

**PROGRAM DESCRIPTION**

**Department: Social Services**

**HB Section(s): 11.075**

**Program Name: Division of Legal Services Permanency**

**Program is found in the following core budget(s): Division of Legal Services Permanency**

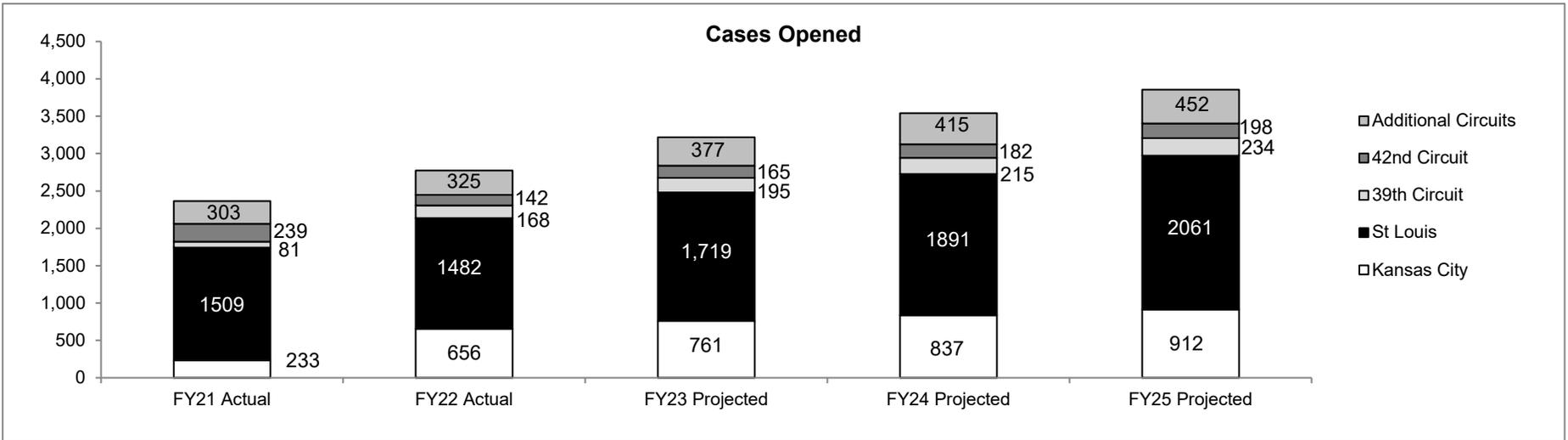
**1a. What strategic priority does this program address?**

Legal services to facilitate permanency for kids in CD custody

**1b. What does this program do?**

The permanency attorneys provide comprehensive legal support to Children's Division with a focus on achieving permanency for children in the custody of Children's Division. The permanency attorneys work closely with Children's Division with many attorneys embedded in the CD offices. This unit provides full time legal staff in the following circuits: 11,16, 17, 18, 20, 21, 22, 23, and 31. Contract permanency attorneys provide legal services for this purpose in the following circuits: 1, 2, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 20, 21, 22, 23, 24, 25, 31, 32, 34, 35, 36, 37, 38, 39, 40, 41, 42, 46. These attorneys work with CD in facilitating case management in conjunction with applicable law and representing CD in juvenile court hearings.

