

# OFFICE OF RESPONDENT PARENTS' COUNSEL

FISCAL YEAR 2020-21  
BUDGET REQUEST



MELISSA MICHAELIS THOMPSON  
EXECUTIVE DIRECTOR

November 1, 2019

Page intentionally left blank.

## Table of Contents

I.	Executive Letter .....	5
II.	Budget Summary .....	9
III.	Agency Overview .....	11
A.	Background .....	13
B.	Statutory Mandate .....	13
C.	Mission Statement .....	14
D.	Emerging Trends in RPC Practice and Workload Indicators .....	14
1.	Overview of RPC Practice .....	14
2.	Colorado Case Law Impacting RPC Practice .....	17
3.	Reducing Trauma by Improving Educational Outcomes .....	20
E.	Transition in Federal Priorities .....	21
1.	The Children’s Bureau’s Emphasis on the Importance of Funding High Quality Legal Representation for Parties in Child Welfare Proceedings .....	21
2.	Changes in Federal Funding to Promote High Quality Representation for Parents .....	22
3.	Family First Prevention Services Act .....	24
IV.	Change Requests	
	Schedule 10, Change Request Summary .....	27
	Change Request R-1, Increase in Number of Appointments and in Costs per Appointment .....	29
	Change Request R-2, Compensation Plan Alignment – Attorney Staff .....	37
	Change Request R-3, Compensation Plan Alignment – Other Staff .....	41
	Change Request R-4, IV-E Legal Representation .....	47
	Change Request R-5, Continuation of Funding for Social Worker Pilot Jurisdictions .....	53
	Change Request R-6, Social Worker Outreach Coordinator .....	63
	Change Request R-7, Carrie Ann Lucas Fellowship .....	73
	Change Request R-8, Increase in Contractor Hourly Rates .....	81
	Change Request R-9, Operating Expenses .....	85
	Change Request R-10, General Fund and Cash Fund Training Increase .....	89
V.	Schedules and Summary Tables	
	FY 2019-20 Reconciliation of Department Request .....	97
	Schedule 2, Department Summary .....	101
	Schedule 3, Appropriation Summary .....	102
	Schedule 4, Funding Source .....	121
	Schedule 5, Line Item to Statute .....	122
	Schedule 6, Special Bills Summary .....	123
	Schedule 7, Supplemental Bills Summary .....	124
	Schedule 8, Common Policy Summary .....	125
	Schedule 14, Position and Object Code Detail .....	126
	Transfers .....	135
	POTS Tables .....	137
VI.	Long Range Financial Plan	
	Overview .....	139
	Financial Structure .....	141
VII.	Appendix A: Social Work Pilot Program Evaluation .....	145

Page intentionally left blank.



November 1, 2019

To the Citizens and Legislators of the State of Colorado:

The Office of Respondent Parents' Counsel (ORPC) is an independent government agency within the State of Colorado Judicial Branch vested with the oversight and administration of Respondent Parent Counsel (RPC) representation for Dependency and Neglect proceedings in Colorado. The doors of the agency opened on January 1, 2016, and the ORPC assumed oversight for RPC attorneys on July 1, 2016. This budget request contains exciting initiatives to ensure dignity and fairness for families involved in the child welfare system.

In 2017, the ORPC initiated the Social Worker Pilot Program (SWPP), pairing lawyers and social workers to represent parents in Expedited Permanency Planning (EPP) cases. EPP cases are those involving a child or children age six and under, have shortened timeframes, and are necessarily higher risk cases. The first independent evaluation of the SWPP, attached as Appendix A, demonstrates promising results in reducing the number of days children spend in foster care and increased permanency with reunifications and kinship placements in pilot jurisdictions, which can result in significant savings to the cost of state foster care.

Children in El Paso County pilot cases, for example, achieved permanency by reunification at *over twice* the rate of the state and county averages in 2017. The figure below shows the permanency outcomes for children who were reunified with their parents, placed with kin, or adopted in El Paso County in 2017 and 2018. Notably, children in the SWPP achieved reunification in 2017 in 77.50% of cases as compared to the state rate of 36.20%. The rate of reunification was even better in 2018, where children in the SWPP achieved reunification in 79.50% of cases as compared to the state rate of 37.10%.

**Permanency Outcomes for El Paso County Children in SWPP Cases**

	Reunification			Living with Kin			Adoption		
	SWPP EPP	El Paso County EPP	State EPP	SWPP EPP	El Paso County EPP	State EPP	SWPP EPP	El Paso County EPP	State EPP
2017	77.50%	40.80%	36.20%	16.40%	47.20%	38.90%	6.10%	12.10%	25%
2018	79.50%	32%	37.10%	20.50%	46.90%	38.50%	0%	20.90%	24.50%

The ORPC requests that existing general fund appropriation for the social worker program in the 4<sup>th</sup>, 17<sup>th</sup> and 21<sup>st</sup> judicial districts be made permanent based upon these preliminary evaluation outcomes. The ORPC intends to expand statewide use of the interdisciplinary model as well, and without requesting additional general fund dollars. Expansion of the interdisciplinary model is possible without an additional general fund request because the Children's Bureau has changed the Child Welfare Policy Manual to allow the ORPC to receive Title IV-E legal representation reimbursement.

The ORPC anticipates receiving federal dollars and will use this funding to provide parents with additional legal services and interdisciplinary representation to achieve successful outcomes for families.

At the federal level, the Family First Prevention Services Act (FFPSA) is a promising step to help keep children safely with their families and avoid the traumatic experience of being removed and placed in foster care. The ORPC plans to ensure that lawyers are appointed as early as possible, consistent with Children's Bureau priorities.

Despite these successful outcomes and exciting initiatives, the ORPC also faces challenges. Dependency and neglect case filings are on the rise, up 9% for the first period of this fiscal year compared to the same period last year. The ORPC has requested a commensurate increase in the court appointed counsel and mandated costs line to account for the increase in case filings. The agency also faces issues with recruitment and retention of RPC. Contractors responding to an ORPC survey reported the following RPC experience levels:



A total of 49.5% of current RPC have less than three years of experience practicing child welfare law. This stark figure is why it is vitally important that ORPC recruit and retain sufficient agency staff to support the needs of the less experienced lawyer, which may be time intensive, and provide advanced support for the more experienced lawyer, which may require research into novel issues or training on advanced trial skills or practice management.

## RPCs Define Success for a Parent in a Child Welfare Case

*When a parent's voice has actually been heard and implemented in the court's decisions and when due process in its truest form has been honored.*

*Success for me is when we receive an outcome that truly serves the family's best interest.*

*Client's feeling supported, going through the process with dignity, regardless of court outcome.*

*Keeping the family together in some shape or form, and knowing I listened to a human being who is worthy of respect and a voice in the system.*

*Success, to me, is when a family is in a better place at the close of a case compared with when the case opened.*

*I define success by how my clients define success first and foremost--Did I do everything I could possibly do to help them achieve the outcome they wanted? Did I help empower my client to be their own best advocate in achieving their goals? If their goals were not met, did I help my client come to the best possible terms with an outcome that fell short? Was I a zealous advocate for my client throughout the case? I think those are the ways I define success, especially in learning a recent training that only 40% of cases in my primary jurisdiction result in reunification. I would like to see that number jump to more than 50% in the next year. I also define success by making any system change that leads to better reunification outcomes.*

## RPCs Feel Supported by the ORPC

---

*I feel supported by ORPC in every aspect...[T]ruly I feel valued because ORPC leadership continues to strive to make our jobs easier by providing training, experts, social workers, etc...I feel valued as an RPC because I've received hugs from clients when they recognize they are not alone.*

*The tremendous support and responsiveness from the ORPC, and the resources available for assistance, both intellectual and financial.*

*It is gratifying that whenever I call or email the ORPC office, there is always someone willing to offer ideas or assistance and that when I ask for funding for a client, the answer is almost always yes.*

*Clients' positive feedback, other RPC, ORPC providing trainings and resources.*

*Making resources available like the motions bank, case consults with Melanie and Ruchi and systems support from Ashley and Melissa help tremendously with managing my burnout. I sometimes feel defeated and the support and encouragement I receive helps to keep my morale up.*

*ORPC has made training opportunities available to me even when I had no resources to pay for them.*

---

The ORPC seeks to align attorneys and staff within the ORPC compensation plan and to hire additional staff, a social worker and Carrie Ann Lucas Fellow, to continue to support RPC practice across the state.

The array of experience levels also illustrates the ORPC's need to recruit and retain experienced practitioners, including attorneys who could earn more in other areas of law, and recruit those in private practice areas where the current hourly rate for ORPC work falls short.

The ORPC seeks a reasonable rate increase for contractors to support these efforts and increases to the training general and cash funds to ensure the ORPC has the resources to provide adequate training to attorneys with varying levels of experience so indigent parents in Colorado receive high quality legal representation.

A central component of the ORPC's plan for recruiting and retaining experienced practitioners is through the creation of a strong community of RPCs. RPCs report that they feel valued and avoid burnout, in part, because of the support the ORPC provides. They also report that they want more face-to-face interaction with ORPC staff and have more trainings in their jurisdictions, especially in places requiring significant travel, like the Western Slope.

Colorado families deserve excellent representation. The ORPC strives to provide that excellent representation through interdisciplinary teams, comprehensive support and resources for RPCs, and a fair hourly rate for attorneys. On behalf of the ORPC, I thank you for your consideration of our budget request.

Sincerely,



Melissa M. Thompson  
**Executive Director**

Page intentionally left blank.



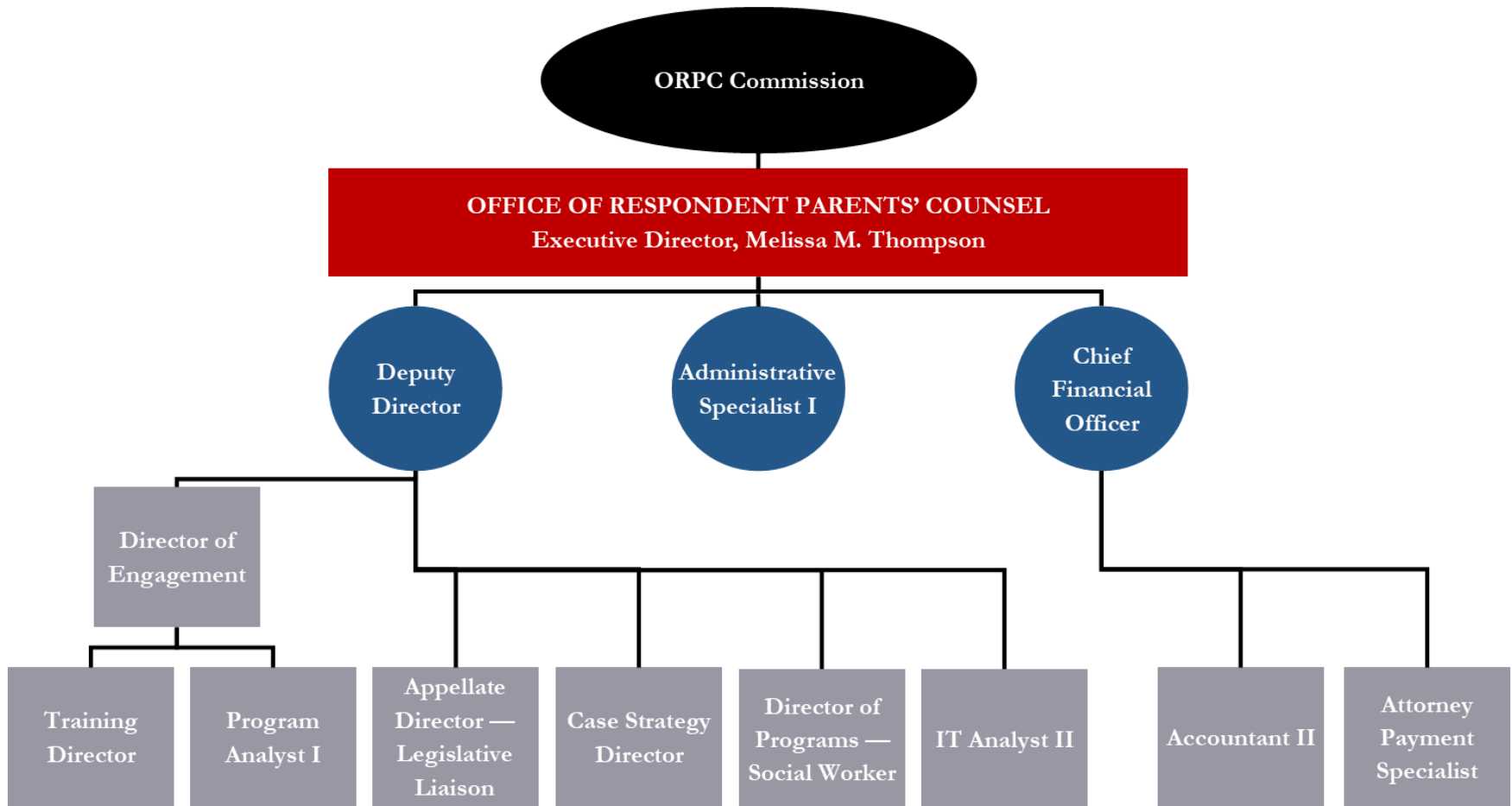
**Office of the Respondent Parents' Counsel**  
**FY 2020-21 Budget Change Summary - by Fund Source**

