present and the board was in compliance with notice and agenda requirements of the Oklahoma Open Meeting Act. Members present in person: Daniel Herring, Deanna Chancellor, the Honorable Paul Hess (new), Cindy Humphrey (new), the Honorable Tom Newby (new), the Honorable Kaitlyn Allen (new), Dr. Carol Bridges, Christina Siemens, Dr. Kalie Kerth, Madisyn Abbe (new), Sarah Herrian, Jonette Dunlap, Greg Delaney, Cindy Nocton, and Melanie Johnson. Members not present: Brandi Watts, the Honorable Christine Larson, Lisa Buck, Lynda Whitney, David Ross, Lou Truitt-Flanagan, and the Honorable Leah Edwards. OCCY staff members present: Keith Pirtle, Christina Whatley, Malayna Hasmanis, Marcia Johnson, Mark James, and Cherra Taylor. Guests present: the Honorable Doris Fransein (retired)

2. Determination of Quorum and Compliance with Oklahoma Open Meeting Act

Quorum was determined and in compliance with the Oklahoma Open Meetings Act.

3. Review and Approval of the Meeting Minutes of October 28, 2022, State Post Adjudication Review Advisory Board Meeting

Discussion and Possible Action

Handouts of the minutes were provided.

Cindy Nocton motioned, and Dr. Kalie Kerth seconded approve the minutes of the October 28, 2022, State Post Adjudication Review Advisory Board Meeting. The majority of members present voted in the affirmative. The following members abstained: Sarah Herrian, the Honorable Tom Newby, the Honorable Paul Hesse, Cindy Humphrey, Madisyn Abbe, and the Honorable Kaitlyn Allen. Motion passed.

4. Presentation for Improving Legal Representation of Children and Families in Juvenile Court

Doris Fransein, retired Tulsa County district judge and independent consultant with the Casey Family Program, presented on House Bill (HB) 1017, also known as the Family Legal Representation and Advocacy Act. HB 1017 was authored by Representative Mark Lawson, and similar bill, Senate Bill (SB) 907, authored by Senator Paul Rosino. Some of the information discussed included:

- The Supreme Court appointed the Task Force for Parent and Child Legal Representation to improve representation of parents and children involved in child welfare cases.
- Surveys conducted showed systemic issues with inconsistencies in compensation to attorneys representing children and parents, lack of training available to attorneys regarding deprived cases, lack of technical assistance available, and the struggle to recruit attorneys to provide representation.

- The Supreme Court’s Oversight Committee recommended a centralized entity that would encompass the responsibilities of recruitment and contracting with attorneys, their compensation, provide training and technical assistance, and provide support and resources to attorneys.
- The proposed structure of the program included the Administrative Office of the Courts to assume responsibility of the centralized program, state appropriations would help fund it, an independent advisory board would be established to assist with policy, procedures, budget, etc., and organize staff with certain qualifications to operate the program.
- Some of the benefits of the interdisciplinary teams included set standards for communication and collaboration, improved engagement by both attorneys and clients, and improved communications between Child Welfare staff and clients.

Judge Fransein stated that it would cost \$20.1 million to fully implement the program and provided a breakdown of expenditures. She also discussed the potential to use of 4E federal funding to assist with enhancing the program. There is currently a pilot program in place in Tulsa that began in 2020. The pilot is undergoing an independent evaluation to determine outcomes.

Handouts of the presentation were provided.

5. Overview and Discussion of the PARB Program’s Needs and Strategies for Moving Forward

Discussion and Possible Action

Keith Pirtle provided an overview of PARB, as well as reported on the current issues PARB faces and potential strategies for improvement and growth. Some of the information presented included:

- What PARB is and the statutes that govern the program.
- The function and authority of PARB.
- The benefits of PARB in supporting juvenile judges as well as child welfare and juvenile justice systems.
- The statutory requirement for a PARB to be established in every judicial district, but the program’s goal is to establish a PARB in every county.
- There were 43 active boards, and 6,848 volunteer hours recorded in calendar year 2021.
- The function and authority of the State PARB Advisory Board.
- An annual report of recommendations and other possible solutions is due to the Board of Commissioners by May 1 of each year.

There was discussion on how to increase membership across the state, including reaching out to local associations and clubs. Other suggestions included reaching out to judges presiding over juvenile cases where PARB does not currently exist and recruiting through the CARE portal of the Department of Human Services.

Handouts of a list of the Interim Studies were provided.

6. Report from the Oklahoma Commission on Children and Youth

Dr. Kalie Kerth was not able to provide an update of the last Commission Meeting, scheduled for January 13, 2023, due to the meeting being cancelled for lack of quorum. Dr. Kerth inquired whether the State Board was still considering a legislative name change of PARB. It was determined that it would not be feasible to continue efforts with requesting a name change in legislation.