**2a. Provide an activity measure(s) for the program**



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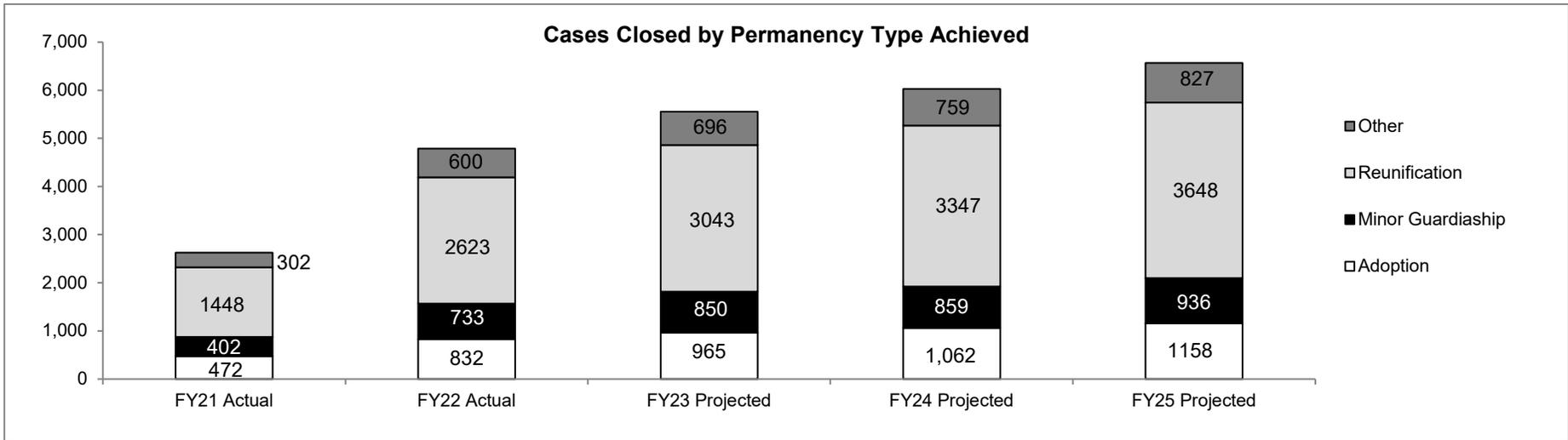
Department: Social Services

HB Section(s): 11.075

Program Name: Division of Legal Services Permanency

Program is found in the following core budget(s): Division of Legal Services Permanency

**2b. Provide a measure(s) of the program's quality.**



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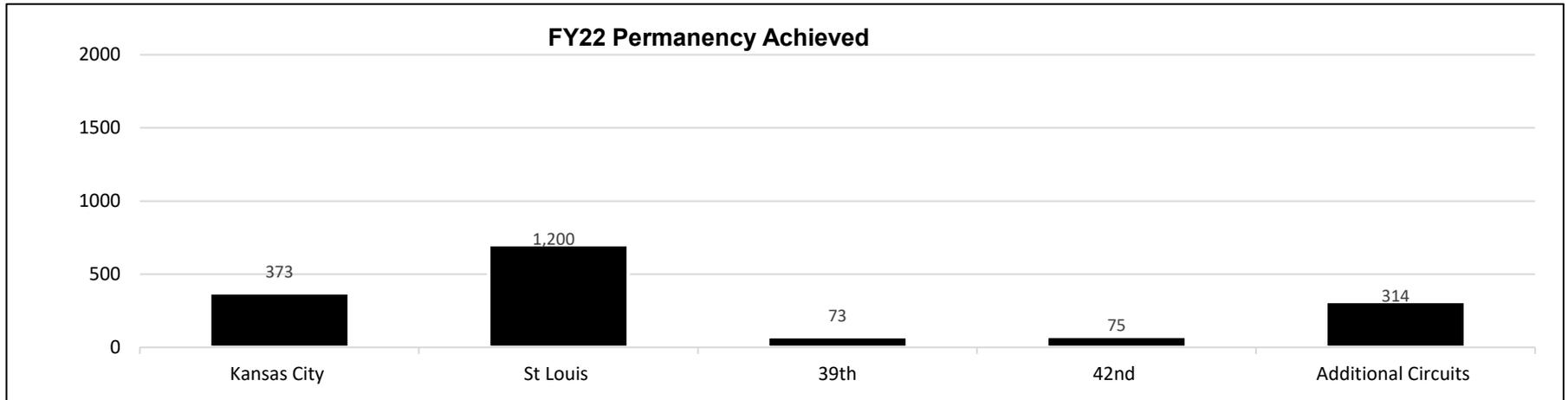
**Department: Social Services**

**HB Section(s): 11.075**

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**2c. Provide a measure(s) of the program's impact.**