	FTE	Total	GF	CF	RF
<b>Long Bill</b>					
S.B. 19-207, Office of the Respondent Parents' Counsel	13.0	\$20,869,276	\$20,808,181	\$30,000	\$31,095
Carryfwd from FY 2018-19, HB 18-1322, footnote 66	0.0	\$12,000	\$12,000	\$0	\$0
			13.0 FTE		
<b>Total FY2019-20 Appropriation</b>	<b>13.00</b>	<b>\$20,881,276</b>	<b>\$20,820,181</b>	<b>\$30,000</b>	<b>\$31,095</b>
<b>Prior Year Budget Change Annualizations</b>					
FY 2018-19, R-1, Continuation of SWPP	0.0	(\$302,640)	(\$302,640)	\$0	\$0
Carryfwd from FY 2018-19, HB 18-1322, footnote 66	0.0	(\$12,000)	(\$12,000)	\$0	\$0
R-2, Staff Attorney	0.0	\$6,012	\$6,012	\$0	\$0
R-3, Administrative Assistant	0.0	\$3,064	\$3,064	\$0	\$0
R-4, Programs Analyst	0.0	\$3,733	\$3,733	\$0	\$0
R-5, Common Compensation Plan	0.0	\$166	\$166	\$0	\$0
<b>Total Prior Year Budget Change Annualizations</b>	<b>0.0</b>	<b>(\$301,665)</b>	<b>(\$301,665)</b>	<b>\$0</b>	<b>\$0</b>
<b>Salary Survey and Merit</b>					
FY 2020-21 Salary Survey Increase	0.0	\$30,335	\$30,335	\$0	\$0
<b>Total Salary Survey and Merit</b>	<b>0.0</b>	<b>\$30,335</b>	<b>\$30,335</b>	<b>\$0</b>	<b>\$0</b>
<b>Common Policy Adjustments</b>					
Health, Life and Dental Change (minus annualizations)	0.0	\$6,133	\$6,133	\$0	\$0
Short-term Disability Change (minus annualizations)	0.0	\$283	\$283	\$0	\$0
AED Change (minus annualizations)	0.0	\$6,078	\$6,078	\$0	\$0
SAED Change (minus annualizations)	0.0	\$6,078	\$6,078	\$0	\$0
<b>Total Common Policy Adjustments</b>	<b>0.0</b>	<b>\$18,572</b>	<b>\$18,572</b>	<b>\$0</b>	<b>\$0</b>
<b>Total FY 2020-21 Base Request</b>	<b>13.00</b>	<b>\$20,628,518</b>	<b>\$20,567,423</b>	<b>\$30,000</b>	<b>\$31,095</b>
<b>Decision Items/Budget Amendments</b>					
R-1, Increase in Number of and Costs per Appointment	0.0	\$2,338,493	\$2,338,493	\$0	\$0
R-2, Common Compensation Plan - Attorneys	0.0	\$81,043	\$81,043	\$0	\$0
R-3, Common Compensation Plan - Other Staff	0.0	\$55,575	\$55,575	\$0	\$0
R-4, IV-E Legal Representation	0.0	\$4,528,038	\$0	\$0	\$4,528,038
R-5, Social Work Pilot Program Continuation	0.0	\$318,240	\$318,240	\$0	\$0
R-6, Social Work Coordinator	1.0	\$130,826	\$130,826	\$0	\$0
R-7, Carrie Ann Lucas Fellowship	1.0	\$173,522	\$173,522	\$0	\$0
R-8, Contractor Rate Increase	0.0	\$999,670	\$999,670	\$0	\$0
R-9, Operating	0.0	\$27,968	\$27,968	\$0	\$0
R-10, Training	0.0	\$46,000	\$28,000	\$18,000	\$0
<b>Total Decision Items/Budget Amendments</b>	<b>2.0</b>	<b>\$8,699,375</b>	<b>\$4,153,337</b>	<b>\$18,000</b>	<b>\$4,528,038</b>
<b>Total FY 2020-21 Budget Request</b>	<b>15.00</b>	<b>\$29,327,893</b>	<b>\$24,720,760</b>	<b>\$48,000</b>	<b>\$4,559,133</b>
<b>#/\$\$ change from FY 2019-20</b>	<b>2.00</b>	<b>\$8,446,617</b>	<b>\$3,900,579</b>	<b>\$18,000</b>	<b>\$4,528,038</b>
<b>% change from FY 2019-20</b>	<b>15%</b>	<b>40%</b>	<b>19%</b>	<b>60%</b>	<b>14562%</b>

Page intentionally left blank.

### III. Agency Overview

OFFICE OF RESPONDENT PARENTS' COUNSEL  
Organizational Chart



Page intentionally left blank.

## **A. Background**

The United States Supreme Court recognized that the “Due Process Clause of the Fourteenth Amendment protects the fundamental right of parents to make decisions concerning the care, custody, and control of their children.” *Troxel v. Granville*, 530 U.S. 57, 66 (2000). In Colorado, an indigent respondent parent has a statutory right to appointed counsel (hereinafter referred to as “respondent parent counsel” or “RPC”) to protect this fundamental right to parent. See § 19-3-202, C.R.S. (2018).

As U.S. Supreme Court Justice Stevens observed more than thirty years ago, depriving a parent of the right to raise one’s child is “more grievous” even in comparison to a sentence to prison. *Lassiter v. Department of Social Services*, 452 U.S. 18, 59 (1981) (Stevens, J., dissenting). Many parents would agree with this sentiment. This deprivation of parental rights is the outcome all parent attorneys work to defend against and is at the heart of RPC practice.

The Colorado General Assembly declared that respondent parents’ counsel “plays a critical role in helping achieve the best outcomes for children involved in dependency and neglect proceedings by providing effective legal representation for parents in dependency and neglect proceedings, protecting due process and statutory rights, presenting balanced information to judges, and promoting the preservation of family relationships when appropriate.” § 13-92-101, C.R.S. (2018).

The Office of Respondent Parents’ Counsel (ORPC) was established on January 1, 2016 by Senate Bill 14-203 (Section 13-92-101 through 104, C.R.S.) as an independent office in the Judicial Branch. House Bill 15-1149 established the Respondent Parents’ Counsel Governing Commission and provided that all existing and new state-paid RPC appointments be transferred to the ORPC on July 1, 2016. The ORPC Contract and Chief Justice Directive 16-02 (CJD 16-02), titled “Court Appointments through the Office of Respondent Parents’ Counsel,” govern the appointment, payment, and training of respondent parents’ counsel.

## **B. Statutory Mandate**

Section 13-92-101 to 104, C.R.S. established the ORPC and vested within it statutory requirements regarding the oversight and administration of respondent parent representation in Colorado. The ORPC’s enabling legislation charges and entrusts the ORPC, at a minimum, with enhancing the provision of respondent parent counsel by:

1. Ensuring the provision and availability of high quality legal representation for parents in dependency and neglect proceedings;
2. Making recommendations for minimum practice standards;
3. Establishing fair and realistic state rates by which to compensate RPC; and,
4. Working cooperatively with the judicial districts to establish pilot programs.

## C. Mission Statement

The ORPC's mission is to protect the fundamental right to parent by providing effective legal advocates for indigent parents in child welfare proceedings. This right is protected when a parent has a dedicated advocate knowledgeable about child welfare laws and willing to hold the state to its burden. The office's duties are to provide accountability, training, and resources, develop practice standards, and advocate for systemic and legislative changes in Colorado.

The ORPC believes that every child deserves to have their parent represented by the best lawyer in town. To achieve this ideal, the ORPC has identified five essential pillars that support and inform its work.

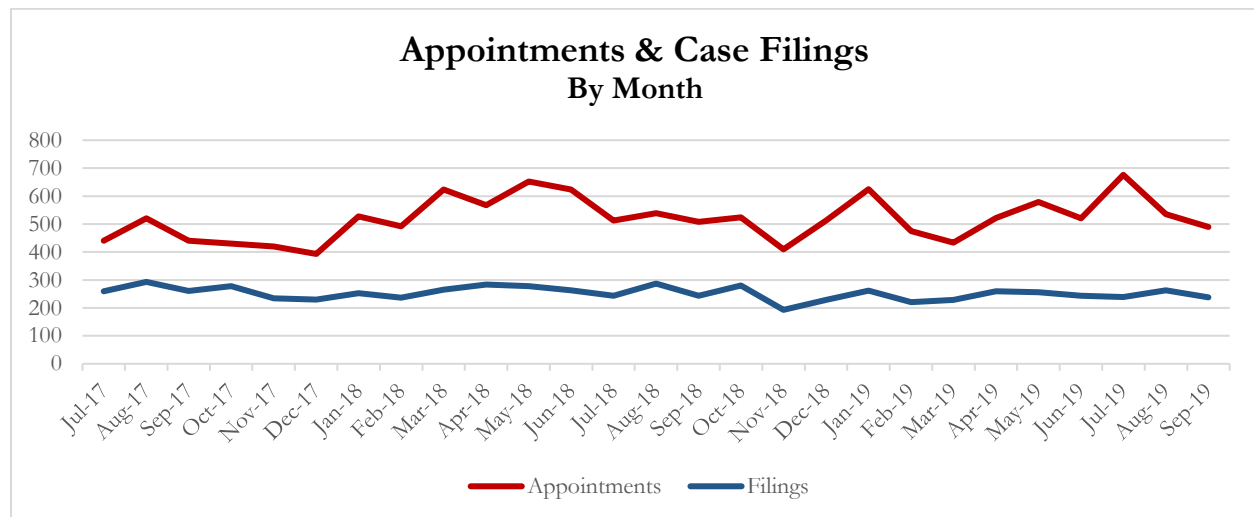
1. **Systems are Fair and Followed** – Procedural fairness occurs when parents receive access to excellent interdisciplinary teams through engagement, recruitment, and retention of contractors who have access to the resources necessary to give dignity and fairness to families and to ensure procedures are followed.
2. **Family Voice Leads** – Family voice is strong when parents are engaged and present at every stage of their case, supported by their family defense team, so they may be heard by the system and play an active role in their case planning.
3. **Decrease Trauma to Children** – Trauma to children is reduced when caregivers are provided with preventative or in-home supports to keep children with their family of origin, when unnecessary removals are rare, and when children can safely stay with their family.
4. **Family Defenders Have a Strong Community** – Parents have better representation when there is a strong community of family defenders who have access to training, litigation and practice support, and who are celebrated for every kind of success in their parent advocacy.
5. **ORPC is Recognized, Respected, Productive and its Staff is Strong** – The ORPC achieves its statutory mandate when its reputation, performance, staff strength, and adherence to its values, which include the Five Pillars of the ORPC, have a positive impact on the child welfare system.