7. Review of Proposed PARB Legislative Changes

Marcia Johnson, OCCY's legislative liaison, provided an overview of proposed legislation for 2023 that will impact OCCY, including PARB. Some of the information provided includes:

- Proposed legislation to change the term length of PARB members from three to five years.
- Proposed removal of legislation pertaining to the designation of local community teams.

Ms. Johnson suggested that a subcommittee review current statutes regarding PARB and determine if changes need to be made. She also suggested to continue discussion on a name change if the State Board so desires. She reported that there is discussion on a potential future legislative request to remove the requirements of the Open Meeting Act on local PARBs. Mr. Pirtle will add the discussions of the name change and the Open Meetings Act to the agenda for the next scheduled meeting.

8. Discussion of Annual Report to Commission

Mr. Pirtle provided an overview of the previous recommendations and requested the board members review the previous recommendations and consider to either continue using the previous recommendations and/or provide new recommendations in the 2023 Annual Report.

Sarah Herrian stated there are current legislative bills proposing the elimination of jury trials in the termination of parental rights cases.

Handouts of the overview were provided.

9. PARB Program Manager's Report

Keith Pirtle reported that PARB has partnered with the Center for Child Abuse and Neglect (CCAN) for a conference to be held in Edmond on April 5-7, 2023. He reported that Malayna Hasmanis has been a contract PARB coordinator for Tulsa County for three months and has been doing outreach and recruitment throughout the county.

11. New Business

(Business which was not known nor could have been known through exercise of due diligence at the time of posting of this agenda)

No new business was discussed.

12. Adjournment

The next meeting is scheduled for April 21, 2023.

Melanie Johnson motioned, and Christine Siemens seconded to adjourn the meeting. The meeting adjourned at 11:55 a.m.



Post Adjudication Review Board Conference Report

1. Organization

- A. Held April 5 as a pre-institute for the Center for Child Abuse and Neglect Annual Conference
- B. OCCY contracted with The Center for Child Abuse and Neglect. CCAN only charged us the standard conference fee of \$100 a day per day per person.
- C. Travel, conference fee and hotel were all paid by OCCY/PARB.
- D. Around 70 members attended from across the State
- E. About 45 stayed for more than one day.
- F. State PARB members attended, presented, and helped facilitate conference. These included, Christina Siemens, Carol Bridges, Jonette Dunlap, Lynda Whitney, Cindy Humphrey, Deanna Chancellor, Judge Newby, Sarah Herrian and Dr. Kalie Kerth.

2. Judges Panel

- A. Judge Tom Newby from Garfield County, Judge VerSteeg from Roger Mills and Judge Reilly from Okfuskee

3. Awards Ceremony

- A. PARB Hall of Fame: Jay Scott Brown, Pat Lowry, Shirley Rowland, Sandra Brown, Susan Johnson, Tricia Gardner
- B. Child Welfare Partner of the Year: Denise Gerhold
- C. Judicial Partner of the Year: Judge Pat VerSteeg

4. Two Group Table Discussions

- A. PARB Challenges and Opportunities: Looking at community strengths, systemic issues, and strategies to address them. The systemic issues are included in the findings and recommendations document you have in your packet.
- B. PARB Peer Discussion: Was an opportunity for Boards to learn from each other and think through why they do what they do.

5. Next Year

- A. We are forming a committee to help plan next years conference. If you would like to join this committee, just let Keith know.
- B. Everyone so far seems to agree that the partnership with CCAN should continue for next year.

6. Evaluation

- A. Lisa White created the evaluation form for the conference and will share tables and comments at the next State PARB meeting. However, below are the results of the scoring. They are overwhelmingly positive.

Question	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree
I enjoyed being all together today			2%	28%	70%
I enjoyed today's partnership with CCAN*				33%	67%
I found the networking opportunities useful*			5%	33%	62%
I learned something new to take back to my board		5%	2%	35%	58%
I found the discussion of PARB accomplishments useful to my work			7%	42%	51%
I found the discussion of statewide PARB concerns useful to my work			5%	28%	67%
I found the discussion of the deprived Court system useful to my work**			8%	40%	53%
I found the Juvenile Judges Panel useful to my work			5%	33%	63%
I found the PARB Peer Discussion useful to my work				35%	65%
I found the short session, "Volunteer Recruitment and Support" useful to my work		7%	21%	42%	30%
I found the short session, "Myths Surrounding Children and Youth with Problematic Sexual Behaviors" useful to my work		2%	9%	19%	70%
As a result of today's learning experience, I have a better understanding of how I can move the ball forward for a better system		2%	2%	40%	56%
As a result of today's learning experience, I have more knowledge about my fellow PARB members, State PARB members, and PARB staff		2%	2%	35%	60%
*n=42					
**n=40					
Due to rounding some percentages may not be 100% (rows #8, #9, #14)					

Support Protect Monitor

Post Adjudication Review Boards of Oklahoma Program Manager's Report April 21,2023

1) Care Portal: PARB has partnered with Andrea Stasyszen, Deputy Director of the Office of Strategic Engagement at DHS and Chris Campbell of Project 111 to use the Careportal to recruit PARB Volunteers. This is a unique opportunity and has resulted in a new member in Tulsa and Comanche Counties.

