


Approved 

Date

MAR 02 1992

MINUTES OF THE House COMMITTEE ON Governmental Organization

The meeting was called to order by Rep. Gary Blumenthal at
Chairperson

9:05 a.m./~~pm~~ on February 24, 1992 in room 522-S of the Capitol.

All members were present except:

All Present

Committee staff present:

Carolyn Rampey, Legislative Research Dept.
Avis Swartzman, Revisor of Statutes
Nita Shively, Committee Secretary

Conferees appearing before the committee:

Representative Ed McKechnie
Shaun McGrath, Kansas Natural Resource Council
Representative Sandy Praeger
Judge Jean Shepard
Beverly Ericksen, parent
Carley Ericksen, teenage consumer
Ron Stegall, Court Services
Doug Bowman, Coordinator, Children & Youth Advisory Committee
Carolyn Hill, Acting Commissioner, Youth & Adult Services
Guy Dresser, Review Board member
Ruby Adams, foster parent

Chairman Blumenthal called the meeting to order when quorum was present.

The first order of business was the introduction of 2 bills. Chair recognized Representative McKechnie, who requested introduction of a bill creating the office of secretary of public safety--a new cabinet position. Motion by Representative Ramirez to introduce this bill, motion seconded by Representative Lahti, motion carried.

Shawn McGrath requested introduction of a bill mandating the Board of Agriculture subject to sunset review. Motion for introduction of the bill by Representative Bowden, seconded by Representative Hackler, motion passed.

Hearing on HB 2987 - An act concerning the children and youth advisory committee; relating to the powers and duties thereof; establishing local citizen review boards in judicial districts.

Chair recognized Representative Praeger, who testified and furnished written testimony in support of HB 2987, (Attachment 1). Representative Praeger drew member's attention to the information packet she provided along with her other testimony, prepared by "Kansas Action for Children." This packet outlines the various aspects of the Citizen Review Board (CRB), sometimes called Foster Care Review Board. It defines its purpose, how the process works, benefits, relationship to the court and community, and the make-up of the Board.

There are 3 to 5 members on each Board, selected because of their interest in children. They undergo extensive training and take an oath of confidentiality before reviewing their first case.

Judge Jean Shepard spoke in support of HB 2987. She advised that there are currently 3 Boards in Douglas County with 5 people on each Board. Cases are assigned randomly, subpoenas are issued and witnesses appear before the Board similar to a mini jury. Judge Shepard feels that she benefits

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Governmental Organization,
room 522-S, Statehouse, at 9:05 a.m./~~p.m.~~ on February 24, 1992

enormously from fresh ideas and community input. Board members provide judges with a fresh perspective and become advocates for children.

Beverly Ericksen appeared as a proponent of HB 2987, furnishing written testimony, (Attachment 2). She spoke of her experience with CRB from both sides of the fence. Several years ago her daughter was in need of help and Mrs. Ericksen found it necessary to petition the court. That problem has been resolved and she is now a member of the Board.

Mrs. Ericksen described her experience with the Board, her initial apprehension and her feeling that CRB was an unwelcome intrusion. Much to her relief, she found the atmosphere at the Boardroom very relaxed and comfortable, less intimidating than the courtroom. Mrs. Ericksen emphasized that CRB played an important role in the satisfactory resolution of their problems.

Chair recognized Carley Ericksen, who appeared as a proponent of HB 2987, furnishing written testimony, (Attachment 3). Ms. Ericksen recalled how an event that occurred prior to her entering the 7th grade resulted in her being put in several out-of-home placements. Subsequently, she found herself before the Foster Care Review Board.

Ms. Ericksen stressed how helpful the meetings were; she was able to verbalize her feelings much better at the meetings than she could in treatment settings. She concluded by detailing her excellent recovery.

Ron Stegall spoke in support of HB 2987, furnishing written testimony, (Attachment 4). He described a pilot project by the National Association of Foster Care Reviewers, which included Douglas County. His testimony contained data showing the benefits of early intervention.

Mr. Stegall stressed that the most important goal for CRB is getting a child to permanance. This may not necessarily be in his or her own home, but in a comparable setting. The continual shifting from one place to another is extremely detrimental to a child's well-being.

Doug Bowman appeared as a proponent of HB 2987, furnishing written testimony, (Attachment 5). He indicated that the Children and Youth Advisory Committee endorses the concept of a Citizen Review Board. However, Mr. Bowman expressed concern about the funding source for such a project, noting that there are already so many demands on Trust Fund grants. He suggested SB 661, which increases fees for copies of birth certificates, as a designated funding source.

Chair recognized Carolyn Hill who appeared on behalf of SRS in support of HB 2987, furnishing written testimony, (Attachment 6). Ms. Hill stated that SRS agrees with Mr. Bowman's position regarding funding. She recommended that SB 661 be incorporated in this bill as a designated funding source.

Ms. Hill advised that the number of children in SRS custody is at an all time high. Every effort should be made to assist or minimize a child's stay in foster care.

Guy Dresser spoke in support of HB 2987 furnishing written testimony, (Attachment 7). He pointed out that although the CRB assists the judges and court staff, members serve because of their concern for children. The make-up of the Board members is a cross section of individuals with various occupations and-different ethnic backgrounds. Despite several training sessions, the most important training is on-the-job. The informal atmosphere and the realization that the Board members serve as your advocate, is extremely helpful to a child who is in the midst of a difficult situation. Attorney also are in favor of the Citizen Review Board.

Ruby Adams appeared in support of HB 2987 furnishing written testimony, (Attachment 8). Mrs. Adams stressed that she and other foster parents in Douglas

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Governmental Organization,
room 522-S, Statehouse, at 9:05 a.m./~~p.m.~~ on February 24, 1992.

County strongly favor the Board. She feels that other counties in the state would benefit from the CRB also. She reiterated previous testimony that in a more informal atmosphere, people are inclined to speak more freely.

Hearing closed on HB 2987.

Chair recognized Representative Hackler, who presented her subcommittee's report on the Sunset Review of the Kansas Board of Healing Arts. She thanked staff (Carolyn Rampey) for all her efforts in compiling this report.

It is the subcommittee's recommendation to extend the Board for the maximum 8 years--July 1, 2000. They feel that the Board needs stability in order to implement recent changes.

Representative Hackler proceeded to go step-by-step through the 12 recommendations and observations. The report indicates that there are areas of concern on which follow-up is necessary. Reports should be presented to the 1993 Legislature. It also contains recommended changes designed to improve the effectiveness of the Board.