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HB Section(s): 11.075

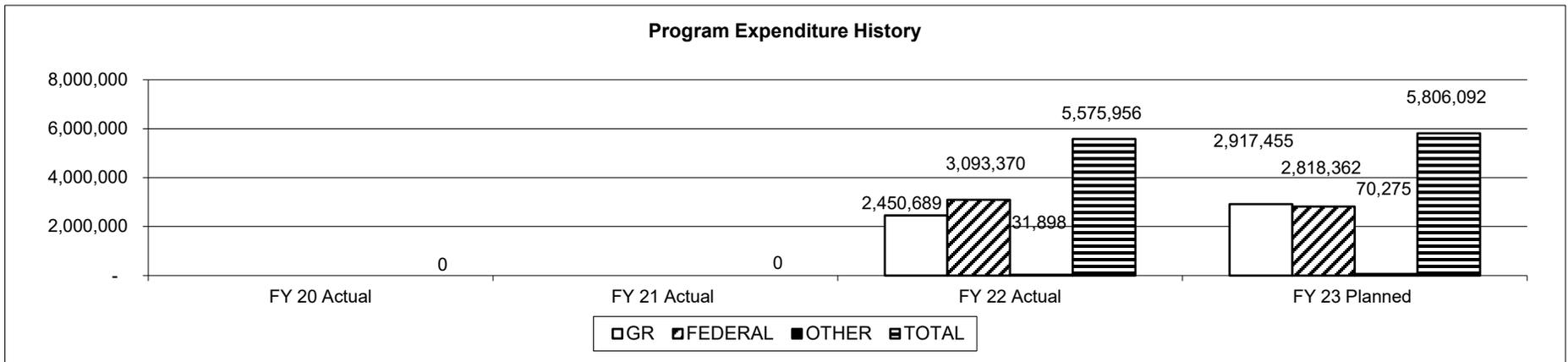
Program Name: Division of Legal Services Permanency

Program is found in the following core budget(s): Division of Legal Services Permanency

**2d. Provide a measure(s) of the program's efficiency.**

	# of Attorneys	# of Cases
FY21 Actual	31	3,973
FY22 Actual	43	6,666
FY23 Projected	50	7,750
FY24 Projected	55	8,525
FY25 Projected	60	9,300

**3. Provide actual expenditures for the prior three fiscal years and planned expenditures for the current fiscal year. (Note: Amounts do not include fringe benefit costs.)**



Appropriation established in FY2022. Planned FY 2023 expenditures are net of reserves and reverted.

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Program Name: Division of Legal Services Permanency

Program is found in the following core budget(s): Division of Legal Services Permanency

### 4. What are the sources of the "Other " funds?

Third Party Liability Collections Fund (0120), Child Support Enforcement Collections Fund (0169).

### 5. What is the authorization for this program, i.e., federal or state statute, etc.? (Include the federal program number, if applicable.)

Chapters 207, 210, 211, 219, 452, 453, 455, 475, 536, 660; 42 USC §5106a; 42 USC §§670-680; 42 USC 9858; §470 of SSA; 42 USC §674(a)(3); 45 CFR §1356.60(c); US HHS ACF policy.

### 6. Are there federal matching requirements? If yes, please explain.

Expenditures are allocated in accordance with the methodology outlined in the department's cost allocation plan and charged to corresponding grants or used as maintenance of effort as appropriate.

### 7. Is this a federally mandated program? If yes, please explain.

DSS to expand the Title IV-E program in Missouri and pass through available, Title IV-E federal funding to counties and juvenile courts for the purpose of providing high quality legal representation to parents and children in dependency and Termination of Parental Rights (TPR) cases in juvenile or family court. Recent studies from other states have shown that children in foster care gain better and faster outcomes when the child and parents are effectively represented by legal counsel in dependency cases. Federal law and policy now authorizes state Title IV-E agencies to claim federal funds for partial reimbursement of allowable administrative and training costs for legal representation for children and parents in dependence cases.

## PROGRAM DESCRIPTION

Department: Social Services

HB Section(s): 11.075

Program Name: Division of Legal Services Permanency

Program is found in the following core budget(s): Division of Legal Services Permanency Title IV-E Legal Representation

### 1a. What strategic priority does this program address?

Legal services to facilitate permanency for kids in CD custody

### 1b. What does this program do?

Title IV-E reimbursements to counties and the City of St. Louis for the legal representation of parents and children in juvenile or family courts. DSS uses the available Title IV-E funding to counties and juvenile courts for the purpose of providing high quality legal representation to parents and children in dependency cases in juvenile and family court. Recent studies from other states have shown that children in foster care get better and quicker outcomes when the child and parents are effectively represented by legal counsel in dependency cases. Federal law and policy now now authorizes state Title IV-E agencies to claim federal funds for partial reimbursement of allowable administrative and training costs for legal representation for children and parents in dependency cases.