## D. Emerging Trends in RPC Practice and Workload Indicators

### 1. Overview of RPC Practice

In a child welfare case, RPC are appointed for each indigent respondent parent named by the county department of social services in a petition in dependency and neglect. In practice, this means there are cases where one RPC is appointed because only one indigent parent was named in the petition or, conversely, there are cases where five or six attorneys are appointed because multiple children with different parents are named as respondents to the petition. Measuring a cost per case must take these cases with multiple appointments into account, and ORPC data measures are therefore

appointment-driven instead of case-driven. The below chart illustrates the number of RPC appointments versus the number of dependency and neglect case filings by month for the period between July 2017 through September 2019.



Much of the work conducted by RPCs takes place after a petition is filed and the child or children have been removed from the home or placed under the protective supervision of the local county Department of Human Services. This work can include consultations with the parent client, investigations, case staffing meetings with caseworkers, consultations with treatment providers and therapists, consultation with social workers and experts, and requests for independent evaluations for parents and children.

One of the main gaps in RPC practice identified in a 2007 Assessment Report was the lack of resources for respondent parent counsel in Colorado. The authors of the study concluded that “there are insufficient resources for RPC to conduct an independent investigation, and to procure the services of expert witnesses if needed.”<sup>1</sup> Currently, the ORPC is statutorily required to provide at least one expert to a respondent parent at termination.<sup>2</sup> The Assessment Report recommended the provision of resources – including investigators, discovery, and expert witnesses – to RPC at every stage of a dependency and neglect proceeding.

These concerns were echoed by the Respondent Parent Counsel Work Group seven years later in their 2014 report to the State Court Administrator.<sup>3</sup> The work group found that the lack of access to

<sup>1</sup> *The National Center for State Courts, National Council for Juvenile and Family Court Judges, and National Association of Counsel for Children, State of Colorado Judicial Department Colorado Needs Assessment* (hereinafter “Assessment Report”), *supra n.* p. 44 available here: [https://www.courts.state.co.us/userfiles/File/Court\\_Probation/Supreme\\_Court/Committees/Court\\_Improvement/CORPCFinalNeedAsstReptApp.pdf](https://www.courts.state.co.us/userfiles/File/Court_Probation/Supreme_Court/Committees/Court_Improvement/CORPCFinalNeedAsstReptApp.pdf)

<sup>2</sup> §19-3-607, C.R.S. 2018

<sup>3</sup> *Respondent Parents’ Counsel Work Group Final Report to the State Court Administrator*, September 30, 2014, p.

resources negatively impacts RPC representation because adequate representation sometimes requires an independent assessment of allegations against a parent, a parent's need for services, and the appropriateness of a treatment plan.<sup>4</sup> "For example, experts may be necessary to assess the appropriate level and type of treatment for a parent; to evaluate the attachment between a parent and a child; or to testify regarding the cause of injury in an alleged non-accidental injury adjudicatory trial."<sup>5</sup>

Child welfare cases proceed on accelerated timelines, particularly when compared to other types of civil or criminal legal proceedings.<sup>6</sup> Additionally, cases with children ages six and under are subject to even tighter restrictions under Expedited Permanency Planning (EPP) timeframes. In EPP cases, children must be in a permanent home within 12 months of the date of removal unless there is good cause to extend the timeframes. Due to this rapid timeframe, much of an RPC's work must be done within the first few weeks of receiving a case.

For example, RPCs must request all relevant records (such as school records, medical records, department of human services paperwork, etc.) and review them quickly to distill and identify major issues and witnesses to prepare for possible litigation. While preparing the case, RPC are also required to attend department-run meetings with all the Department of Human Services staff involved in the case, work with treatment providers to get parents enrolled in services, and ensure that parents are getting adequate visitation with their children. These advocacy steps must be done quickly on every dependency case that an attorney carries, which can intensify and increase a workload quickly.

To alleviate some of the pressure caused by the brisk timeline in dependency cases, as well as to ensure high quality legal representation for parents, RPCs must rely on other professionals. This includes using an investigator to locate missing parents, to track down and interview potential witnesses for a possible jury trial, and to locate and communicate with far away family members for potential kinship placements. It also includes using a paralegal to help compile, read, and organize the volumes of information and discovery that an RPC might receive at the beginning of a case. Paralegals may also help draft possible motions to be filed with the court. Engaging various experts to provide context and expertise about a client's history is essential to RPCs in evaluating treatment plans, assessing appropriate family services, and understanding essential components of the client's background to provide excellent advocacy.

Often, RPC work includes bringing on a social worker to help clinically identify a client's therapeutic needs in order to help an RPC advocate for the safe return of the children to the parent once those

---

24, available here:

[https://www.courts.state.co.us/userfiles/file/Administration/Planning\\_and\\_Analysis/Family%20Law%20Programs/RPC/RPC\\_Work\\_Group\\_Final\\_Report.pdf](https://www.courts.state.co.us/userfiles/file/Administration/Planning_and_Analysis/Family%20Law%20Programs/RPC/RPC_Work_Group_Final_Report.pdf)

<sup>4</sup> *Id.* at 28.

<sup>5</sup> *Id.*

<sup>6</sup> One reason for this accelerated timeline is the federal Adoption and Safe Families Act (ASFA, Public Law 105-89) which accelerated the timeframe in which states are required to move for termination of parental rights.



needs are met. Social workers working as part of the defense team can also attend the department-led family engagement meetings with parents, which are meetings that some counties exclude RPC from participation in according to local policy or practice. For many parents, it is difficult to meaningfully engage with the very department who has intervened in their family and possibly removed their children. Support from a social worker who is on their defense team can fulfill a crucial advocacy role by helping parents understand what the department is asking, helping them engage in their treatment planning and services, and encouraging the parent's openness in working with the department. As part of an interdisciplinary team, social workers support parents and ensure their voices are heard throughout the process.

In a memorandum from August 2019, the Federal Administration on Children, Youth and Families Children's Bureau (hereinafter the Children's Bureau) defines family voice as giving families and youth a say in decisions that will impact their lives, as well as insuring their engagement at various stages.<sup>7</sup> The Children's Bureau notes that "families and youth are our best sources of information about the strengths and needs of their families and communities, yet, historically, we make decisions and plans in the absence of their input."<sup>8</sup> Most importantly, interdisciplinary legal representation for parents reduces the time children spend in foster care.<sup>9</sup> When compared to solo practitioners, interdisciplinary teams increase the rate of first year family reunifications by 43% and allow children to be released to relatives more than twice as often during the first year of the case.<sup>10</sup> When families as a whole are supported and their voices heard, outcomes are better. These teams not only support and preserve Colorado families, but also reduce the cost of foster care overall.

Since the creation of the ORPC, the agency has worked to ensure that RPC attorneys are receiving the resources that they need from the beginning of the case and consistent with the short timeframes in dependency cases. Further, the ORPC strives to guarantee RPC attorneys no longer struggle to get the resources they need to build strong family defense teams for high quality legal representation. Investing resources in interdisciplinary teams for parents at the beginning of a case by providing access to other professionals such as paralegals, investigators, experts, and social workers will ensure better outcomes for all Colorado families involved in the child welfare system.

## **2. Colorado Case Law Impacting RPC Practice**

Changes in case law can broadly impact RPC representation at the trial court level, including creating and emphasizing issues that may increase litigation. Changes in the law necessarily increase the amount of billable time an attorney spends on a case to represent the needs of an individual parent.

---

<sup>7</sup> ACF – Children's Bureau, Engaging, empowering, and utilizing family and youth voice in all aspects of child welfare to drive case planning and system improvement, ACYF-CB-IM-19-03 (August 1, 2019), p.2

<sup>8</sup> *Id.*, 3

<sup>9</sup> "Providing Parents Multidisciplinary Legal Representation Significantly Reduces Children's Time in Foster Care" by Martin Guggenheim and Susan Jacobs, p.2-3 available here:

[https://www.americanbar.org/groups/public\\_interest/child\\_law/resources/child\\_law\\_practiceonline/january---december-2019/providing-parents-multidisciplinary-legal-representation-signifi/](https://www.americanbar.org/groups/public_interest/child_law/resources/child_law_practiceonline/january---december-2019/providing-parents-multidisciplinary-legal-representation-signifi/)

<sup>10</sup> *Id.* at 3

Colorado Appellate courts have published opinions in three broad areas of change in FY 2019-20:

- Ineffective assistance of counsel claims for parents in child welfare cases;
- The Indian Child Welfare Act (ICWA) in Colorado; and,
- Procedural fairness.

### **Ineffective Assistance of Counsel**

*People in the Interest of A.R.*, 2018 COA 177 (December 13, 2018)

In this case, Respondent Mother appealed a termination of parental rights order entered by the district court. On appeal, mother asserted that her trial attorney was ineffective for failing to test the evidence presented at adjudication, termination, and a post-termination placement hearing. The Court of Appeals agreed, finding that trial counsel's deficient performance rendered the proceeding unfair and unreliable.

In this case, a division of the Colorado Court of Appeals applied the familiar test for ineffective assistance of counsel laid out by the United States Supreme Court in *Strickland v. Washington*, 466 U.S. 668 (1984) but reconsidered other divisions of the court's applications of the prejudice prong in dependency and neglect cases. The Court stated that in criminal cases, the prejudice prong of the *Strickland* standard is demonstrated when "a parent shows that there is a reasonable probability that, but for counsel's deficient performance, the outcome of the hearing would have been different."

The Court deviated and found this standard is not appropriate in termination of parental rights proceedings. Rather, because the Fourteenth Amendment requires states to afford respondent parents fundamentally fair procedures when terminating parental rights, the court required the prejudice inquiry in dependency cases to focus on whether counsel's deficient performance rendered the proceeding fundamentally unfair or the result of the proceeding unreliable.

The Colorado Supreme Court granted a writ of certiorari on this issue and Oral Argument is pending in the case on November 12, 2019. Regardless of the outcome in the Supreme Court, RPC practice in the district courts will be impacted.

### **Indian Child Welfare Act (ICWA)**

*People in the Interest of M.V.*, 2018 COA 163 (November 15, 2018)

Based on allegations of drug use and domestic violence, a jury found that mother had subjected the children to mistreatment or abuse and the children's environment was injurious to their welfare.

The trial court then entered a dispositional order.

On appeal, mother first asserted that the juvenile court's failure to comply with ICWA deprived the court of subject matter jurisdiction over the proceeding. The Court of Appeals found that the trial court's non-compliance with ICWA did not deprive the trial court of jurisdiction to enter the adjudicatory and dispositional orders.

The court went on to conclude that a dispositional order constitutes a child custody proceeding under ICWA, and the trial court had reason to know that the child was an Indian child. Because no notice was sent to the tribe identified by mother on the court's ICWA form, the Court of Appeals reversed the dispositional order and remanded the case to the district court for compliance.

### **Procedural Fairness**

*People in the Interest of M.H-K.*, 2018COA178 (December 13, 2018)

At the beginning of an adjudicatory jury trial, as part of its statement of the case instruction, the juvenile court read the entire amended case history portion of the petition to the venire. Later, the court also admitted evidence that mother had declined requests for drug testing before the department had even filed the petition. During the trial, many of the allegations read to the jurors as part of this instruction were not proven by the evidence presented. The Court of Appeals concluded that the reading of this jury instruction was reversible error.

The purpose of the statement of the case instruction is to explain the nature of the case in plain and clear language, in order to orient prospective jurors to the proceedings and inform them about their duties and service. The juvenile court's instruction departed from this limited purpose because it did not derive from a jointly prepared statement or consensus of the parties and, instead, amounted to "a judicially endorsed opening statement on behalf of the Department." The court then reversed the order of adjudication and remanded the case back to the district court for a new jury trial.