2) New board kick off events have taken place in multiple locations since the last State PARB meeting. Boards are fully operating now with trained members and an established process.

- Bryan County Kick off March 16. There is a new Judge and new Co-chair. Board had not been reviewing cases in a year or so.
- Haskell County Kick off March 27. This is a split from the Latimer, Leflore and Haskell Board. Haskell cases were not being reviewed.
- Lincoln County Kick off March 28. This board had not met in over three years since Sandra Brown left. It has 4 new members and one from before.
- Muskogee County Training held April 19. Nine applications were approved. This is a result of one member who attended the CCAN Conference and ran with it.

3) The State PARB Judicial Engagement Committee meeting was held in March. Judge Tom Newby, Judge Pat VerSteege and Daniel Herring all attended this virtual meeting and provided great suggestions and support to help engage the Judiciary better in PARB efforts.

4) Tulsa PARB Report. Malayna Hasmanis conducted a training for Tulsa CASA members on what PARB does and looks for in a review. She also conducted her first new member training. She did a great job.

Malayna was asked to serve on the Tulsa Partnership for Children's Behavioral Health board. They meet monthly to discuss mental health resources.

State PARB Open Meeting Act Discussion

Purpose of the Open Meeting Act

The purpose of the OMA was to create, ensure and protect transparency at all levels of Oklahoma government. The act is intended to encourage the public to participate in state government while better understanding the governmental processes.

Statute

Title 10 § 1116.2 E. which states in part, “Each review Board shall be subject to the provisions of Oklahoma Open Meeting Act, except that the actual case reviews shall be held in executive session;”

Local Board Requirements

1. Agenda posted 24 hours in advance at the meeting location. We have a standard agenda that is easy to fill in the date.
2. Submit annual dates to the county clerk. We request this information each year and there is a form for that as well.
3. Meeting Minutes. There is a standard minutes form that includes the names of those attending, and a blank space to list cases reviewed. These forms must be completed and retained by the board. The vote to go into and out of executive session must be recorded.
4. Quorum must be maintained which is one more than half of the members.

Arguments for making local PARB exempt from the OMA

1. All the case reviews conducted at PARB meetings are held during executive session.
2. Compliance with OMA creates a significant burden to the volunteers.
3. PARBs function in an advisory capacity only. They cannot obligate the state in any contractual requirements, they do not expend public funds and they do not administer public property.
4. Volunteers are not experts on the OMA.
5. Volunteers do not have access to legal counsel.

Strategy for making local PARB's Exempt from the OMA

1. Marcia Johnson and Keith Pirtle will work with a representative of the Oklahoma Press Association over the summer to reach an agreement that will relieve the burden of OMA on the boards while still capturing non-confidential information. The information would be shared in the State PARB's annual report. For example, the membership of each board, number of meetings, and number of cases reviewed each year.

State PARB Recommendations to Commission

State PARB Statutes regarding Reporting

1. Submit a report of the activities of the review boards, including the findings and recommendations of such review boards, to the Oklahoma Commission on Children and Youth on or before May 1 of each year.
2. Make recommendations to the courts, the Oklahoma Commission on Children and Youth, the Governor, the Legislature, the Department of Human Services, the Office of Juvenile Affairs, and other state agencies providing services to children regarding proposed statutory revisions, and amendments to court rules and procedures, and review and make recommendations on permanency planning, foster care and child welfare service delivery policies, guidelines, and procedures.

Top Issues Put Forward

1. Change the name of the Post Adjudication Review Boards to; **“Citizens Review Board for Children and Youth”**.
2. Eliminate the right to request a jury trial in the termination of parental rights procedures.
3. Improve the quality of legal representation for children and families in the juvenile court system and improve accountability for attorneys representing children and families.
4. Reduce the current waitlist and improve the quality of mental health services provided to families engaged with the child welfare system.
5. Make PARB exempt from the Open Meeting Act on the local level.
6. Take steps to reduce the Child Welfare Specialist turnover rate.
7. Reduce the number of kids who turn 18 while in DHS custody without the connections and resources to function in society.