State law authorizes the juvenile/family courts to appoint lawyers to represent children and indigent parents in dependency cases in juvenile court. Supreme Court Rule 115.02 and Rule 115.03. In dependency cases these costs are paid by counties with local government funds. In TPR cases, Courts sometimes order DSS/CD to pay for the legal fees and costs for parents and guardian ad litem (GALs) for children. DSS will use county and local government funds in dependency cases for the state share to claim federal Title IV-E matching funds, and then pass through the federal funds back to the counties to provide an enhanced level of effort to expand the quantity and quality of legal services available in the local courts. Counties have to meet county specific, maintenance of effort and training requirements to ensure that these monies supplement and enhance, rather than replace current levels of local funding with federal dollars. DSS, Office of State Courts Administrator and the Supreme Court of Missouri are collaborating on this project. Federal funds are available at the 50% administrative rate.

### 2a. Provide an activity measure(s) for the program

Performance measures are not included as this is a pass-through program.

### 2b. Provide a measure(s) of the program's quality.

Performance measures are not included as this is a pass-through program.

### 2c. Provide a measure(s) of the program's impact.

Performance measures are not included as this is a pass-through program.

### 2d. Provide a measure(s) of the program's efficiency.

Performance measures are not included as this is a pass-through program.

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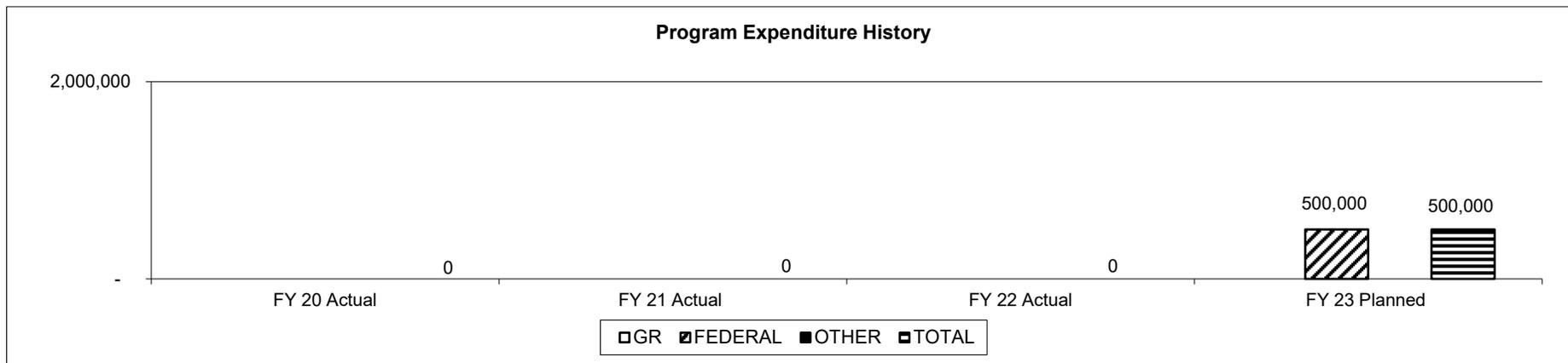
Department: Social Services

HB Section(s): 11.075

Program Name: Division of Legal Services Permanency

Program is found in the following core budget(s): Division of Legal Services Permanency Title IV-E Legal Representation

**3. Provide actual expenditures for the prior three fiscal years and planned expenditures for the current fiscal year. (Note: Amounts do not include fringe benefit costs.)**



**4. What are the sources of the "Other " funds?**

N/A

**5. What is the authorization for this program, i.e., federal or state statute, etc.? (Include the federal program number, if applicable.)**

§470 of the Social Security Act. 42 USC §674(a)(3), 45 CFR § 1356.60(c). US HHS ACF policy.

**6. Are there federal matching requirements? If yes, please explain.**

Expenditures are allocated in accordance with the methodology outlined in the department's cost allocation plan and charged to corresponding grants or used as maintenance of effort as appropriate.

**7. Is this a federally mandated program? If yes, please explain.**

No, this is not a federally mandated program.