*People in Interest of S.K.*, 2019 COA 36 (March 7, 2019)

In this case, the Court of Appeals concluded that the juvenile court must consider reasonable accommodations when deciding whether the parents' treatment plan is appropriate and whether reasonable efforts were made to rehabilitate the parent.

These reasonable accommodations must include making reasonable changes in departmental practices and services to accommodate the individual needs of parents. This requirement also applies to third-party providers of services. In other words, "absent reasonable modifications to the treatment plan and rehabilitative services offered to a disabled parent, a department has failed to perform its duty under the ADA to reasonably accommodate a disability and, in turn, its obligation to make reasonable efforts to rehabilitate the parent."

This case signals the Court of Appeals' willingness to uphold the provisions of HB 18-1104 and, in turn, might also signal an increase in litigation and advocacy around the applicability of the ADA in child welfare cases.

*People in the Interest of A.N-B.*, 2019 COA 46 (March 21, 2019)

The Court of Appeals held that when an indigent parent's attorney requests the appointment of an expert, the attorney-client privilege protects communications between the parent and the expert. In conducting a parent-child interactional, however, much of the expert's testimony concerned his observations of the children and therefore did not fall within the scope of the privilege. Thus, disclosure of these communications to the guardian *ad litem* was appropriate.

*People in the Interest of R.J.*, 2019COA109 (July 18, 2019)

In this case, both parents denied the allegations in the petition and requested an adjudicatory jury trial. After a three-day trial, the jury returned a special verdict finding the children dependent and neglected. A magistrate later entered dispositional orders as to both father and mother. Neither parent filed a petition for judicial review of the magistrate's dispositional order.

On appeal, father asked the court to decide whether the Court of Appeals has jurisdiction to review an adjudicatory order when a magistrate later enters the dispositional order, but no one seeks district court review of that order. The Court of Appeals concluded that it does have jurisdiction over the appeal despite the lack of judicial review of the magistrate's dispositional order. The court then affirmed the adjudication.

*Adoption of S.S.A.R.*, 2019COA112 (July 25, 2019)

In this case, the child's maternal aunt and uncle filed petitions for kinship adoption and to terminate father's parental rights. Father was incarcerated at the time and filed a letter objecting to the adoption. After a brief hearing, the court terminated father's parental rights and entered a decree of adoption. Father then filed a motion for reconsideration arguing that due process required that he have legal representation during the proceeding.

Father remained pro se until the Court of Appeals granted his motion for counsel on appeal. The Court of Appeals then considered parents' right to counsel in adoption proceedings, applying the Eldridge analysis, and concluded that the presumption against the right to counsel was overcome in this case and that father had a due process right to counsel.

### **3. Reducing Trauma by Improving Educational Outcomes**

One of Governor Polis's priorities for Colorado is to "ensure all Coloradoans have access to opportunities for quality, life-long education connected to the future of work."<sup>11</sup> Ensuring Colorado youth graduate high school greatly impacts their future education, as well as their ability to adapt and thrive in an ever changing marketplace. Currently, there is a crisis of high school graduation rates from Colorado foster youth, one that has lasting effects on their future earning potential and the readiness of the Colorado economy to excel in the years ahead.

One effective strategy for combatting the educational disparities for foster youth is to prevent their entry into foster care in the first place.

According to the Colorado Department of Education, the 2018 four-year completion rate for high school students in foster care, defined as either receiving a high school diploma or equivalency, was 37.8%,<sup>12</sup> while the overall rate for all high school students was 82.5%.<sup>13</sup> If given six years to achieve

---

<sup>11</sup> Governor's Dashboard <https://dashboard.state.co.us/bold4-education-workforce.htm>

<sup>12</sup> Colorado Department of Education, Office of Dropout Prevention and Student Re-engagement, "Foster Care Education Program" <https://www.cde.state.co.us/communications/fostercarefactsheet>

<sup>13</sup> Colorado Graduation Dashboard <http://www.cde.state.co.us/code/graduationrate>

their degree, foster students from the class of 2016 increased graduation to just over 50%<sup>14</sup>, whereas the overall graduation rate rose to nearly 90%.<sup>15</sup> In an increasingly knowledge-based economy, the impact of low graduation rates will be felt in Colorado for decades, both at the individual and the statewide level. Young adults who don't complete high school earn on average 26% less than their peers who complete high school from ages 24 - 35.<sup>16</sup> This disparity increases to 33% where lifetime earnings are concerned.<sup>17</sup> Beyond lost wages, today's increasingly information heavy marketplace requires a well-educated workforce to meet future demand. The World Bank cites education as the main engine for long-term economic growth for the way it encourages innovation and improves economic prospects.<sup>18</sup>

The disparity in high school completion rates for foster children and the overall student population have persisted for years, despite multiple programs designed at engaging and supporting foster youth.<sup>19</sup> For this reason, the most effective way to prevent these educational disparities is by preventing children from entering foster care in the first place.

In 2018, the dropout rate for foster care youth was 6.4% higher than the overall state rate.<sup>20</sup> An interdisciplinary approach to family support and using federal resources for prevention as provided by the Families First Prevention Services Act (FFPSA), can help keep children in the home.<sup>21</sup> This data shows that better outcomes for Colorado families and their high school students means better outcomes for Colorado.

## **E. Transition in Federal Priorities**

### **1. The Children's Bureau's Emphasis on the Importance of Funding High Quality Legal Representation for Parties in Child Welfare Proceedings**

After the ORPC was created, the Children's Bureau issued an information memorandum about the importance of high quality legal representation for all parties in child welfare proceedings.<sup>22</sup> The Children's Bureau emphasized the importance of "numerous studies and reports" indicating the

---

<sup>14</sup> Colorado Department of Education, Office of Dropout Prevention and Student Re-engagement, "Foster Care Education Program" <https://www.cde.state.co.us/communications/fostercarefactsheet>

<sup>15</sup> Colorado Graduation Dashboard <http://www.cde.state.co.us/code/graduationrate>

<sup>16</sup> "Annual Earnings of Young Adults" *The Condition of Education* by National Center for Education Statistics [https://nces.ed.gov/programs/coe/indicator\\_cba.asp](https://nces.ed.gov/programs/coe/indicator_cba.asp)

<sup>17</sup> *The College Payoff: Education, Occupations, Lifetime Earnings* by Anthony P. Carnevale, Stephen J. Rose, and Ban Cheah, Georgetown University Center on Education and the Workforce, p.3

<sup>18</sup> <https://www.worldbank.org/en/topic/education/overview>

<sup>19</sup> Foster Care Education: Legislation and Guidance. Colorado Department of Education. [https://www.cde.state.co.us/dropoutprevention/fostercare\\_legislationandguidance](https://www.cde.state.co.us/dropoutprevention/fostercare_legislationandguidance)

<sup>20</sup> Colorado Department of Education, Office of Dropout Prevention and Student Re-engagement, "Foster Care Education Program" <https://www.cde.state.co.us/communications/fostercarefactsheet>

<sup>21</sup> Family First Prevention Services Act of 2017, H.R. 253

<sup>22</sup> ACF – Children's Bureau, High Quality Legal Representation for All Parties in Child Welfare Proceedings, ACYF-CB-IM-17-02 (January 17, 2017).

importance of competent legal representation for parents, children and youth in ensuring that legal rights are protected.<sup>23</sup>

The Children’s Bureau noted that there is evidence supporting that legal representation for parties in child welfare proceedings contributes to:

- Increases in party perceptions of fairness;
- Increases in party engagement in case planning, services, and court hearings;
- More personally tailored and specific case plans and services;
- Increases in visitation and parenting time;
- Expedited permanency; and
- Cost savings to state government due to reductions of time children and youth spend in care.

The Children’s Bureau remarked “[t]ermination of parental rights is often referred to as the civil law equivalent of the death penalty,” and that the complexity of the proceedings requires all parents to have competent legal counsel.<sup>24</sup> The bureau concluded “[p]arents’ attorneys protect parents’ rights and can be key problem solvers as counselors at law, helping parents understand their options, the best strategies for maintaining or regaining custody of their children and bringing cases to conclusion.”<sup>25</sup>

Further, the memo points to the demonstrated link between provision of competent legal representation and increases in procedural justice, fairness, and engagement for families in the child welfare system.<sup>26</sup> One study of outcomes in Mississippi, for example, demonstrated that cases where parents were represented by an attorney indicated a trend toward more positive outcomes because the parents were attending court more often and had their children placed in foster care less often.<sup>27</sup>

## **2. Changes in Federal Funding to Promote High Quality Representation for Parents**

The emphasis by the Children’s Bureau on increasing high quality representation for parents to impact outcomes for families is directly in line with the ORPC’s vision for ensuring that the child welfare system in Colorado is procedurally fair and followed, in part, through the provision of high quality legal representation for parents.

The Children’s Bureau’s recognition of the crucial importance of funding legal representation for parents was solidified by a federal funding rule change promulgated in January 2019. The Children’s Bureau changed the child welfare policy manual Q/A 8.4B to remove question 18 and replace it with a new question 30, as follows:

---

<sup>23</sup> *Id.* at p. 2.

<sup>24</sup> *Id.* at p. 3

<sup>25</sup> *Id.*

<sup>26</sup> *Id.* at p. 5.

<sup>27</sup> *Id.* at pp. 5-6.

*Question:* May a title IV-E agency claim title IV-E administrative costs for attorneys to provide legal representation for the title IV-E agency, a candidate for title IV-E foster care or a title IV-E eligible child in foster care and the child’s parents to prepare for and participate in all stages of foster care related legal proceedings?

*Answer:* Yes. The statute at section 474(a)(3) of the Act and regulations at 45 CFR 1356.60(c) specify that Federal financial participation (FFP) is available at the rate of 50% for administrative expenditures necessary for the proper and efficient administration of the title IV-E plan. The title IV-E agency’s representation in judicial determinations continues to be an allowable administrative cost. Previous policy prohibited the agency from claiming title IV-E administrative costs for legal services provided by an attorney representing a child or parent. This policy is revised to allow the title IV-E agency to claim title IV-E administrative costs of independent legal representation by an attorney for a child who is a candidate for title IV-E foster care or in foster care and his/her parent to prepare for and participate in all stages of foster care legal proceedings, such as court hearings related to a child’s removal from the home. These administrative costs of legal representation must be paid through the title IV-E agency. This change in policy will ensure that, among other things: reasonable efforts are made to prevent removal and finalize the permanency plan; and parents and youth are engaged in and complying with case plans.<sup>28</sup>

Generally, the foster care system is federally funded through an entitlement created in Title IV-E of the Social Security Act (SSA).<sup>29</sup> The SSA authorizes the federal government to pay a 50% match for funds in two broad categories: Administrative Costs and Foster Care Maintenance Payments. Foster Care Maintenance Payments are payments to caregivers of eligible foster children and the federal government pays a percentage of the state payments to such caregivers.<sup>30</sup>

Administrative costs, on the other hand, are generally allotted for the costs related to administration and operation of the foster care system.<sup>31</sup> These items include costs incurred by the state child welfare agency, such as costs for agency staff, buildings, administration, and related contracts.<sup>32</sup> “The federal government pays 50 percent of the share of administrative costs claimed for each Title IV-E child.”<sup>33</sup>

The January 2019 rule change, then, allowed state child welfare agencies to request a 50% match in funds spent on attorney representation for both parents and children. This influx of funds solidifies

---

<sup>28</sup> U.S. Department of Health & Human Services, Administration for Children & Families, Children’s Bureau. “8.1B TITLE IV-E, Administrative Functions/Costs, Allowable Costs-Foster Care Maintenance Payments Program” *Child Welfare Policy Manual*.

<sup>29</sup> See generally §§ 42 U.S.C. 670-679c.

<sup>30</sup> Mark Hardin, *Claiming Title IV-E Funds to Pay for Parents’ and Childrens’ Attorneys: A Brief Technical Overview*, ABA Child Law Practice Today (February 25, 2019).

