

CLARK COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM

Petitioner: Susan Bush, Director of Office of Appointed Counsel

Recommendation:

Ratify the grant submission of the grant application by the Clark County Office of Appointed Counsel for the Title IV-E Reimbursement Program for Legal Services; ratify the acceptance of the Grant in the amount of \$3,753,048 for support of child welfare legal services from July 1, 2024 to June 30, 2025; authorize the Director or his designee to award documents as necessary; and accept any funds awarded. (For possible action)

FISCAL IMPACT:

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|----------------------|--|-------------------|---------------|
| Fund #: | N/A | Fund Name: | County Grants |
| Fund Center: | 1000115000 | Funded PGM/Grant: | N/A |
| Amount: | \$3,753,048 | | |
| Description: | Title IV-E Reimbursement Program for Legal Services | | |
| Additional Comments: | Title IV-E requires a 50% match for child and parent legal representation. This comes from the Office of Appointed Counsel general fund budget. The reimbursement is 50% of Clark County's penetration rates of eligible foster children. The SFY 2022 average penetration rate is 49.72356% for an average estimated reimbursement of \$933,074.54. | | |

BACKGROUND:

The State of Nevada's Department of Health and Human Services (DHHS), Division of Child and Family Services (DCFS) Grant Management Unit (GMU) released a funding notice in which they seek qualified legal organizations or agencies to partner with child welfare agencies in leveraging Title IV-E funding for child and parent legal representation. The purpose of the Title IV-E legal services reimbursement program is to provide funding to counties or agencies to support the expansion of legal services for child welfare programs. The legal services must be allowed Title IV-E expenses and related to protecting the safety of children and achieving permanence for children in out-of-home care. Under the program, federal Title IV-E funds are provided on a pass-through basis to agencies to support attorneys, paralegals, clerical, and other staff whose positions are (in whole or in part) dedicated to expanding the ability to perform child welfare legal actions under the Child Welfare Policy Manual. Clark County previously received funding from this grant for legal services performed between July 1, 2021 to June 30, 2024.

The Title IV Reimbursement Program for Legal Services ensures that parents, children and youth and child welfare agencies receive high quality legal representation at all stages of child welfare proceedings. The Clark County Office of Appointed Counsel is seeking the Title IV-E Reimbursement Program for Legal Services Grant to improve child welfare legal services by ensuring that parents have representation in dependency court. Under the current Nevada statutory scheme, the appointment of legal representation to parents is discretionary. However, most parents entering the system receive appointed counsel. Representation of parents by contracted attorneys in dependency court allow for the parents to understand the laws, policies, and regulations regarding child welfare. The award of this Grant will continue to aid Clark County and the Office of Appointed Counsel in assuring

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qualified and competent appointed counsel perform their duties in a zealous and professional manner.

Representation requires an attorney to attend, engage, and advise a parent at case planning meetings and advocate for appropriate social services using a multi-disciplinary approach to achieve reunification or another permanency plan. Representation could include meetings with service providers providing counseling to both the parents and their child(ren). The attorneys contracted understand the complexities of child development and family dynamics; substance abuse and the cycle of use, dependency, and recovery; adult mental health diagnosis and treatment; juvenile treatment of mental health and the use of psychotropic medication; domestic violence, effects on children, families, and its treatment; foster care standards and regulation; and visitation planning that is developmentally appropriate and supports reunification and parenting skills.

Attorneys are required to submit monthly reports to the Office of Appointed Counsel detailing those children that have been reunited with the parents or those children that have reached permanency by other means by case number. The County is required to ensure 100% of parents assigned to attorneys have legal representation and is required to report the total number of unduplicated parents served (monthly), the total number of new parents served, number of family reunifications or permanent placements for child(ren), and the total number of monthly caseload average per attorney.

Due to the timeframe, the Grant application was submitted to the GMU prior to approval by the Clark County Board of County Commissioners (County Commission).

Staff recommends that the County Commission ratify the submission of the Grant application and acceptance of the Grant.