Representative Hackler made a motion to adopt the subcommittee's report, motion seconded by Representative McClure, discussion followed, motion passed. It was the consensus of the committee that staff should change item 4 in the report--in place of change statute it should read introduce a bill on Advisory Committee on Podiatry.

Representative Hackler moved to introduce a bill addressing item #4, motion seconded by Representative Weimer, motion carried.

Representative Brown introduced a bill, requested by the Fire Marshall office, establishing the Kansas commission of fire, emergency response and safety. Motion seconded by Representative Lawrence, motion carried.

Motion to approve minutes for February 17 and 18, 1992 was made by Representative Bowden, seconded by Representative Lawrence, motion carried.

Meeting adjourned at 10:40 a.m.

Meeting at the rail at 12:00 p.m. to introduce 2 bills:

Representative Ramirez introduced a bill to continue Kansas sunset law. Motion seconded by Representative Hackler, motion passed.

Representative Dick Eklund introduced a bill to change the name of Kansas School for the Visually Handicapped to Kansas School for the Blind. Motion by Representative Watson, seconded by Representative Gilbert, motion passed.

**TESTIMONY ON HB2987
CITIZEN REVIEW BOARDS
FEBRUARY 24, 1992
REPRESENTATIVE SANDY PRAEGER**

Thank you, Mr. Chairman, and committee members for the opportunity to testify today on HB2987. This bill establishes a system for expanding citizen review boards(CRB) for foster care statewide. Currently we have two citizen review boards in Kansas, one in Douglas County which was established in 1986 and one in Salina which began in January of this year.

You have been given a packet of information about CRB's prepared by Kansas Action for Children. I'd like to review the information with you.

This bill establishes guidelines for local CRB's. It also provides for local CRB's to submit a report annually to the Children and Youth Advisory Committee. C&Y seems to be the most appropriate group to administer this program for several reasons. 1) C&Y already has a statutory responsibility for a written annual report. The CRB report on how well the child welfare system is functioning could easily be incorporated into this annual report. 2) The membership of C&Y is excellent for oversight of CRB's. There are five members appointed by the Governor, five agency heads or representatives (SRS, Health & Environment, Human Resources, Education, and the Supreme Court), and four legislators. 3) C&Y has a long history and expertise in a grant process (the Family and Children Trust Fund). They are accustomed to reviewing and awarding grants and providing technical assistance to grantees. They also have a very strong evaluation system which would help to ensure that the CRB programs are thoroughly tested. 4) C&Y has a staff person whose salary is paid from the Family and Children Trust Fund, with other support provided by SRS by statute, so there should be no administrative costs for CRB.

CRB's are recommended strategies to meet two of the "targets for change" in the Children's Blueprint, the product of the Children's Initiatives Interim Committee. Target #1, "Greater Support to Children and Families", calls for CRB's in the recommendation to provide family-centered court services. (page36) Target #5, "Modify Service Delivery Systems", recommends that CRB's be established statewide with "responsibility for local review of decisions relating to out-of-home placement, reintegration and permanency planning..."(page58) These review boards can provide us with information about our current system and, in many cases, see that children are reintegrated with their families or permanently placed sooner than if we relied on the courts or SRS to make that decision. These trained volunteers have the time to devote to a limited number of cases and they often times make innovative suggestions because they bring a fresh outlook to the process.

I have observed one of our review boards in Lawrence as they reviewed a case. The

902-24-92
attachment 1

child was present, along with his foster parents, his natural parents, his social worker, his guardian ad litem and several others involved with his case. The discussion was informal and every attempt was made to put the child at ease. The child couldn't help but sense that these people really cared about what happened to him.

We have a good group of conferees here today who can speak much more knowledgeably than I about the function of CRB's and their effectiveness. I'd like you to hear what they have to say and then I would be happy to answer any questions you might have.

Thank you.

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Attachment 1-2

CITIZEN REVIEW BOARD

**FOR MORE INFORMATION, CONTACT:
Kansas Action for Children, Inc.
PO Box 463
Topeka, Kansas 66601-0463
(913) 232-0550**

g.o 2-24-92
attachment 1-3

CONTENTS

CRB and the Court.....1
CRB and Rural Areas.....2
CRB and CASA.....3
CRB and Diversity.....4
Comparison of CRB/CASA/MCPT.....5
Case Example: KIRK.....6
Case Example: CINDY.....7
Letters
 Foster parent.....8
 Juvenile.....9
 Attorney Guardian ad litem.....10
 Assistant District Attorney.....11
 Therapist/Professor.....12
Evaluation report.....13

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attachment 1-4*

CRB AND THE COURT

Is the Citizen Review Board supposed to take the place of the judge?

Judges around the country have welcomed citizen foster care review boards (CRB's) in their jurisdictions. The Boards review cases, designated by the judge, at regular intervals and provide reports to the court. The judge still maintains full authority over all cases and uses the CRB reports in issuing court orders on cases. Many judges believe they are more effective in their judicial role because of the assistance of CRB's.

Judges have reported the following benefits of Citizen Review Boards:

- More information about the child's situation is actually obtained in a CRB case review.
- Judicial time is freed up for the most difficult cases. The reports provided by a CRB provide a quick summary which is a more efficient use of judicial time.
- Suddenly, there is a powerful ally who is helping to decrease the system failures which have frustrated the judges for years.
- Citizens who serve on Review Boards become knowledgeable and supportive of children's programs in general, and of the court's efforts to serve children in particular. They use their knowledge to influence the attitudes of their family and friends, and may even become politically active in support of children's services.
- Children and families--and often the professionals--report less fear and nervousness when talking to a Review Board. More information actually comes out, and people have more positive reactions to their experiences with the system.

All parties to a proceeding retain their right to a hearing before the judge. They simply have to make a request and the case will be heard in court. In addition, the judge sets a courtroom hearing whenever necessary or advisable.

The CRB review is used in addition to the court hearings or as a replacement for a court hearing. By federal law (P.L. 96-272), the judge has the authority to designate the entity to do periodic administrative reviews. In some places, the CRB has been designated as that entity. The CRB's recommendations only bear weight when the judge accepts them and uses them as the basis for judicial orders.

According to Judge Jean Shepherd of Douglas County, "members [of the review boards] have the opportunity to analyze all case file material [and to] meet the individuals involved in each case and to give those people a chance to be heard in a less formal setting than the courtroom...I am a foster care review board advocate."