<sup>31</sup> *Id.*

<sup>32</sup> *Id.*

<sup>33</sup> *Id.*

the Children’s Bureau’s change in attitude about the importance of high quality legal representation for parents in changing outcomes for families involved in the child welfare system.

### **3. Family First Prevention Services Act**

In January 2018, tucked into a congressional measure to keep the federal government open, congress passed the Family First Prevention Services Act (FFPSA).<sup>34</sup> The act upends how current federal funding for the child welfare system works, in an attempt to address the toll that the opioid epidemic is taking on the child welfare system.

The legislation makes changes in two major ways. First, it creates a federal funding stream for placement prevention services, or services put in place to keep children out of unnecessary foster care placement. These services must be trauma-informed and must be delivered in an evidence-based model in order to qualify for federal funding. Some examples of placement prevention services being funded by the new legislation are:

- Up to 12 months of mental health/substance abuse services for a child, parent, or kin caregiver;
- Up to 12 months of in-home parenting services for a parent or kin caregiver;
- Up to 12 months of funding for placement of a child with a parent residing in a licensed residential family-based substance abuse treatment facility.

In late 2018 the Children’s Bureau issued a memorandum emphasizing the importance of primary prevention in “help[ing] all families thrive.”<sup>35</sup> Not only do prevention services help vulnerable families when it is most needed, but “efforts to build protective factors and prevent initial acts of harm are less expensive and less intrusive in the lives of families than formal system involvement and foster care placement.”<sup>36</sup>

The second major change is the elimination of federal funding for group home or congregate care placements for children. The law has added stringent parameters around when residential treatment programs can be used, with the intention of incentivizing the practice of keeping a child at home whenever possible.

These changes to federal child welfare funding are intended to prevent unnecessary removal of children from the home, instead prioritizing funding for services that keep families together. The ORPC anticipates that these changes will be positive for families in the state of Colorado, because it will create a systemic incentive to work with families who need extra support while keeping children in the home.

---

<sup>34</sup> Family First Prevention Services Act of 2017, H.R. 253

<sup>35</sup> ACF – Children’s Bureau, Reshaping child welfare in the United States to focus on strengthening families through primary prevention of child maltreatment and unnecessary parent-child separation, ACYF-CB-IM-18-05 (November 16, 2018), p. 4

<sup>36</sup> *Id.*, p. 3



At the same time, the ORPC anticipates that the elimination of funding for group home or congregate care placements may result in increased litigation at the trial court level. Cases with children that are currently placed in group home or congregate care settings will need to be reviewed by the trial courts to determine whether such placements will meet the new, stringent parameters around the use of residential treatment. If a child's placement is no longer appropriate under the new FFPSA standards, additional out-of-court meetings and in-court hearings will likely be required for the parties to locate, vet, and plan around a child's change in placement.

Colorado is working steadily to implement the changes required by the new legislation. Although the effects of this bill on ORPC practice and budget are not yet determined, the agency is optimistic that this legislation can be implemented in a way to reduce trauma for families and engage parents in new ways.

Page intentionally left blank.

**Office of the Respondent Parents' Counsel FY 2020-21**  
**Change Request Summary**

**Schedule 10**

Priority	Request Name	FTE	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
R-1	Increase in Number and Cost of Appointments	-	\$ 2,338,493	\$ 2,338,493	\$ -	\$ -	\$ -
R-2	Common Compensation Plan - Attorneys	-	81,043	81,043	-	-	-
R-3	Common Compensation Plan - Other Staff	-	55,576	55,576	-	-	-
R-4	IV-E Legal Representation	-	4,528,038	-	-	4,528,038	-
R-5	Social Worker Pilot Program	-	318,240	318,240	-	-	-
R-6	Social Worker Coordinator	1.0	130,826	130,826	-	-	-
R-7	Carrie Ann Lucas Fellowship	1.0	173,522	173,522	-	-	-
R-8	Contractor Rate Increase	-	999,670	999,670	-	-	-
R-9	Operating Expenses	-	27,968	27,968	-	-	-
R-10	Training Increase	-	46,000	28,000	18,000	-	-
<b>Total Change Requests</b>		<b>2.0</b>	<b>\$ 8,699,374</b>	<b>\$ 4,153,336</b>	<b>\$ 18,000</b>	<b>\$ 4,528,038</b>	<b>\$ -</b>

Page intentionally left blank.



*Department Priority: R-1*

*Request Title: Increase in Number of Appointments and in Costs per Appointment*

Summary of Incremental Funding Change for FY 2020-21	Total funds	General Fund
<b>TOTAL REQUEST (All Lines)</b>	<b>\$2,338,493</b>	<b>\$2,338,493</b>
Court Appointed Counsel	\$1,902,892	\$1,902,892
Mandated Costs	\$435,601	\$435,601

**Request Summary:**

The Office of Respondent Parents' Counsel (ORPC) requests \$2,338,493 General Fund for increases in Court-Appointed Counsel (\$1,902,892) and Mandated Costs (\$435,601) to fund projected increases in the number of appointments and costs per appointment.

**Background:**

Recognizing that “it is in the best interest of the children and parents of the state of Colorado to have an independent office to oversee the respondent parents’ counsel to improve the quality of legal representation for parents involved in dependency and neglect proceedings and who often do not have the financial means to afford legal representation”,<sup>37</sup> the General Assembly established the Office of Respondent Parents’ Counsel (ORPC). The ORPC is charged with ensuring the provision of uniform, high quality legal representation to indigent parents whose parental rights are at risk, with improving the quality of legal representation, and with paying for the services provided by Respondent Parents’ Counsel (RPC).<sup>38</sup>

Studies have shown that children have better long-term outcomes when they are raised in their families of origin.<sup>39</sup> Children who leave foster care struggle in all areas, including education, employment, income, housing, general and mental health, substance abuse and criminal involvement.<sup>40</sup> In alignment with the Governor’s priorities of improving education, economic opportunity, and health for all Coloradans, the ORPC has studied how to most efficiently and effectively improve representation for parents in Colorado and as a result, the ORPC launched the Social Worker Pilot Program (SWPP) in FY 2017-18. The results of this pilot are documented in an

<sup>37</sup> C.R.S. § 13-92-101(2) (2015).

<sup>38</sup> See generally Colorado Supreme Court Chief Justice Directive 16-02 (2016).

<sup>39</sup> Mimi Laver, *Improving Representation for Parents in the Child-Welfare System*, October 7, 2013, available at <https://www.americanbar.org/groups/litigation/committees/childrens-rights/articles/2013/improving-representation-parents-child-welfare-system/>.

<sup>40</sup> Laura Gypen et al., *Outcomes of children who grew up in foster care: Systemic Review*, May, 2017, available at <https://www.sciencedirect.com/science/article/pii/S019074091730213X>.

independent evaluation completed for this budget request by Metropolitan State University of Denver Department of Social Work.<sup>41</sup> The evaluation demonstrates that incorporation of social workers and other forensic mental health professionals into parent defense practice reduces the time that children are placed in out-of-home care and increases a parent and child's likelihood of being reunified safely at case closure.<sup>42</sup> This pilot program is in line with the ORPC's strategic plan goal of decreasing trauma to children and also fulfills the ORPC's statutory mandate to improve the quality of legal representation for parents in Colorado.

The results of the SWPP make it clear that the best representation for indigent parents is an interdisciplinary legal team that is made up of attorneys, trained social workers, and family advocates.<sup>43</sup> This is because indigent parents often face a myriad of economic, social, and systemic difficulties during their court proceedings which must be addressed through an interdisciplinary lens. The cost per case for cases with interdisciplinary teams is initially greater but the ORPC anticipates that the savings to other state systems will far outweigh those costs.

This prediction is based on a 2019 study published in *Children and Youth Services Review* and conducted by New York University School of Law and Action Research. The study concluding that legal offices with interdisciplinary teams were able to achieve the safe return of children to their families 43% more often than solo practitioners in the first year of a case, and 25% more often in the second year.<sup>44</sup> In addition, interdisciplinary defense allowed children to be permanently released to relatives over 200% more often in the first year of a case and 67% more often in the second year.<sup>45</sup> The study found that full implementation of an interdisciplinary representation model would reduce the New York foster care population by 12 percent and reduce foster care costs by \$40 million annually as compared with exclusive reliance on solo practitioners.<sup>46</sup> The ORPC expects to see similar results in Colorado.

In addition to the use of social workers and family advocates, the ORPC encourages RPCs to incorporate efficiencies into their legal practice by using investigators. Investigators are often key to finding and engaging parents who are homeless, addicted, or simply absent. The involvement of parents in court proceedings is essential to obtain the best possible outcome in a case and preserves “the fundamental liberty interest of natural parents in the care, custody and management of their

---

<sup>41</sup> Lori Darnel and Dawn Matera Basset, *A Program Evaluation of Colorado Office of Respondent Parents' Counsel Social Work Program*, Metropolitan State University of Denver Department of Social Work (pending publication) (attached as Appendix A; *hereinafter* Appendix A).

<sup>42</sup> See Appendix A, p. 18

<sup>43</sup> Family Advocates are bachelors or master's level forensic clinical consultants with child welfare and social work experience commensurate to a master's level social worker. The term is meant to distinguish this category of clinical consultants assigned to interdisciplinary teams from those who have a master's degree in social work and is a common practice throughout the country.

<sup>44</sup> Lucas Gerber et al., *Effects of an interdisciplinary approach to parental representation in child welfare*, July 2019, available at <https://www.sciencedirect.com/science/article/pii/S019074091930088X>.

<sup>45</sup> *Id.*

<sup>46</sup> *Id.*

child”.<sup>47</sup> An RPC attorney sent the ORPC the following narrative illustrating how an investigator can impact a case:

I wanted to pass on what I consider a great success from the ORPC investigator program. . . We have represented a homeless mother with a severe drug problem since September 2018. She very infrequently appeared in court throughout the case and so with ORPC’s referral, we got in touch with [the investigator] in the spring. [The investigator] did a great job finding our client and getting our messages to her. The client engaged very briefly but disappeared again. Before she disappeared, we were able to counsel client about her case and the likely trajectory. Last month the Department [of Human Services] filed a motion to terminate client’s parent-child relationship. Client had not visited her son for many months, did not engage in her treatment plan, and would not respond to any of our efforts to contact her. Again, we got in touch with [the investigator]. We sent [the investigator] a letter for the client, a copy of the petition to terminate her rights, and a draft of a written motion to confess. Today we were set for a review hearing. In the last few days, [the investigator] was successfully able to reach out to client, and client responded because of her positive working relationship with [the investigator] in the spring.

To our surprise, the client appeared in court this morning for our hearing. She said she had gotten all of our paperwork and had been thinking about confessing the petition to terminate. . . She was calm, thoughtful, and determined. We went forward with the confession and I have no doubt this was the best choice for this client and the best choice for her child. . . She was able to be proactive in her case and make a positive choice for herself and her child. Her agency and autonomy were respected. It was the right result and it only felt right because the client was present. She would not have been without [the investigator’s] help, as well as ORPC for making investigators available. Please continue to make this valuable resource available and thank you for everything you do to help improve our practice.

- RPC, E-mail dated 9/17/2019

The services of the investigator in this case cost less than \$200, but the impact was invaluable. This use of investigators early on in a case or throughout the trial case will also result in a cost-savings because the ORPC will not pay for a contested trial or an appeal when a parent feels they have a voice and they are engaged in the process.

In addition to the ORPC’s movement toward an interdisciplinary model of defense, the costs of providing representation are affected by many factors, including the number of cases filed, the number of appointments made, the complexity and cost of individual cases, and changes in Federal and State law.

---

<sup>47</sup> *Santosky v. Kramer*, 455 U.S. 745, 753 (1982).

One of the principal factors affecting the cost of providing representation for indigent parents is the number of RPC appointments. Current projections are that FY 2019-20 appointments will be 9% greater than in FY 2018-19. The ORPC will continue to monitor appointments and costs of representation.