**PROGRAM DESCRIPTION**

**Department: Social Services**

**HB Section(s): 11.075**

**Program Name: Division of Legal Services Permanency**

**Program is found in the following core budget(s): Division of Legal Services Permanency Parent Pilot Program**

**1a. What strategic priority does this program address?**

Legal services to facilitate permanency for kids in CD custody

**1b. What does this program do?**

Provide legal representation for parents of children who are in court as a result of alleged child abuse or neglect.

**2a. Provide an activity measure(s) for the program**

The Division of Legal services is currently working to create measures as this is a new program and has not had a full year of expenditures.

**2b. Provide a measure(s) of the program's quality.**

The Division of Legal services is currently working to create measures as this is a new program and has not had a full year of expenditures.

**2c. Provide a measure(s) of the program's impact.**

The Division of Legal services is currently working to create measures as this is a new program and has not had a full year of expenditures.

**2d. Provide a measure(s) of the program's efficiency.**

The Division of Legal services is currently working to create measures as this is a new program and has not had a full year of expenditures.

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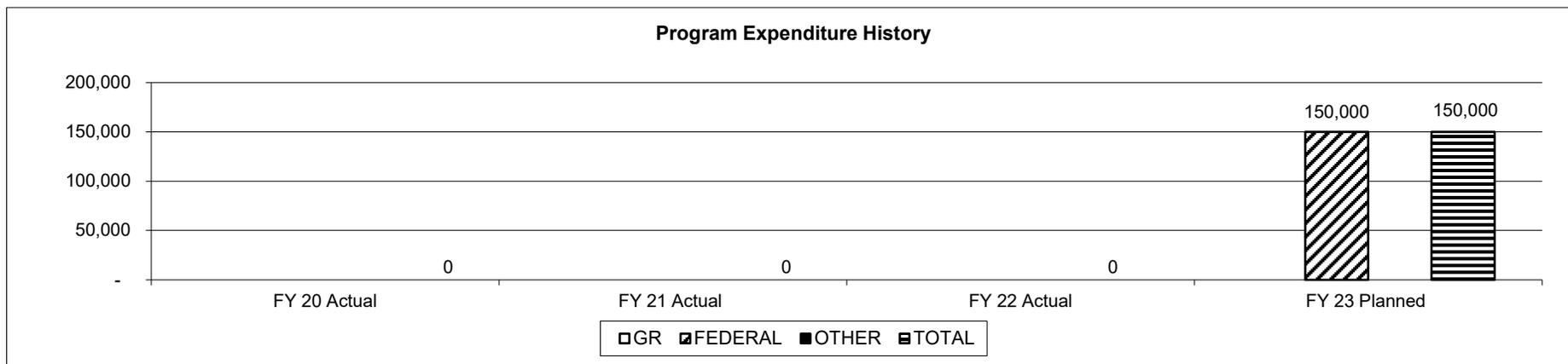
Department: Social Services

HB Section(s): 11.075

Program Name: Division of Legal Services Permanency

Program is found in the following core budget(s): Division of Legal Services Permanency Parent Pilot Program

**3. Provide actual expenditures for the prior three fiscal years and planned expenditures for the current fiscal year. (Note: Amounts do not include fringe benefit costs.)**



Appropriation established in FY2023.

**4. What are the sources of the "Other " funds?**

N/A

**5. What is the authorization for this program, i.e., federal or state statute, etc.? (Include the federal program number, if applicable.)**

§470 of the Social Security Act. 42 USC §674(a)(3), 45 CFR § 1356.60(c). US HHS ACF policy.

**6. Are there federal matching requirements? If yes, please explain.**

Expenditures are allocated in accordance with the methodology outlined in the department's cost allocation plan and charged to corresponding grants or used as maintenance of effort as appropriate.

**7. Is this a federally mandated program? If yes, please explain.**

No, this is not a federally mandated program.

