

Questions regarding proposed legislation:
(S.113, An Act Regarding Children and Families Requiring Assistance)

General Overview Questions:

1. What is the population to be served?
 - a. What age is to be served?
 - b. Should we define, and with what degree of specificity, the behavioral categories that trigger a case?
2. Should certain categories have priority?
 - a. Should the money allocated go to a specific age range or category?
3. Who can file a 'request for assistance' and trigger court involvement?
 - a. child, DSS, parent, truancy officer, police?
4. Is the legislation still too child focused?
 - a. If yes, can we envision a family requiring assistance category?
 - b. How would this new category be defined? Limited to certain families?
 - c. What would the allegations be? Who would have standing to file the application?

Questions Relating to Data:

1. Does the MassCOURTS system provide an opportunity information tracking that would work for the goals of this legislation?
 - a. If not, is there another system in place that should be used to track information?
2. Do we need additional language to address confidentiality issues?
Please suggest specific language and the sections of the bill which need this clarification.
3. One of the goals of this legislation is to keep the juveniles' court and arrest records out of the CORI system. Has this legislation successfully done this?

Questions Relating to the Court Process:

The following areas of the legislation need to be reviewed and feedback is needed to ensure appropriate procedure:

- a. Review the preliminary inquiry process.
 - b. Review evidentiary standards –We suggest different standards for a custody hearing and for adjudication.
 - c. Review the types of custody changes – emergency, temporary, and placement after adjudication
1. What is the appropriate limit on the duration of the court process would take place?
 2. Is the statement that the court can trigger a C&P case unnecessary in this legislation?
 3. If a family is referred to services and declines to participate, what actions can the court take? Or should the court be able to take action?
 4. Should this new court process also include a procedure to determine that families are in need of services?
 - a. What would the disposition orders be?
 5. Can we give the courts the power to order agencies to provide services with a statutory change or is this a constitutional limitation? If we have the power to do this – should we?

Questions Relating to the Front End:

1. Is additional detail on the truancy and runaway pilots needed?
 - a. Should minimum specialized services for be defined?
2. Should the intake tool be described in greater detail or should we name several tools to choose from?
3. How will families pay for services?
 - a. Do we need to give explicit authority for fee waiver?
 - b. Do we need more language around establishing the sliding scale?
 - c. Should we include language which addresses private insurance
4. Please confirm that the timeframe outlined for the front end services (3 months with a 3 month extension) is an appropriate amount of time.
5. Does the language need to more specifically state which services will be provided by the program directly and which services will be referred?
6. Does the phrase “complex medical needs” in line 135, need to be defined?

7. We need to examine carefully who is not eligible for services:
 - a. Should DYS kids be excluded, or not?
 - b. Should DSS kids in out of home placements be excluded?
 - c. Are the DSS kids' needs covered by the Family Networks program?
8. In the list of minimum services, should the list include other programs?
 - a. Examples: recreational programs, mentoring, parent classes
9. Can children apply to be a part of this program without parental consent?
 - a. What happens in a case where the parent opposes?
10. The front end has the following 3 levels of intensity:
 - 1 no services offered - just distribution of information
 - 2 case manager assigned to work with family, services offered (either in house or referred)
 - 3 case management team works with the family and their case manager to implement a successful plan

Should the language around the screening and assessment process be different for each level? If yes, what should be the differences?
11. After the disposition meetings, what should be the next step in the process?
 - a. Does the language in this section specify when a family can go to court on the same facts that led them to access the front end program?