A second factor affecting Court-appointed Counsel and Mandated Costs is the cost per appointment. When the ORPC assumed responsibility for paying RPC attorneys on July 1, 2016, RPCs in some judicial districts were compensated primarily on a flat-fee per appointment basis while RPCs in other districts were compensated on an hourly basis. The initial fee under the flat-fee system covered only 15 hours of work on an appointment, which was a disincentive to contractors to spend the time needed for difficult or complex appointments.

To improve parent representation, in FY 2017-18 the ORPC requested and the JBC approved the conversion to a statewide hourly rate payment system that reimburses RPCs for actual time spent and services provided to indigent parents. Partially because of the change in the payment structure, the Court-appointed Counsel cost per closed appointment increased by 5% in FY 2017-18.

Another factor contributing to the increase in the cost per closed appointment is the ORPC's mandate to improve parent representation. The ORPC has provided numerous practice supports to RPC attorneys, including general and specialized trainings throughout the year, individual case consultations, case law updates, a motions bank and online resource library, an RPC listserv, and access to Westlaw for every RPC attorney. As a result, RPC attorneys are working harder and more effectively for the parents they represent. On average, they spend more time on each case. As of August 31, 2019, the average cost per closed case in FY 2019-20 increased by almost 15% over the FY 2018-19 average cost, as shown below.

<b>Average Cost per Closed Appointment</b>				
	<b>FY17</b>	<b>FY18</b>	<b>FY19</b>	<b>FY20 through 8/30</b>
CAC & Mandated Costs for closed appointments	\$ 5,298,556	\$ 9,434,822	\$ 13,561,661	\$ 1,980,497
Number of Closed appointments	3,130	5,314	6,077	773
Average cost per closed appointment	\$ 1,693	\$ 1,775	\$ 2,232	\$ 2,562
Increase in cost per closed appointment		\$ 83	\$ 456	\$ 787
<b>Percentage increase from Prior Year</b>	-	<b>4.9%</b>	<b>25.7%</b>	<b>14.8%</b>

### **Assumptions and Calculations:**

The number of appointments in Dependency and Neglect cases, rather than the number of cases, is the critical factor in predicting costs of the ORPC. This is so because there may be multiple RPC appointments on a single case (mother, father, others). As shown below, for the first three months of FY 2019-20, Dependency and Neglect appointments increased by 9.0% compared to the first three months of FY 2018-19. The ORPC assumes that this trend will continue throughout FY 2019-



20 and FY 2020-21 and that the increase in appointments will result in a commensurate increase in Court-appointed Counsel costs.

FY20 Judicial Appointments per District Report Expedited Permanency Planning and Dependency Appointments							
Judicial District	Jul FY20	Aug FY20	Sep FY20	FY20 YTD	FY19 YTD	# Change	% Change
1	34	48	39	121	152	(31)	-20.4%
2	44	50	34	128	96	32	33.3%
3	7	3	5	15	15	-	0.0%
4	85	97	102	284	343	(59)	-17.2%
5	2	1	4	7	4	3	75.0%
6	0	3	2	5	5	-	0.0%
7	16	7	12	35	36	(1)	-2.8%
8	13	24	24	61	65	(4)	-6.2%
9	0	5	1	6	18	(12)	-66.7%
10	35	18	17	70	81	(11)	-13.6%
11	14	10	10	34	35	(1)	-2.9%
12	27	12	14	53	45	8	17.8%
13	32	21	15	68	70	(2)	-2.9%
14	0	4	0	4	6	(2)	-33.3%
15	5	5	7	17	7	10	142.9%
16	6	13	7	26	31	(5)	-16.1%
17	70	79	58	207	157	50	31.8%
18	165	65	73	303	138	165	119.6%
19	47	29	28	104	150	(46)	-30.7%
20	53	25	20	98	51	47	92.2%
21	19	15	15	49	46	3	6.5%
22	2	1	3	6	9	(3)	-33.3%
<b>Totals</b>	<b>676</b>	<b>535</b>	<b>490</b>	<b>1,701</b>	<b>1,560</b>	<b>141</b>	<b>9.0%</b>
Source: SCAO, Judicial Monthly Reports							

The ORPC further assumes that the average cost per closed appointment will increase throughout FY 2019-20 and FY 2020-21 as the ORPC fully implements the use of interdisciplinary teams and as attorneys improve practice. The ORPC anticipates that the additional costs will result in significant savings in other agencies due to a decreased need for out-of-home placements, which negatively affect children in many ways and for many years. The ORPC also anticipates that in the long-term, children who are successfully reunited with their parents will benefit from improved school performance, higher graduation rates, reduced likelihood of further court involvement and reduced

likelihood of incarceration as juveniles or adults, with consequent savings for the Department of Education, the Judicial Department [Courts and Probation], and the Department of Corrections.

The ORPC assumes that Mandated Costs, which include expenses for discovery, expert witnesses, mental health evaluations, investigators, service of process, and transcripts, will increase at a greater rate than Court-appointed Counsel costs as the ORPC continues to implement best practices in the representation of indigent parents and increases the use of the services of investigators, social workers, and other experts. As shown below, the average cost per closed appointment for the contractor types in the Mandated Costs appropriation has increased more than the average cost per closed appointment for contractor types in the Court-appointed Counsel appropriation.

Average Cost per Closed Appointment by Contractor Type							
	FY17	FY18	Percentage Change	FY19	Percentage Change	FY20 through 8/30	Percentage Change
<b><u>Court-appointed Counsel</u></b>							
Attorney/Attorney Associate	\$ 1,715	\$ 1,787	4%	\$ 1,959	10%	\$ 2,020	3%
Investigator				295		194	-34%
<b><u>Mandated Costs</u></b>							
Expert	1,023	978	-4%	1,015	4%	1,192	17%
Family Advocate				647			
Interpreter - Telelanguage				54		60	11%
Interpreter Certified				199		499	151%
Interpreter NOT Certified				199			
Licensed Clinical Social Worker		484		1,470	204%	3,219	119%
Licensed Social Worker		555		1,323	139%	2,002	51%
P-Licensed Clinical Social Worker				1,695		1,475	-13%
P-Licensed Social Worker		1,324		3,085	133%	3,460	12%
Transcriber	746	562	-25%	267	-52%	282	6%

Average Cost per Closed Appointment by Long Bill Line							
	FY17	FY18	Percentage Change	FY19	Percentage Change	FY20 through 8/30/19	Percentage Change
CAC - average for all contractor types	\$ 1,715	\$ 1,787	4.2%	\$ 1,953	9.3%	\$ 2,009	2.8%
Mandated - average for all contractor types	\$ 790	\$ 768	-2.8%	\$ 759	-1.1%	\$ 792	4.3%

The ORPC assumes that this trend will continue in FY 2020-21. The estimate of the adjustments needed to the Court-appointed Counsel and the Mandated Costs appropriation is shown below. The estimate includes the projected increase in the number of appointments and the projected increase in costs per closed appointment for each appropriation.

<b>Estimate of FY2020-21 Court-appointed Counsel and Mandated Costs</b>		
	<b>Court-Appointed Counsel</b>	<b>Mandated Costs</b>
FY 2018-19 Expense	\$ 17,379,370	\$ 1,518,433
Projected increase in Appointments	9.0%	9.0%
Subtotal	18,943,513	1,655,092
Projected increase in costs per appointment	2.8%	4.3%
Total Estimated Expense	19,479,597	1,725,723
FY2019-20 Appropriation	17,576,705	1,290,122
<b>FY 2020-21 Adjustment Requested</b>	<b>\$ 1,902,892</b>	<b>\$ 435,601</b>

Because of the factors and trends noted above, the ORPC believes that a current year supplemental appropriation for Court-appointed Counsel and Mandated Costs will be necessary. The ORPC will continue to monitor appointments and costs to consider a FY 2019-20 Supplemental Appropriation request and a FY 2020-21 Budget Amendment request.

**Anticipated Outcomes:**

Increasing the Court-appointed Counsel and Mandated Costs lines will enable the ORPC to fulfill its statutory obligation to pay for high quality legal representation for indigent parents involved in dependency and neglect proceedings as required by statute. In addition, the ORPC will be able to continue to implement best practices in respondent parent representation and help produce the best outcomes for children and families. Over time, the implementation of best practices by the ORPC should result in cost savings to other agencies, including the Department of Human Services, the Department of Education, the Department of Corrections, and the Judicial Department.

**Consequences if Not Funded:**

If not funded, the ORPC will be unable to fulfill its statutory mandate to pay respondent parents' counsel and related mandated costs for their services or to continue to implement best practices in parent representation.

**Impact to Other State Government Agencies:**

The implementation of best practices by the ORPC is expected to result in cost savings to other agencies, including the Department of Human Services as a result of the decreased need for out-of-home care, the Department of Education as a result of the decreased disruption to children's lives and their increased readiness to learn, and the Judicial Department and the Department of Corrections as a result of the reduced likelihood that children traumatized by separation from their families will later become court-involved and possibly incarcerated.

Page intentionally left blank.



*Department Priority: R-2*

*Request Detail: Compensation Plan Alignment – Attorney Staff*

Summary of Incremental Funding Change for FY 2020-21	Total funds	General Fund	FTE
<b>TOTAL REQUEST (All Lines)</b>	<b>\$81,043</b>	<b>\$81,043</b>	-
Personal Services	\$74,317	\$74,317	-
Short-term Disability	\$112	\$112	-
AED	\$3,307	\$3,307	-
SAED	\$3,307	\$3,307	-

**Request Summary:**

The Office of Respondent Parents' Counsel (ORPC) requests \$81,043 to adjust the salary and benefits of staff whose realigned salaries fell below the range minimum of comparable positions in the Common Compensation Plan. The ORPC will also submit a FY 2019-20 Supplemental Request for these realignments.

**Background:**

At the request of the JBC, the Office of Respondent Parents' Counsel, the Office of the Child's Representative (OCR), and the Office of the Alternate Defense Counsel (OADC) developed a Common Compensation Plan which was reviewed in detail by JBC staff and approved by the JBC in FY 2019-20. The basic premise of the Common Compensation Plan was that employees doing the same or similar work and who have the same levels of education, experience, and expertise should be compensated similarly.

The ORPC has experienced staff turnover since the preparation of the Common Compensation Plan and the submission of the FY 2019-20 budget request and has hired two new staff members whose education, extensive and comprehensive experience, and specialized expertise require that they be classified at higher ranges and compensated at higher levels than those which former staff received and above the minimum of the range.

In addition, the JBC approved a new ORPC attorney position for FY 2019-20, but it became clear during the application and interview processes that the ORPC would be unable to attract qualified attorney staff for the newly created position at the compensation level requested in the FY 2019-20 budget request.

Analysis also indicates that existing ORPC attorney staff had been classified at lower ranges and compensated at significantly lower rates than comparable attorney staff doing the same work at OCR and at OADC. In order to attract and retain qualified staff, to maintain the integrity of the

Common Compensation Plan, to ensure that ORPC staff is strong in accordance with the ORPC strategic plan, and to equitably compensate the attorney staff of the agency, the ORPC realigned its four staff attorney positions to the same range as that used to compensate attorney staff in the Denver offices of OCR and OADC in their Denver offices.

### **Assumptions and Calculations:**

Detailed calculations of equitable compensation for four Staff Attorney positions have been sent to the ORPC's JBC Analyst. For the four Staff Attorney positions, the table compares the monthly salary funded in the FY2019-20 Long Appropriations Bill with the minimum for the Job Class which corresponds to the experience levels of each position. The table also includes the additional amount above the new range minimum which the ORPC had to offer in order to hire qualified and experienced staff.

The four staff attorney positions for which the ORPC requests salary realignment are described below.

**Staff Attorney 1 (Appellate Director):** The ORPC Appellate Director has been with the ORPC since its inception in 2016. During that time, the Appellate Director has implemented a successful and far-reaching Appellate program, trained appellate and trial attorneys, provided litigation support, handled questions and complaints, and developed and formalized practice guidelines specific to appellate representation. In addition, the attorney has researched and interpreted new laws, rulings and regulations, written and defended amicus briefs, participated in oral argument before the Colorado appellate courts, and acted as the legislative liaison at the capitol. The Appellate Director participates in the evaluation, recruitment, and hiring of contract attorneys, represents the ORPC in committee meetings, and presents, trains, and represents the ORPC at national conferences.