Kansas Action for Children, Inc.
November 1991

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Attachment 1-5

CRB AND RURAL AREAS

Can a Citizen Review Board work in a small community?

The Citizen Review Board is composed of three to five trained citizen volunteers. As part of their responsibilities of reviewing cases of children placed out of their homes, reviewers receive information about families. Sometimes, people fear that CRBs won't work in a rural area because everybody seems to know everybody else, and confidentiality would be a problem. However, Board members are trained to keep all information confidential and are subject to removal from the Board if they breach confidentiality. They must also dismiss themselves from any case where the family members are known to them on a personal basis.

Despite the safeguards, there can be concerns that three to five reviewers who don't know the family will not be found in a small town. This has not been true, because Board members have been selected from the population of the entire county, or may even have been drawn from a three or four-county area. Other states with large rural populations report that it is rare that Board members must withdraw from a case because of independent knowledge of the family. Just as six-member or twelve-member juries can be found when needed for civil or criminal trials, it is possible to find citizen reviewers who are impartial and who will not reveal any information they obtain as part of a case review.

There are many special benefits of CRBs placed in rural communities. They include the following:

- 1) COST EFFECTIVENESS - The amount of staff necessary (and the over-all funding necessary) for a CRB is quite small, because of the reliance on citizen volunteers. CRB is feasible even in very small communities where few children are placed.
- 2) ADDED SERVICES AVAILABLE - Many rural communities report that they have few services available to children and families. A CRB requires so few special resources that it can be done everywhere in Kansas.
- 3) CHILDREN'S PLACEMENT NEEDS - Often, children from rural areas end up being placed at a distance from home, because there are no placement options close by. These children particularly need permanency planning services, since they can feel isolated and lonely so far from home. Monitoring by citizens from their home county is welcome and needed.
- 4) CITIZEN INVOLVEMENT - Nowhere can a few citizens have as big an impact on a community as in a small town. When people get involved as members of CRBs, they often become strong advocates for changes in the child welfare system. In addition to bringing about changes in the way children's cases are handled in their own county, they can help to assure that the rural perspective is considered by policymakers throughout the state.

CRBs are not just feasible in a small community; they are actually a great resource for families and the professionals who are trying to help. Citizen Review Boards are especially needed by children from rural areas who are accustomed to feeling the caring and concern of their communities and who are feeling isolated in out-of-home placements.

Kansas Action for Children, Inc.
November, 1991

g o 2-24-92
Attachment 1-6

CRB and CASA

Why would we need a Citizen Review Board if we already have CASA?

Court Appointed Special Advocate (CASA) projects and Citizen Foster Care Review Boards (CRB's) have close, mutually-beneficial relationships in many states. They are complementary programs, and when they exist together, children are often much better-served than if only one program is available. CASA volunteers report that the CRB review gives them an opportunity to speak up for a child that is often unavailable in court due to time constraints. They find that CRB members are strong allies in their struggle to get systems to meet children's needs.

In various states, the two programs share one or more of the following:

- Joint administration at the state level, reducing over-all costs
- Cross-referrals of cases needing services
- Cross-referrals in recruitment of volunteers
- Systems advocacy (such as lobbying) to serve children better or to increase funding for CASA and/or CRB
- Information and efforts on behalf of individual children
- Public awareness/publicity efforts to increase awareness of the needs of children
- Volunteer alternatives when volunteers can get involved in a new way to serve children--moving from CASA to CRB or from CRB to CASA.

The similarities between the two programs are far greater than their differences. However, it is their differences which make them complementary and which lead people who care about children to establish both programs.

SIMILARITIES

The two programs share:

1. A common goal of permanency planning for children in the state's custody.
2. A common philosophy that trained citizen volunteers are an inexpensive, very effective method of providing services to children.
3. A belief that low caseloads, with special attention to each child and family, lead to better outcomes for children.
4. An emphasis on monitoring public systems in order to serve children better.

DIFFERENCES

1. CRB has a statewide, systems-advocacy component which includes an annual report to the Legislature, Governor, the Supreme Court, and others serving children.
2. CASA investigates, going into the community and spending a lot of time with the child, family or others. The focus is on knowing one case very well.
3. CRB requires far less staff support and supervision. One position (full-time equivalent) can serve from 150 to 1,600 cases a year. One FTE of CASA staff would serve 20-80 cases a year.
4. A CRB reviews a case approximately every 6 months, but CASA can provide services on an ongoing, timely basis.
5. Because of the cost of a CASA project, it is not feasible in some rural areas where caseloads are very low. CRB is viable even in places where only 5 to 10 cases are filed each year.

CRB AND DIVERSITY**Can a white, middle-class member of a CRB review a case objectively if it involves a family with a different background?**

Citizen Review Boards assist judges in gathering information and making decisions regarding children under the supervision of the court often placed outside their homes. These children may have been abused or neglected or may have other family problems. The CRB's role is to determine whether the plan for the child is appropriate and whether there has been sufficient progress toward the case goals. The CRB then makes recommendations to the judge, and the judge makes the final decision.

Citizen Review Boards are composed of citizen volunteers. The Boards are chosen to reflect the community they represent, and must therefore include minority members. They must also include working people from many different professions, people of all ages, and people from a variety of economic backgrounds. The key to a successful review process is to have a number of perspectives brought to each case and each family, so diversity should be present on the Board itself.

Still, CRB's will have white, middle-class members. Some of them may not have had life experiences to help them understand minority or low-income families. But they will have been carefully screened and well trained before appointment to the Board, and they will review cases as only one member of a full Board.

Around the country, and in Kansas, people universally report that the hallmark of CRB's is their obvious concern for families and children. Case reviews are known for the way that all parties are treated courteously and all opinions are valued. Boards are trained to focus on problem-solving rather than blaming. It is true that Boards are willing to address problems head-on, but they are very supportive of families who are making efforts to raise children well despite scarce resources.

All Board members, before volunteering for the CRB, were family members themselves, and they use their own family experiences to help them to understand the frustrations, fears, and hopes of the families whose cases they review. As the Assistant District Attorney of Douglas County put it, "[the Board] has brought children's issues and concerns out of the courthouse and into the community." Most families, of all races and backgrounds, welcome the support and guidance of the citizen reviewers.