Recommendations from Local Review Boards for the Annual Report Survey

Services Needed

- Transportation to and from visits for bio parents seems to be a struggle in rural counties.
- Sober housing which is appropriate for children to reside in during trial reunification.
- Waitlist and the quality of mental health services provided to families engaged with the child welfare system.
- There is a continuing shortage of both traditional and therapeutic foster homes.
- Availability issues of specialized mental health services in rural counties
- Access to mental health care, waitlists, and various regulations that make processes harder for families and/or youth to receive services are becoming increasingly prevalent in case reviews.

- There is a need for some fully funded projects for brick-and-mortar housing that can take 2+ years due to regulations and other processes.

Barriers to Timely Permanence

- Termination in a timely manner. We recently received several documents of kids that aged out in 2019 or earlier.

Child Welfare Concerns

- Length of time it takes to get services started for some parents. There seems to be times when it takes far too long with no real good cause to get services started for some parents.
- DHS turnover and staffing shortages are a continuing concern. The remote work environment appears to be creating additional challenges for DHS personnel.
- The suitability of placements for children with specific needs has deteriorated noticeably over the last year.
- There is not enough support in staffing and resources, throughout the state, for the number of cases through DHS.
- It appears DHS is forced to close cases to meet number requirements and that guardianships are being used as a means of permanency. We are concerned children are being placed with subpar family members due to lack of foster homes. Office closures have affected the work of the PARB due to worker turn over and lack of office space causing gaps in supervision and communication.
- DHS worker turnover in rural counties

Local Review Board Recommendations from the PARB Conference

Services Needed

- Lack of resources/services
- Resources for the therapeutic foster case, mental health, substance abuse resources for rural families.
- CASA on every case.
- Lack of resources in rural counties
- Need for more mental health providers to provide services to parents and children
- Inform managed Medicaid about importance of evidence-based treatment services
- Educate the legislature regarding the importance of substance abuse and mental health services availability.
- The lack of resources for parents regarding substance abuse and mental health issues.
- The lack of evidence-based services for parents and children.
- Too few mental health providers at all levels

Barriers to Timely Permanence

- Court system holding up permanency
- Jury Trials and delay in permanency for children.
- Judicial delay of permanency
- Kids are in care too long
- Following policy (i.e. termination and the time from when would like to take)
- Length of out of home placement for children
- Too many kids are in system too long with no permanency (from childhood all the way to age out) and the state ends up being parents (and we suck at it) and no resources to help them with.

Child Welfare Concerns

- Turnover in child welfare workers, slows down case progress. Workers need more support.
- Cases have too many DHS workers. The cases change workers too often and it is like starting the case over.
- Child welfare turnover
- Constant changes with assigned workers
- Turnover with child welfare and lack of knowledge about PARB leads to unwillingness to respond to requests for information.
- The workers inconsistency. Cases transferred from worker to worker
- Case being bounced around from worker to worker.
- Fully and appropriately fund the child welfare system
- Inconsistency with following policies regarding child welfare workers and their cases
- ISP's too long that many obstacles to complete in a reasonable amount of time.

Legal Representation

- Child attorney relationship is non-existent. Need performance-based pay
- Lack of personal contact with kids and parents
- Lack of involvement by children's attorneys:
- Not enough parent attorney engagement
- Coming to termination and the unknown fathers were not listed or documented to where we can complete termination and then have permanency.
- Attorneys seem to be interchanged, so I have a feeling attorneys are not concerned/knowledgeable of case details

Open Meeting Act

- Open Meeting Act restriction

Increase Communication and Partnership

- Increase foster parent communication
- Engage fathers better
- Not enough foster parent engagement
- Lack of communication between systems

Recommendations to Commission in 2021 and 2020

2021 Report

1. Eliminate the right to request a jury trial in the termination of parental rights procedures.
2. Reduce the number of kids who turn 18 while in DHS custody without the connections and resources to function in society.
3. Support the spirit of HB 3190 that sought to hold children's attorneys accountable in deprived cases, through sanctions, that do not provide the minimum of representative services to their assigned clients. In addition, HB 3190 provided that the demand for a jury trial in a termination of parental rights cases must be filed no later than 30 days prior to the date set for initial hearing. It also required that reunification services, as appropriate, be part of the individualized service plan during the first 15 months of the child being in care. If, after that time, the parent has not corrected the issues that brought the child into care, the district attorney is required to file a petition for termination.

2020 Report

1. The State PARB requests that the Oklahoma Supreme Court to not let juvenile cases languish in appeals for over a year.
2. OKDHS and child welfare partners should focus on permanency and the various barriers that surrounds it. Children turning 18 in state custody and aging out of care is an issue that needs to be addressed.
3. The State PARB is committing to focusing on legislative issues where we can make a positive impact.
4. The State PARB commits to continue to address the area of children's lack of enrollment in school, school truancy, and the lack of community involvement that creates isolation from the community.