**Staff Attorney 2 (Training Director):** The attorney in this position has 9 years of experience in the legal field and has handled all aspects of client representation and advocacy in the areas of dependency and neglect, criminal defense, and appellate law. She has extensive trial experience and has represented clients through settlement, negotiation, evidentiary hearings, and trial. In addition, she has the organizational and administrative skills to manage large-scale trainings of demanding adult learners. She has the essential and critical task of training engaged, informed, demanding, and often opinionated independent attorneys about all aspects of respondent parent representation, including *voir dire*, rules of evidence, trial strategy, cross examination, direct examination, objections during contested hearings, and establishing a record for appeal.

**Staff Attorney 3 (Director of Engagement):** The Director of Engagement has nearly a quarter century of experience in the State of Colorado government, the Federal government, and private practice. She is a skilled trial attorney and has tried dozens of cases, both civil and criminal, ranging from municipal ordinance violations to homicide charges. She also has extensive experience in evaluating, training, and supporting independent attorneys, which are key strengths in her current role. She is nationally recognized for her social justice work and is a founding member of the

National Alliance of Indigent Defense Educators, and a member of the National Association for Public Defense, the National Association of Criminal Defense Lawyers, the Colorado Criminal Defense Bar, and the National Legal Aid and Defender Association. She understands the challenges facing respondent parents both in and out of the courtroom, is committed to system reform, and is perfectly positioned to respond to the challenges and opportunities presented by the Family First Prevention Services Act, which will have a profound impact on the ORPC and on attorneys representing indigent parents.

**Staff Attorney 4 (Case Strategy Director):** The Case Strategy Director has over ten years of experience in complex family law cases, and has held nearly every advocacy position in the dependency and neglect system, including representation of parents and children at the trial and appellate levels as Respondent Parent Counsel and Guardian *ad Litem*, and representation of the county department of human services as County Attorney. For years, she has generally been in court three to five days each week. She knows what resources are available to help parents work their treatment plans and has worked with the Family Treatment Court Program in Jefferson County to improve policy and procedures in that court. Prior to attending law school, she served as a case manager for children in foster care and for those aging out of the system. She also has experience in grant writing, grant program implementation, and program evaluation and reporting.

**Anticipated Outcomes:**

If approved, the ORPC will be able to fully implement the Common Compensation Plan, thereby increasing accountability and transparency of compensation adjustment requests and the equitability of pay for the staff of the ORPC. The ORPC will be able to hire and retain qualified staff and fulfill its fundamental and mandated requirements to ensure the provision and availability of high quality legal representation for parents in Dependency and Neglect proceedings and to make and enforce minimum practice standards by reviewing and overseeing contract attorneys.

**Consequences if Not Funded:**

If not funded, the basic objectives of the Common Compensation Plan approved by the JBC will not be met. The ORPC will use almost all its Personal Services appropriation for salaries and will not have enough spending authority for needed professional services such as IT support, attorney payment system support and development, and other professional services. When future turnover occurs, the ORPC will have difficulty attracting and retaining experienced and capable attorneys.

**Impact to Other State Government Agencies:**

None.

Page intentionally left blank.





*Department Priority: R-3*

*Request Detail: Compensation Plan Alignment – Other Staff*

Summary of Incremental Funding Change for FY 2020-21	Total funds	General Fund	FTE
<b>TOTAL REQUEST (All Lines)</b>	<b>\$55,575</b>	<b>\$55,575</b>	<b>-</b>
Personal Services	\$50,962	\$50,962	-
Short-term Disability	\$77	\$77	-
AED	\$2,268	\$2,268	-
SAED	\$2,268	\$2,268	-

**Request Summary:**

The Office of Respondent Parents' Counsel (ORPC) requests \$55,575 in FY 2020-21 to increase the salary and benefits of staff whose salaries are significantly lower than those of their counterparts within the Judicial Branch.

**Background:**

At the request of the JBC, the Office of Respondent Parents' Counsel, the Office of the Child's Representative (OCR), and the Office of the Alternate Defense Counsel (OADC) developed a Common Compensation Plan which was reviewed in detail by JBC staff and approved by the JBC in FY 2019-20. The basic premise of the Common Compensation Plan was that employees doing the same or similar work and who have the same levels of education, experience, and expertise should be compensated similarly.

The ORPC has experienced staff turnover since the preparation of the Common Compensation Plan and the submission of the FY 2019-20 budget request and has hired two new staff members whose education, specialized expertise, and extensive and comprehensive experience require that they be classified at higher ranges and compensated at higher levels than those which former staff received and above the minimum of the range.

In addition, the JBC approved two new ORPC positions, Administrative Specialist and Programs Analyst, and the ORPC was fortunate to find two highly qualified people to fill those positions.

Finally, some existing ORPC staff were classified at lower ranges and/or compensated at significantly lower rates than comparable staff doing the same work at OCR and at OADC. In order to attract and retain qualified staff, to maintain the integrity of the Common Compensation Plan, to ensure that ORPC staff is strong in accordance with the ORPC strategic plan, and to equitably compensate the staff of the ORPC, the ORPC requests funding to realign some staff and provide increases within the same range to other staff.

### **Assumptions and Calculations:**

Detailed calculations of equitable compensation for four Staff positions have been sent to the ORPC's JBC Analyst. The table compares the monthly salary funded in the FY2019-20 Long Appropriations Bill with the minimum for the Job Class which corresponds to the experience levels of each position. The table also includes the additional amount above the new range minimum which the ORPC had to offer in order to hire qualified and experienced staff.

The four positions for which the ORPC requests salary realignment are described below.

**Director of Programs:** The Director of Programs has a Master's degree in Social Work and is a Licensed Clinical Social Worker. She has over 17 years of child welfare experience in family and juvenile courts and over 15 years of direct experience on legal defense teams in a frontline, supervisory and oversight capacity. She previously worked at the Center for Family Representation (CFR) in New York and was part of designing and implementing the interdisciplinary practice model there that is considered one of the best in the country. She is published with Michele Cortese, a founder of and the current Executive Director for CFR, in an ABA Child Law Practice article titled, *Cornerstone Advocacy in the first 60 days: Achieving Safe and Lasting Reunification for Families*.<sup>48</sup> In 2017 she began working with RPCs and parents in Adams county as a social worker in the ORPC's Social Worker Pilot Program (SWPP). She has since transitioned to the ORPC as the Director of Programs, where she oversees the agency's entire social worker program, including providing supervision and mentoring to contract social workers and assisting in the design, implementation, and analysis of the SWPP. She is also responsible for oversight of the ORPC's expert program which requires conducting daily case consultations with RPCs as well as review and approval of requests for experts and negotiation of expert rates. She conducts statewide training for attorneys and social workers and consults nationally on the development of interdisciplinary law offices for parents' attorneys. The ORPC's request includes a reclassification of the position to the same job class (Judicial R42475) as that of her counterpart at the OADC, who has similar experience. The ORPC also requests an increase of her salary to equal that of her OADC counterpart.

**Accountant II:** The ORPC Accountant II processes, compiles, and analyzes data related to Accounting, Budget, Grants, Case Filings and Case Appointments; manages multiple grants; and prepares and reviews accounting transactions in accordance with GAAP, ORPC Fiscal Rules, and other guidance and rules, as well as preparing financial analyses and reports so that the ORPC can make informed decisions. The ORPC requests an increase of the salary for this staff person to a point slightly above the average of the current minimum and midpoint of the range for the Accountant II job class.

---

<sup>48</sup> Cohen, J., & Cortese, M, *Cornerstone Advocacy in the first 60 days: Achieving Safe and Lasting Reunification for Families*, ABA Child Law Practice, Volume 28 No. 3 (May 2009), available at [https://www.americanbar.org/content/dam/aba/publications/center\\_on\\_children\\_and\\_the\\_law/parentrepresentation/cornerstone\\_advocacy.authcheckdam.pdf](https://www.americanbar.org/content/dam/aba/publications/center_on_children_and_the_law/parentrepresentation/cornerstone_advocacy.authcheckdam.pdf)

**Administrative Specialist:** The JBC approved the ORPC’s FY 2019-20 request for an Administrative Specialist position and the agency was extremely fortunate to hire a person whose skills are vastly greater than those required of the position. Those skills include event planning, editing, training, social media management, website development and updating, compliance management, contracting, writing reports, and office management. After earning her undergraduate degree, she was a Policy and Public Interest Fellow at Colorado Succeeds, part of the Public Interest Fellowship Program (PIFP). This staff person’s range of duties much more closely match that of Judicial job R41060, Staff Assistant (District). The ORPC requests that the position be moved to the appropriate job classification code. The ORPC also requests an increase of the salary for this staff member to a point slightly below the midpoint of the new range.

**Programs Analyst:** The JBC approved the ORPC’s FY 2019-20 request for a Programs Analyst and once again the agency was able to hire a person whose education, experience, and abilities far surpass the position that was funded. This staff person holds a doctorate degree in political science with emphases on social science research methods and American politics, has taught at several universities, and held important positions as a research consultant. She has extensive experience in designing both quantitative and qualitative research projects and has authored or co-authored numerous research publications.<sup>49</sup> The ORPC requests that the position be moved to a more appropriate job classification code, that of Judicial job code R42473, Programs Analyst II. The ORPC also requests that the salary of this staff person be increased to the midpoint of the appropriate range.

**Executive Director:** House Bill 15-1149 established the ORPC Commission and its duties, which include the selection, appointment, and if necessary, discharge of the Executive Director of the ORPC. The Commission has a significant responsibility to oversee and review the performance of the Executive Director per the Commission’s Bylaws, which were approved by the Chief Justice of the Colorado Supreme Court. On September 8, 2019, the members of the ORPC Commission

---

<sup>49</sup> Bannon, A. & Robbins, L. with Reddick, M., *State Supreme Court Diversity*, (July 23, 2019), available at [https://www.brennancenter.org/sites/default/files/2019-08/Report\\_State\\_Supreme\\_Court\\_Diversity.pdf](https://www.brennancenter.org/sites/default/files/2019-08/Report_State_Supreme_Court_Diversity.pdf); Reddick, M. & Knowlton, M., *A Credit to the Courts: The Selection, Appointment, and Reappointment Process for Bankruptcy Judges* (April 2013), available at [https://iaals.du.edu/sites/default/files/documents/publications/a\\_credit\\_to\\_the\\_courts.pdf](https://iaals.du.edu/sites/default/files/documents/publications/a_credit_to_the_courts.pdf); Knowlton, N. & Reddick, M., *Leveling the Playing Field: Gender, Ethnicity, and Judicial Performance Evaluation* (July 2012), available at [https://iaals.du.edu/sites/default/files/documents/publications/iaals\\_level\\_the\\_playing\\_field.pdf](https://iaals.du.edu/sites/default/files/documents/publications/iaals_level_the_playing_field.pdf); Reddick, M., *Judging the Quality of Judicial Selection Systems: Merit Selection, Elections, and Judicial Discipline* (April 2010), available at [http://www.judicialselection.us/uploads/documents/Judging\\_the\\_Quality\\_of\\_Judicial\\_Sel\\_8EF0DC3806ED8.pdf](http://www.judicialselection.us/uploads/documents/Judging_the_Quality_of_Judicial_Sel_8EF0DC3806ED8.pdf); Reddick, M., Nelson, M.J., & Caufield, R.P., *Examining Diversity on State Courts: How Does the Judicial Selection Environment Advance—and Inhibit—Judicial Diversity* (April 2009), available at [http://www.judicialselection.us/uploads/documents/Examining\\_Diversity\\_on\\_State\\_Courts\\_2CA4D9DF458DD.pdf](http://www.judicialselection.us/uploads/documents/Examining_Diversity_on_State_Courts_2CA4D9DF458DD.pdf); Reddick, M., Nelson, M.J., & Caufield, R.P., *Racial and Gender Diversity on State Courts: An AJS Study*, *The Judges’ Journal*, Volume 48, No. 3 (Summer 2009), available at [http://www.judicialselection.us/uploads/documents/Racial\\_and\\_Gender\\_Diversity\\_on\\_Stat\\_8F60B84D96CC2.pdf](http://www.judicialselection.us/uploads/documents/Racial_and_Gender_Diversity_on_Stat_8F60B84D96CC2.pdf); Benesh, S.C. & Reddick, M., *Overruled: An Event History Analysis of Lower Court Reaction to Supreme Court Alteration of Precedent*, *Journal of Politics*, Volume 64, Issue 2 (May 2002); Reddick, M. & Benesh, S.C., *Norm Violation by the Lower Courts in the Treatment of Supreme Court Precedent: A Research Framework*, *Justice System Journal*, Volume 21, Issue 2 (2000).

voted unanimously to request that a salary range be established for the Executive Director position. The Commission requests to set the lower limit of the range as the salary of a District Court Judge and the upper limit of the range as the salary of an Associate Judge of the Court of Appeals. The ORPC requests on behalf of the ORPC Commission that the JBC allow a salary range for the Executive Director position. The ORPC Commission drafted a letter to be considered by the Joint Budget Committee to support this request.