Kansas Action for Children, Inc.
November 1991

90 2-24-92
attachment 1-8

Citizen Foster Care Review Boards (CRB's) have operated in Douglas County since 1986. Because many people in Kansas are not familiar with CRB's, they often ask if CRB's are like CASA or Multidisciplinary Teams. There are similarities, because all three programs seek to protect children who are victims or who are at-risk. However, there are also major differences, as outlined below. The programs do not overlap, and in fact, will rarely even provide services to the same child. All three programs must be a part of a continuum of services in order to fully protect children in Kansas.



**CITIZEN REVIEW BOARDS
(CRB)**

Citizen volunteers with at least six hours of training.

To review the progress on the permanent plan for a child and determine whether the progress has been sufficient. If not, to recommend an alternative case goal.

Review boards have 3 to 7 members. At least 3 members must be present to review a case.



**COURT APPOINTED SPECIAL
ADVOCATES (CASA)**

MEMBERSHIP

Citizen volunteers with at least eighteen hours of training.

PURPOSE

To investigate the circumstances for a child and family, make recommendations to the judge, and actively monitor events.

NUMBER OF PERSONS

Each CASA volunteer is assigned to only one case at a time. The emphasis is on the one-to-one relationship between the CASA and child.



**MULTIDISCIPLINARY CHILD
PROTECTION TEAMS (MCPT)**

Professionals who have education and experience working with children and families (physician, nurse, social worker, law enforcement officer, etc.).

To monitor the effectiveness of various components of the system and their effects on child protection. In some places, to review cases referred to the team.

Numbers vary from place to place. Generally, from 10 to 20 members.

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**CITIZEN REVIEW BOARDS
(CRB)**

Referral by the judge who hears Child In Need of Care (CINC) and Juvenile Offender (JO) cases.

Reviews are scheduled at the courthouse, and all persons with relevant information may appear. This is a participant review which is less formal than the courtroom, but does allow full participation by family members, the child, and others.

Typically, a review of a case takes about one hour.

Each case is generally reviewed annually, but can be more frequent in unusual circumstances.

The judge delegates a review or oversight function to the citizen volunteers on the board. They review many cases and provide oversight on the entire system.

FOR MORE INFORMATION:

Kansas Action for Children, Inc.
PO Box 463
Topeka, Kansas 66601-0463
(913) 232-0550

**COURT APPOINTED SPECIAL
ADVOCATES (CASA)**

HOW THE PROCESS IS TRIGGERED

Referral by the judge who hears CINC and JO cases.

TYPE OF WORK

A CASA works primarily in the community, making personal contacts with school personnel, medical professionals, family members, and other relevant persons.

AMOUNT OF TIME SPENT

A CASA's work is in-depth on one case, and typically takes four hours a week over several months.

TIME PERIOD

The CASA's work is on-going, and involves numerous contacts for as long as the child is under the supervision of the court.

SUMMARY

The judge assigns a CASA volunteer to investigate, advocate, and monitor a case on behalf of an individual child. CASA's provide very thorough and in-depth work on a few cases.

FOR MORE INFORMATION:

Kansas CASA Association
715 SW 10th Street
Topeka, Kansas 66612
(913) 232-2777

**MULTIDISCIPLINARY CHILD
PROTECTION TEAMS (MCPT)**

Referral by SRS or another professional assigned to the case who would like consultation from the team.

When the team meets, the case is presented by a professional who works directly with the family. Written records and information from a case manager or other professional are the primary sources.

This varies, but generally falls within 30 minutes to two hours.

Generally, a case is reviewed only once, unless a follow-up referral is made at a later date.

A team of professionals meets give their specialized expertise on the child-serving system. They may also provide consultation on individual cases referred to them.

FOR MORE INFORMATION:

Kansas Child Abuse Prevention Council
Topeka, Kansas 66612
(913) 354-7738

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CITIZEN REVIEW BOARD CASE EXAMPLE

KIRK, born December 1974

At the age of 10, Kirk was found to be a child in need of care due to setting fires in his home. He was placed in a group home. Two years later, his mother was sent to prison, and no visits occurred during her one-year imprisonment.

FIRST REVIEW BOARD HEARING - November, 1987, at age 12-1/2

The Board recommends continued placement, with a focus on visitation with the mother. The court order incorporates these recommendations.

SECOND REVIEW BOARD HEARING - November, 1988, at age 13-1/2

The Board recommends termination of parental rights and an active search for an adoptive home. Subsequently, a petition is filed, and parental rights are terminated in May 1989, when Kirk is 14.

THIRD REVIEW BOARD HEARING - November, 1989, at age 14-1/2

The Board recommends continued efforts to find an adoptive home. Board members decide to follow-up personally on Kirk's case, including linking Kirk with the local NAACP for a "big brother" type relationship, and contacting a local church to seek an adoptive home. The court order includes the recommendations and the personal follow-up by Review Board members.

FOURTH REVIEW BOARD HEARING - November, 1990, at age 15-1/2

The Board suggests increased efforts to find an adoptive home, including a pictorial brochure sent to national Black Adoption agencies and to Black churches statewide. The Board members volunteer to help with these endeavors.

FIFTH REVIEW BOARD HEARING - January, 1991, at age 16

Kirk asks to see the Board, because, as his house parents write, "Kirk is much more comfortable" before the Board. He asks to see the Board privately and reports that his aunt may be willing to take him in. On July 1, 1991, Kirk moves in with his aunt after approval of the home by SRS and the court.

Postscript: As of January, 1992, Kirk is living with his aunt, who has begun the process to adopt him. He continues to receive some special education services, but he is no longer in therapy on the advice of his therapist.

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attachment 1-11

CITIZEN REVIEW BOARD CASE EXAMPLE

CINDY, born June 1973

At the age of 14, Cindy was found to be a child in need of care based on a petition filed by the mother that Cindy was sexually abused by her father. (Cindy's parents were divorced at the time of the abuse.) The court recommended placement at Crittenton Center, as suggested by the local mental health center, but SRS had no funding for such a placement. She was placed at the local emergency shelter, but her condition deteriorated until she had to be placed on the psychiatric ward of a local hospital. She was sexually abused by a hospital staff member, and her attorney guardian ad litem requested an emergency court review. After the court review, Cindy was placed by SRS at Crittenton Center, at the age of 14.

FIRST REVIEW BOARD HEARING - December 1987, at age 14-1/2

The Board recommends continued placement at Crittenton, with participation by Cindy and her mother in the case plan.

SECOND REVIEW BOARD HEARING - January 1989, at age 15-1/2

The Board recommends continued placement at Carrier House, a Crittenton group home, with preparation of a plan to send Cindy back home to her mother.