## PROGRAM DESCRIPTION

Department: Social Services

HB Section(s): 11.075

Program Name: Division of Legal Services Permanency

Program is found in the following core budget(s): Division of Legal Services Permanency Non-Recurring Legal Fees (NRLG)

**1a. What strategic priority does this program address?**

To provide legal services to facilitate and achieve permanency for kids in CD custody

**1b. What does this program do?**

This program provides funding for non-recurring adoption or legal guardianship expenses related to permanency, including but not limited to: reasonable and necessary attorney's fees, court costs, publication expenses, and Guardian Ad Litem (GAL) costs for the adoptive parent(s) or guardian(s) which are directly related to the legal adoption or legal guardianship.

**2a. Provide an activity measure(s) for the program**

Please see the main Division of Legal Services program description for measures.

**2b. Provide a measure(s) of the program's quality.**

Please see the main Division of Legal Services program description for measures.

**2c. Provide a measure(s) of the program's impact.**

Please see the main Division of Legal Services program description for measures.

**2d. Provide a measure(s) of the program's efficiency.**

Please see the main Division of Legal Services program description for measures.

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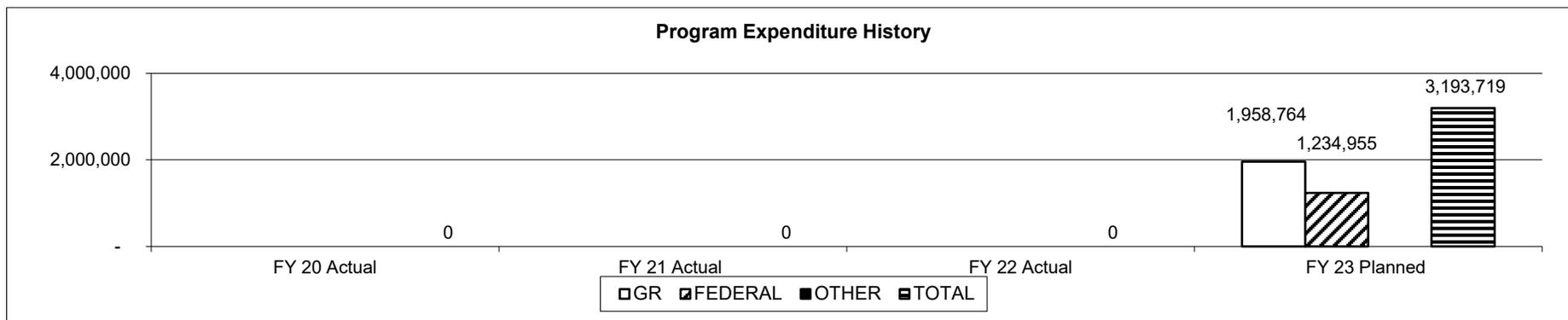
Department: Social Services

HB Section(s): 11.075

Program Name: Division of Legal Services Permanency

Program is found in the following core budget(s): Division of Legal Services Permanency Non-Recurring Legal Fees (NRLG)

**3. Provide actual expenditures for the prior three fiscal years and planned expenditures for the current fiscal year. (Note: Amounts do not include fringe benefit costs.)**



Appropriation established in FY2023. Planned FY 2023 expenditures are net of reverted.

**4. What are the sources of the "Other " funds?**

N/A

**5. What is the authorization for this program, i.e., federal or state statute, etc.? (Include the federal program number, if applicable.)**

NRLG services dates must be on the subsidy contract prior to the finalization of the adoption or guardianship and including the date of the finalization of the adoption or guardianship. This is a nonrecurring expense and include the entitlement of GAL fees per 453.025 RSMo.

**6. Are there federal matching requirements? If yes, please explain.**

Children and youth receiving services from the Children's Division are grouped into two categories for expenditure purposes - Homeless Dependent and Neglected (HDN) and Title IV-E eligible. Expenditures for HDN children and youth are 100% state-funded or TANF funded. Expenditures on behalf of Title IV-E eligible children and youth are reimbursable at the IV-E program rate, which is the FMAP (Federal Medical Assistance Percentage). The FMAP fluctuates annually based on state and national economic and population data, but generally, the state matching requirement is around 35% and the federal match is around 65%. There is a 50% state match (50% federal earned) for IV-E administrative costs. Expenditures related to TANF are reimbursable at 100% federal unless identified as maintenance of effort.

**7. Is this a federally mandated program? If yes, please explain.**

The federal Child Welfare Act and the federal Child Abuse Prevention and Treatment Act obligate Missouri to care for children who are abused and neglected.