THIRD REVIEW BOARD HEARING - December 1989, at age 16-1/2

Cindy is now at a group home in her own community and doing well. SRS and others recommend that her return home be delayed. The Board finds that "Cindy has made tremendous progress in the past two years. She spoke alone to the Board and had written down a number of reasons why it is O.K. for her to go home at this time...We felt that there was no need to keep Cindy" in placement. The Board recommends return home before Christmas with an end to SRS custody and court jurisdiction. The court agrees and so orders.

Postscript: As of January 1992, Cindy has had no further contact with the court system. She is living with her mother and will graduate from high school in May.

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attachment 1-12

7-16

PREPARED BY	9/1
DATE	

I am working on my
33rd yr. in Dg. Co. as a foster
parent - for 20 of those yrs.
I've had many mentally /
physically handicapped
children - the grand total is
somewhere around 150-160 -
most long term - several
as many as 10-12 yrs.

When the review board began

~~I was among the skeptical but~~

~~quickly changed my mind~~

~~it gives parents, foster parents,~~

~~caseworkers + therapists a great~~

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Attachment 1-13

29 chance to say exactly what
30 they feel - in more detail - than
31 in court where you usually
32 only answer questions - This
33 is a great benefit to the
34 child in question especially
35 if there is a return home
36 program.

47
48 Hope some of this does some good.
49 Nice to hear from you!
50
51
52
53
54
55
56
Burch

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Attachment 1-144

9-16-91

The Foster Care Review Board helped me know that people do care for you and that people in the court systems do listen.

I never really felt that I was able to speak my mind fully about my treatment settings and group homes until I was in front of the F.C.R.B. I always could speak about how I felt.

I do believe they helped me a great deal, and I see what efforts and caring that the board has for ~~others~~ others.

The setting gives you a much more comforting atmosphere than in the courtrooms. The people let you speak as you would to your own family or close friend. The F.C.R.B. is a wonderful Board to be helping the community and society. I give them my full support, and thank them so much for all the listening and caring they gave to me.

Carley Erickson

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attachment 1-15

10

SHELLEY HICKMAN CLARK

ATTORNEY AT LAW

1734 KENT TERR.

LAWRENCE, KANSAS 66046

913-842-7986

August 24, 1991

Sydney Hardman
Kansas Action for Children
PO. Box 463
Topeka, Kansas 66601

Dear Ms. Hardman:

I am writing this letter in response to your request for information regarding the Douglas County Foster Care Review Board. I am an attorney in private practice in Lawrence, Kansas, appointed to the juvenile panel. In that capacity, I have been court-appointed in over one hundred Child In Need of Care cases to represent either the parent, or to represent the child as guardian ad litem. I have found that serving in either capacity, the Foster Care Review Board has served a purpose unavailable in judicial review.

The Foster Care Review Board functions as a round table discussion of the major issues in each case. In addition to the board members, the child and his or her parents, the social worker, therapist, school teachers and other family members come together to share information regarding the child and the family. Issues and concerns which may not be elicited through the formal question and answer format of a formal court proceeding are often freely aired during a board review. Also, the board members, which have varying backgrounds and expertise, have often made very innovative suggestions or recommendations for consideration by the Court.

I hope that this information will be helpful to you. Please do not hesitate to contact me if you have further questions.

Sincerely,

Shelley Hickman Clark
Shelley Hickman Clark

90-2-24-92
attachment 1-16

OFFICE OF THE DISTRICT ATTORNEY

SEVENTH JUDICIAL DISTRICT
JUDICIAL & LAW ENFORCEMENT CENTER
111 E. 11TH STREET • LAWRENCE, KS 66044

GERALD E. (Jerry) WELLS
DISTRICT ATTORNEY
DOUGLAS COUNTY, KANSAS

General Office 913-841-0211
Child Support 913-841-7420

September 9, 1991

Sydney Hartman
Kansas Action for Children
P. O. Box 463
Topeka, Kansas 66601

Re: Foster Care Review Boards

Dear Ms. Hartman:

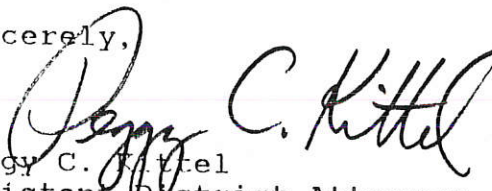
I am pleased to lend you support regarding your agency's effort in implementing the Foster Care Review Board on a state-wide basis.

The Douglas County Foster Care Review Board has been highly successful. Community members have come forward to volunteer their time to deal with the special issues of Child in Need of Care cases. The members of the Board with their various backgrounds and viewpoints bring new ideas to the problem solving process. In turn, the Board members' participation and genuine concern for the particular parents and child imparts a feeling of support that the formal and adversarial setting in court does not allow.

From my point of view as an Assistant District Attorney, the FCRB is able to give each particular family more personalized attention, and at the same time relieves our overburdened juvenile court. The participation of the Board in Child in Need of Care matters has brought children's issues and concerns out of the courthouse and into the community. The Board can help immensely in educating the public on these issues.

I certainly hope your plan for state-wide Foster Care Review Boards becomes a reality.

Sincerely,



Peggy C. Kittel
Assistant District Attorney

ah

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The University of Kansas

School of Social Welfare

August 27, 1991

Kansas Action for Children
P.O. Box 463
Topeka, KS 66601

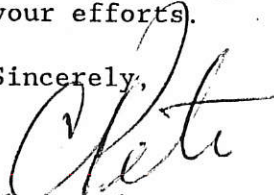
I am writing to strongly endorse and support your efforts to establish Foster Care Review Boards (FCRBs) throughout Kansas.

I have been involved with FCRBs in Douglas County, both as a therapist for children and families whose cases have been reviewed, and as a member of the local FCRB Advisory Board. I have seen first-hand the positive effects these boards can have on the lives of children and their families. The citizen review often gets the professional system moving toward desired case goals. In addition, and perhaps more importantly, the reviews can have a strong therapeutic value, because the children and families feel the warmth and caring and support of the community, thus reducing their feelings of isolation and aloneness in the system.

As an assistant professor in social welfare at the University of Kansas, I am aware of the enormous problems in child welfare nationally, and some of the innovative policies and programs designed to improve and reform the system. In my opinion, citizen involvement and ownership in the lives and problems of our vulnerable children is absolutely essential to achieving positive outcomes. Foster care review boards can be an effective way to formalize and integrate community caring and concern into the system.

Thank you for your efforts. Please let me know if I can be of assistance in your efforts.

Sincerely,



Christopher G. Petr LSCSW, Ph.D
Assistant Professor
University of Kansas

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attachment 1-18

DOUGLAS COUNTY FOSTER CARE REVIEW BOARD
Lawrence, Kansas

Early Review Evaluation Report
June 1990 - June 1991

Douglas County participated in a national research study funded by the Edna McConnell Clark Foundation. The purpose of the study was to determine whether early reviews (within 45 days after a child enters the juvenile court system) by Foster Care Review Boards result in better outcomes for children.

METHOD

Random assignment of cases to the Review Board and to a control group was used. This was done to assure the most valid findings possible. The cases were tracked for seven months. The data was analyzed by a professor from the University of Kansas School of Social Welfare.

FINDINGS

1. Because of small sample size and the brief period of study, it was impossible to determine if the Review Board cases achieved a permanent home more quickly or if there was more frequent visitation.
2. In terms of signed service agreements, there was not a statistically significant difference due to sample size, but the following data was gathered:

	<u>Reviewed Cases</u>	<u>Control</u>
Written case plan	88%	59%
Plan specifies parent visitation	93%	67%
Plan specifies time line	33%	8%

3. Almost twice as many services were planned for the reviewed group than were planned for the control group. Twice as many services were actually delivered to the reviewed group as to the control group.

FURTHER STUDY

Douglas County decided to continue its research and to collect data for one full year. The full year report is due out in March 1992.

Further study will be needed as additional boards are formed around Kansas.

Handwritten notes and date: 1991

2/24/92

A. Introduction

1. unique opportunity to see both sides FCRB
 - a. appeared before
 - b. as a board member

B. Involved in system

1. petitioned court in 1987-CINC
2. involved 2 yrs.+
 - a. Formal hearings
 - b. FCRB-3X

C. Received 1st notice to appear

1. What's this? Who are they? What would they know about us? and How could they help?
2. dredge up old stuff again
3. talked with attorney
 - a. worked closely with the Judge
 - b. receive information/well-informed
 - c. disagree with recommendations, discuss, ask to see Judge
 - d. reassured me/kept an open mind

D. Hearings

1. court service officer-explanation
2. hearing room-interested party introduction/FCRB
3. informal "round table" discussion
 - a. where we were at/goals
 - b. almost immediate non-threatening
 - c. focus on board members
 - d. "sizing up" this new situation
 - e. see interest/concern
 - f. well-informed/questions asked
 - g. liked what I was feeling
 - h. they were there to help
 - i. didn't have to dredge

E. Comparing the Courtroom/FCRB

1. Courtroom

- a. pointed out to Judge/no problem being in courtroom
- b. sincere interest in children/families
- c. it's formal-doesn't lend itself to a relaxed atmosphere, uneasy uptight/have guard up
- d. testify, then remember
- e. interrupt proceedings
- f. didn't want to be in front of FCRB/familiar

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attachment 2

2.FCRB

- a.informal/relaxed/concerned listeners
- b.let your guard down
- c.problems surface/due to informality
- d.interupt/voice opinions/argue/hash-out
- e.Judge is kept well informed/evident at formal hearings
- f.allows the community to be involved in problem solving
(not replace formal hearings)
- g.helps juvenile system monitor children/progress

F.Closing

1.deepest part of my heart

- a.petitioned the court
- b.received all the great help
- c.was under the jurisdiction of an innovative/concerned Judge/
compassionate board
- d.Only pause for a moment to think how different things
may be today.
- e.grateful/FCRB member-give something back to system.

B.E.

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attachment 2-2

2/24/92

Good morning. My name is Carley, and I wanted to share a few things with you that I have been through.

In the beginning of 7th grade I was troubled by events that took place the previous summer. Because of these problems I was in a couple of out-of-home placements. As a result of these placements I eventually ended up in front of the Foster Care Review Board.

The first meeting was a surprising experience. People seemed to listen and care. I could relax. I wasn't as nervous as I was in the courtroom, and they reported my progress to Judge Shepard. Other reviews were easier because I knew they would be listening to me and that they cared. I never really felt I was able to speak my mind fully at my treatment settings and at the group homes until I was in front of the Review Board.

I have improved greatly since then. I used to have D's and almost failed some classes in 7th grade, now I make A's and a few B's. I have a great group of friends, a neat job. I plan to go to college. I have developed some neat friendships with a few adults and I have a good relationship with my mom. Everything has turned around for me and turned out very positive. I am grateful to the Foster Care Review Board for their role in helping me return home.

C.E.

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attachment 3

Early Review Research Project

A. Origin of Douglas County's Early Review Project.

Douglas County was one of six sites selected nationally for the Early Review Project by the National Association of Foster Care Reviewers.

B. Early Review Defined.

Early review is the review by the Citizen's Review Board of Child In Need Of Care (CINC) cases shortly after the case comes to the attention of the court--that is, approximately 10-30 days after the initial Temporary Custody Hearing.

C. Purpose of Early Review.

The purpose of early review is to (1) make sure services for the child and family are planned and provided, (2) assure that visitation between child and parents is regular and frequent, and (3) also assure that the overall plan for the case is well under way.

D. Reason for Early Review.

The reason for early review is research tends to show that if visitation is regular and frequent, and services are provided in a timely fashion, the chances for the child to reach permanence quickly are much improved.

E. Method.

The method used for the project was that every other new CINC case would go before the Citizen's Review Board. The other half of the cases became the control group.

F. Results

(1) On average, almost twice as many services were planned for the early review group than were planned for the control group.

(2) The early review group received twice as many services as the control group.

(3) The following data is also noteworthy:

	<u>Early</u>	<u>Control</u>
Written case plan	88%	59%
Plan specifies permanent goal	73%	67%
Plan specifies reason for placement	100%	75%
Plan specifies parent visitation	93%	67%
Plan specifies services	80%	75%
Plan specifies time line	33%	8%
Plan specifies responsible parties	60%	25%

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Attachment 4

G. Conclusion

The premise for early review is that the implementation of services early on helps keep the child/children in the home or expedites the child/children being returned home. Our research indicates that early reviewed cases had twice as many planned and provided services than did the control group.

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attachment 4-2



STATE OF KANSAS

CHILDREN AND YOUTH ADVISORY COMMITTEE

SMITH-WILSON BLDG.
300 S.W. OAKLEY
TOPEKA, KANSAS 66606-1898

(913) 296-2017

KANS-A-N 561-2017

TESTIMONY BEFORE HOUSE GOVERNMENTAL ORGANIZATION COMMITTEE
Rep. Gary Blumenthal, Chair
HB 2987 - 2/24/92

Mr. Chairman and members of the committee, I thank you for the opportunity to testify. My name is Doug Bowman, and I represent the Children and Youth Advisory Committee. The full committee has not had a chance to carefully consider this bill. We will do so at our March meeting. My comments today may help clarify, but can not be seen as the position of the Committee.

The concept of citizen review boards is endorsed by C & Y in our document, "Toward The Year 2002". We think it holds much potential for improving the treatment of children in our court system.

I would like to share a few technical concerns. Line #16 clearly states that this endeavor will take place "subject to the availability of funds". This point should be emphasized. Currently, funds in the Kansas Family and Children Trust Fund are given to local community projects in the form of competitive grants. The stated goal is to prevent child abuse and/or neglect.

Since Kansas started the first children's trust fund in 1980, we have distributed over two and one-half million dollars from border to border. We strongly believe that these efforts should continue. This fund is one of the only sources of prevention funding available.

If the intent is to do a limited number of pilot projects, this can probably be done with existing resources. Any attempts to create a statewide citizen review board system should be accompanied by a designated funding stream. A similar bill, SB 661, does that by increasing fees for copies of birth certificates.

This concept is one that the Children & Youth Advisory Committee endorses. We wish to work with you to make it a reality. At the same time, we must not jeopardize the good work currently being done through Trust Fund grants, in order to accomplish our goals.

Thank you.

*g. O. 2.24-92
attachment 5*

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES
Donna Whiteman, Secretary

House Governmental Organization Committee

House Bill 2987

AN ACT concerning the children and youth advisory committee; relating to the powers and duties thereof; establishing local citizen review boards in judicial districts; amending K.S.A. 38-1402 and 75-5328 and repealing the existing sections.

Mr. Blumenthal, Chairperson, Members of the Committee, I appear to present testimony supporting the concept of House Bill 2987.

Purpose: As funds in the Family and Children Trust Fund are available, this bill would create Citizen Review Boards in each judicial district to assist courts in reviewing cases of children subject to child in need of care petitions. The bill proposes that:

- * Local boards be selected by the administrative judge or designee judge in each judicial district. The board would consist of from three to seven member representative of various socioeconomic and ethnic groups of the district and would receive six hours of training before reviewing cases.
- * Boards meet quarterly and members serve without compensation but may be reimbursed for mileage
- * KSA 75-5328 be amended to establish and operate local Citizen Review Boards by opening the Family and Children Trust fund to cover expenditures
- * KSA 38-1402 be amended to add oversight of local boards to the duties of the Children and Youth Advisory Committee
- * The Committee would assure case data is regularly maintained by local boards, receive reports from local boards on the status of children under court supervision, and on barriers to permanency
- * The Committee would compile data from local boards, provide ongoing evaluation, and make annual report to the Supreme Court

Background/discussion: This intent of House Bill 2987 squarely fits the direction of the SRS Family Agenda.

Traditionally, Kansas had an overemphasis on seeing removal of children and youth from their families as the solution of choice. From 1985 to 1991, the number children in SRS custody rose 28 percent, and is now at a record level.

Creation of a system of Citizen Review Boards would bring additional community attention to children who are at a risk of loss to foster care drift, and open

*g. O. 2-24-92
attachment 6*

additional resources and advocacy. To avert or minimize a child's stay in foster care, the bill:

- * Effectively increases court oversight of cases six months after disposition and annually thereafter, potentially doubling the number of reviews conducted under court auspices
- * Dovetails with the department's commitment to maintain family connections and belonging for children in care, by offering children and families opportunity to be heard in a non-adversarial setting and prompting their active participation in the process of reunification
- * Catalyzes additional community resources and advocacy by citizens outside the traditional child serving system

The bill further permits "early review" - review prior to adjudication - which experience in Lawrence by Judge Jean Shepherd's court suggests keeps children in home or expediting return home by quickening the delivery of necessary services.

As laudable as this bill is, its funding mechanism could destroy the source of many other Kansas innovations for children, the Children and Youth Trust Fund. The Trust Fund has an appropriate balance of \$410,000. The Trust Fund, pioneered by Kansas in 1980, provides seed money for local, community based primary prevention programs to prevent child abuse and domestic violence. The money it contributes is used completely each year. It is funded by marriage license fees, the state general fund, and a federal challenge grant. These sources grow little. By comparison, Kansas Action for Children estimates that startup costs for Citizen Review Board in eight counties, with central support, could be as much as \$350,000 and could rise \$2,000,000 when the system is fully operationally in 1999.

If the funding mechanism of the bill is not changed, the expenditures for Review Boards could consume 85 percent of the Trust Fund's balance in the first year alone, and exceed four times the Fund's usual balance by 1999. This would kill our primary prevention initiatives in Kansas.

We are also concerned about the increased demand placed on SRS staff. While all efforts such as these have proven to be beneficial, they all stretch our capacity to handle the work with existing resources.

Recommendation: We strongly support House Bill 2987's concept and plan for creation of Citizen Review Boards across Kansas, but we ask that that funding be located elsewhere for Review Boards. Senate Bill 661, introduced February 12 by the Senator Winter, creates a Child Protection Court Volunteer Fund to provide support for Court Appointed Special Advocate Programs and for Citizen Review Boards. Senate Bill 661 increases fees for birth certificates and directs a portion of the additional revenue generated into the Child Protection Court Volunteer Fund.

Carolyn Risley Hill
Acting Commissioner
Youth and Adult Services
Social and Rehabilitation Services
(913 - 296-3284)

*J. O. 2-24-92
attachment 6-2*

TESTIMONY ON BEHALF OF FOSTER CARE REVIEW BOARDS
Kansas House Government Organization Committee

February 24, 1992

Guy Dresser
1325 Raintree Place
Lawrence, Kansas 66044

I have served on the Foster Care Review Board for the District Court of Douglas County, Kansas, Seventh Judicial District for the past four years. I was appointed to the Board about a year after its inception by Judge Jean Shepherd. I have been asked to address your committee in regard to my experiences as a Board member and to try to explain to you how the Foster Care Review Board benefits the court system and the parties involved.

The Foster Care Review Board may have been created as a way to relieve the burden on the Court of having to review all of the cases of children in the SRS system every six months. By using community volunteers to review the cases every other six month period, the Review Board does serve this function. But people serve on the Board primarily because of their concern for the kids in the system, rather than to ease the workload of judges and court staff. For this reason the Board acts not only as a quasi-judicial Court surrogate, but also as a group of community advocates for the children in foster care.

Foster Care Review Board hearings are conducted in a completely different atmosphere from a court hearing. To fully understand how the system works in practice, you would need to attend an actual hearing. It is difficult to describe the dynamics of our sessions involving the professionals, attorneys, parents, grandparents, relatives, interested parties, Board members, and the children themselves. But let me talk a little bit about how our hearings differ from a court hearing to try to give you an idea of how it works.

Imagine being a child who has been physically or sexually abused, abandoned, or perhaps just neglected by your parents, and then being brought into a formal Court setting where attorneys and judges are going to decide your fate in the rigid context of

90 2-24-92
Attachment 7

The Law and The Statutes. You are bewildered and scared to death and a bunch of adults, one of whom wears a black robe, are talking about removing you from your home and putting you in a shelter that sounds like a jail, or maybe a group home that sounds like Army basic training. This is what a child who comes into the system experiences. if there is no Foster Care Review Board.

But in Douglas County we have the Review Board, and the early review process. Instead of being hauled into Court, you and your parents, relatives, attorneys, and professionals meet in a sort of round-table, informal atmosphere with four or five fairly normal people whose main concern seems to be making sure you are being treated right and getting the services you are entitled to. Even though you don't know these people, they really seem to care about your welfare. If the temporary Court order says you are entitled to visit your mom twice a week, but it's been two weeks since you saw her because she doesn't have a car, the Board admonishes SRS to figure out a way to provide transportation. If your dad needs to get a drug and alcohol evaluation before you can return home, but he hasn't scheduled it, the Board asks him to set up an appointment as soon as he can. If you're a Black kid and you've been put in a shelter with 10 White kids, the Board asks SRS to look for a different placement. Most importantly, all of this takes place in a non-threatening environment, and the Board members seem to understand that it's your life that's been turned upside down, and want to help you and your parents find a way to get it back together.

Studies have demonstrated that services provided, permanency, visitation, placement - the things that are most important to the kids in the system - are all enhanced by the Review Board process, because the Board members view their role as one of advocacy rather than judgment. Who are the people that serve on the Board, you may ask, and are they really qualified? Our Board has included males and females, Black, White and American Indian people, representing a variety of occupations. Examples are: Black male minister, White female nurse, White male financial services adviser, American Indian female personnel director, Black real estate salesman, White female accountant, White male newspaper reporter. I myself am a vice president of a printing company. Judge Shepherd and her associates appointed people

g O. 2-24-92
Attachment 7-2

Dresser testimony, Feb. 24, 1992, page 3

from a variety of backgrounds to each Board so that the children and parents in the system can identify with one or more of us and accept us as concerned peers rather than perceiving us as an impersonal and aloof judicial body.

Before hearing cases as a Board member, you attend several training sessions, and you take an oath that prohibits you from revealing information about the cases even to your spouse. The training sessions give you some technical information about the system, the agencies, and the process of foster care, and try to prepare you for the heart-rending nature of some of the cases you will hear. But the real training is "on the job." A Board member needs to be prepared to devote several hours' study to the cases before each hearing, and the hearings themselves take one afternoon a month. You learn how to get through a packet of materials two or three inches thick in an hour or so, making notes about the pertinent information and jotting down questions you want to ask the parties involved in the case. You learn how to endure descriptions of physical and sexual abuse in a hearing without becoming an emotional wreck. You learn how to calm people down when they start shouting at each other during the hearing, since unlike the court, you don't have a bailiff. You learn how to distinguish between the truths and the near-truths and the outright lies. You learn to focus on important issues and to disregard trivial complaints. All these things you learn through experience as a Board member, and sooner or later you really do become qualified to evaluate these foster care cases and make the right decisions and send thoughtful recommendations to the Judge.

I believe that the Foster Care Review Board benefits all the parties to this process. It benefits the Court, because it relieves some of the burdens the Court faces in hearing cases. It benefits the State, because the State needs fewer judges and judicial employees. It benefits the Community, because real people become involved in the foster care process. It benefits the professionals, such as the attorneys and SRS, because we act as a sounding board and motivator to them. It benefits the shelters and the group homes, because we can study the cases and recommend the best placement. It benefits us Board members ourselves, because we feel like we are doing something worthwhile. Most of all, it benefits the children in foster care.

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SENATE HEARING ON FOSTER CARE REVIEW BOARDS
Ruby Adams- Foster Parent

Having been a foster parent for seven years and president of the Douglas County Foster Parent Association for three years, I have had the opportunity to appear before the review board in Douglas County twice; therefore have first-hand knowledge of what they are like.

FOSTER CARE REVIEW BOARD

- I. Douglas County is currently the only county in Kansas to have a foster care review board. It was created in 1986 by Judge Jean Shepherd to deal with the case load and to provide for cases being heard more often.
- II. The persons that make up the board are citizens from the community that have an interest in children.
 1. They are very caring and concerned as well as friendly.
- III. The setting for the review board hearings are much more informal than those of the courtroom.
 1. The informal setting is much nicer for putting people at ease to talk about their feelings on how the disposition of a child should come out.
 2. A sixteen year old girl that we had in foster care at the time of our first foster care review board hearing said she liked it much more than being in the courtroom.
- IV. The foster parents of Douglas County like having the foster care review board.
 1. I have had the opportunity to talk with other foster parents on a regular basis.
 2. The foster parent association has had Mr. Ron Steegal speak at one of our monthly meetings as well as attending the panel session at the conclusion of the MAPP training.
- V. The foster care review board provides a valuable service.
 1. The board offers an opportunity for cases to be reviewed more often; on about a six month basis.
 2. I feel it provides the judge with a sometimes different and fresh look at a case.

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Attachment - 8

In conclusion: I feel that the Foster Care Review Board has been a great success in Douglas County and would be a success in other counties throughout the state of Kansas. The foster parents would benefit from it as would the judicial system and the community. A foster care review board encourages community involvement by using community volunteers. They also can promote a concern and involvement with children. I know our foster parents and the many foster children that have appeared before the board like it.

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