**Anticipated Outcomes:**

If approved, the ORPC will be able to equitably compensate its staff, which will improve staff retention. The basic premises of the Common Compensation Plan will be met.

**Consequences if Not Funded:**

If not funded, the ORPC will not be able to compensate staff members in accordance with their education, experience and contribution. The basic premises of the Common Compensation Plan will not be met.

**Impact to Other State Government Agencies:**

None.

The Law Office of Becky Briggs, LLC



Becky Briggs, Attorney at Law #40626

Dear Joint Budget Committee,

My name is Rebecca Briggs, and I am the Chairperson of the Commission for the Office of Respondent Parents' Counsel (ORPC) in Colorado. I, along with my fellow Commission members, write to encourage you to approve establishing a salary range between a District Court Judge and a Court of Appeals Judge for the ORPC Executive Director, Melissa Thompson.

As the Commission, we want to fulfill our statutory duties to select the most talented and capable director possible. In the event Ms. Thompson leaves the position, we want to be able to account for the skills that a would be nominee should have in this area. In reviewing §13-92-103 ("*Structure of the Commission*"), it is clear from the statutory language that we are charged with retaining the person that we have selected, and because the salary is currently fixed, we are not permitted the ability to incentivize superb work.

Ms. Thompson is a dynamic force in the justice community of Colorado. In her position as Director of the ORPC over the last three years, she has overseen an organization which functions as a vital safety net, watchdog, and agent for reform—a role that she is uniquely situated to perform. The ORPC ensures

procedural and actual fairness for their clients through the use of recent, evidence-based developments in child welfare law, as well as new approaches to existing legal frameworks.

Ms. Thompson has substantial experience in criminal justice and a demonstrated commitment to serving individuals who cannot afford to pay for their representation. She is also experienced in policy development. The leadership she demonstrates permeates all levels of the organization, from the state office to the nearly 300 independent contract attorneys, enabling the Respondent Parent Attorneys (RPC) to advocate skillfully and vigorously for their indigent clients.

Ms. Thompson monitors and researches implementation of statutes in relation to parents' rights, and serves as a driving force for trial and appellate counsel. With assistance from her staff, Ms. Thompson collects, processes, evaluates, and uses the relevant data as the basis for statewide administrative reform, advocacy, public education, and litigation. She works in tandem with her Training Director and oversees the training program of contract attorneys. A primary goal of the ORPC's training program is to foster a sense of community and support among solo practitioners across the state who frequently operate independently and without the benefit of an office model. Here are some examples of the type of feedback RPCs have about Melissa's leadership, which are gleaned from the ORPC's September 2019 annual fall conference evaluation:

*Melissa Thompson is always on point with her discussion and the opening lecture. Everyone was recognized and applauded for their achievements and this is helpful for our morale.*

*Melissa's speech - Very inspiring. I like seeing the collaboration & support.*

*I really liked Melissa's intro - this is my first conference and I'm impressed by the collegiality & support. It is well organized and the amount of support is overwhelming. I did these cases in another state & this type of support and information didn't exist.*

In addition to establishing a strategic vision for the ORPC's training program, Ms. Thompson is also in the process of creating a new mission statement and has already developed an entirely new strategic planning scheme for the ORPC. To assist in meeting these long term goals, she has hired a Director of Engagement, a Programs Analyst focused on data collection and interpretation, and a new Training Director. She manages the various ORPC missions—direct representation, consulting, training, policy reform, and research.

Partnering with her CFO, Ms. Thompson is also responsible for office budget responsibilities and completion of timely and accurate administrative reports and documentation. Together, they manage their budget with transparency and flawless organization.

She has an advanced understanding of the law, and a keen ability to consult with others on litigating cases in Colorado state and appellate courts. She is familiar with the requisite court system and is able to communicate effectively with agencies and individuals that interact with the ORPC.

Ms. Thompson recognizes the importance of providing her lawyers with an interdisciplinary team so that their clients have all the support they need to succeed. To that end, she coordinates holistic litigation and representation schemes for clients, making certain that ORPC offers investigators, social workers, family advocates, and experts for its attorneys' practice. She also conceptualizes and drafts arguments for the appellate courts. One RPC attorney provided this feedback in the September 2019 RPC Satisfaction Survey:

*Making resources available like the motions bank, case consults with Melanie and Ruchi and systems support from Ashlee and Melissa help tremendously with managing my burnout. I sometimes feel defeated and the support and encouragement I receive helps to keep my morale up.*

Ms. Thompson routinely participates in national trainings and conferences on parental rights issues, and is always on the forefront of studies relating to parent representation and its impact on permanency and safety outcomes. She continually drafts strategic communications around the parents' rights and strengthens communication channels. She has led, organized, and implemented a rapidly expanding Social Worker Pilot Project that was recently evaluated and demonstrated positive results, showing that cases where parents had access to a multidisciplinary team show a reduction in the time that children are placed in out of home care and increase a parent and child's likelihood of being reunified safely at case closure. It is anticipated that Ms. Thompson's efforts to expand this model of representation will actually save the state of Colorado money long term, as a reduction in the number of children and families who experience the trauma of a removal can create improved school performance, higher graduation rates, and a reduced likelihood of ongoing child welfare court involvement and possible incarceration as juveniles or adults.

Ms. Thompson demonstrates a commitment to diversity within the office, using a personal approach that values all individuals and respects differences in race, ethnicity, age, gender identity and expression, sexual orientation, religion, disability, and socio-economic circumstance. On both a micro and macro level, she has a commitment to working collaboratively and respectfully toward resolving obstacles and conflicts. When a beloved employee of the office passed this year, Melissa guided her team with steady and compassionate leadership as they navigated the loss of their coworker and friend.

To conclude, Ms. Thompson's responsibilities and workload are on par with the Colorado State Public Defender, the Colorado State Attorney General, and all the Colorado Court of Appeals Justices. She heads an organization dedicated to defending parents under extremely challenging circumstances, and she continues to push for and obtain systemic change. The ORPC Commission recommends her position for approval of establishing a salary range with the highest enthusiasm and confidence.

Should you have any questions or require any additional information, please never hesitate to contact myself or the other Commission members.

Respectfully Submitted,

*/s/ Becky Briggs*

Becky Briggs,

Attorney at Law and Chairperson of ORPC Commission

315 Colorado Ave  
Pueblo, CO 81003  
O (719) 924-9954  
F (970) 826-7050  
[beckybriggslaw@gmail.com](mailto:beckybriggslaw@gmail.com)



*Department Priority: R-4*

*Request Detail: IV-E Legal Representation*

Summary of Incremental Funding Change for FY 2020-21	Total funds	Reappropriated Funds	FTE
<b>TOTAL REQUEST (All Lines)</b>	<b>\$4,528,038</b>	<b>\$4,528,038</b>	-
IV-E Legal Representation	\$4,528,038	\$4,528,038	-

**Request Summary:**

The Office of Respondent Parents' Counsel (ORPC) requests \$4,528,038 Reappropriated Funds spending authority for funds made available under Title IV-E for allowable legal representation costs incurred by ORPC pursuant to Section 474(a)(3) of the Social Security Act. The ORPC requests that this spending authority be appropriated in a new Long Bill Line to be titled "IV-E Legal Representation" and that the appropriation be designated as Informational Only. The ORPC will submit an FY 2019-20 Supplemental Request for this item.

**Background:**

Title IV-E of the Social Security Act is the source of federal funding for foster care. The federal government matches state funds for foster care, as well as administrative costs, at 50%.<sup>50</sup> The United States Department of Health and Human Services, Children's Bureau, recently made a change to the Child Welfare Policy Manual. The change allows the title IV-E agency to claim title IV-E administrative costs of independent legal representation by an attorney for a child who is a candidate for title IV-E foster care or in foster care and his/her parent to prepare for and participate in all stages of foster care legal proceedings.<sup>51</sup> In Colorado, the Title IV-E Agency is the Colorado Department of Human Services (CDHS). As a result of this change to the Child Welfare Policy Manual, the ORPC may now seek federal reimbursement for the allowable legal representation costs incurred by the ORPC, and those funds will pass through to the ORPC pursuant to C.R.S. § 26-2-102.5.

As described in C.R.S. § 26-2-102.5, the ORPC is collaborating with CDHS on the creation of a Memorandum of Understanding (MOU) governing the process to claim title IV-E funds for legal

<sup>50</sup> The statute at section 474(a)(3) of the Social Security Act and regulations at 45 CFR 1356.60(c) specify that federal financial participation (FFP) is available at 50% for administrative expenditures necessary for the proper and efficient administration of the title IV-E plan.

<sup>51</sup> U.S. Department of Health & Human Services, Administration for Children & Families, Children's Bureau. "8.1B TITLE IV-E, Administrative Functions/ Costs, Allowable Costs-Foster Care Maintenance Payments Program," *Child Welfare Policy Manual*.

representation. Throughout 2019, the ORPC has engaged in monthly meetings with the Office of the Child’s Representative and CDHS to discuss how Colorado will access these funds.

As of October 2019, the ORPC has a proposed MOU and Statement of Work (SOW), which would control the process for submission of funding reimbursement requests. The MOU and SOW are currently going through CDHS’s contracting process. The MOU is slated to expand the scope and enhance the quality of legal representation provided to parents of a candidate for title IV-E or a title IV-E eligible child—directly in line with the ORPC’s mission and strategic plan. The ORPC anticipates it will be able to submit requests for reimbursement of Title IV-E allowable legal representation costs incurred by the agency beginning in January 2020.

Requests for reimbursement of costs incurred by the ORPC for legal representation will be reimbursed at 50% of Colorado’s penetration rate, which is a state’s proportion of foster care children eligible for title IV-E. The reimbursed funds will first be put into the title IV-E administrative costs cash fund created in S.B. 19-258 and housed in CDHS. When funds are disbursed to the ORPC from the cash fund, the funds would be recorded in the newly created Long Bill line titled “IV-E Legal Representation.” ORPC expenses which meet the title IV-E requirements would also be recorded in the IV-E Legal Representation Long Bill line.

The Children’s Bureau’s recognition of the crucial importance of funding legal representation directly relates to the ORPC’s vision for ensuring that the child welfare system in Colorado is procedurally fair and followed, in part, through the provision of high quality legal representation for parents. The reimbursed funds shall be used in accordance with the Children's Bureau Child Welfare Policy Manual's stated objectives. Namely, the objectives of:

- Ensuring reasonable efforts are made to prevent removal and finalize children's permanency plans;
- Ensuring that parents and youth are engaged in and complying with case plans;
- Ensuring compliance with the Manual's requirement that attorneys for parents be independent of and not overseen by the IV-E agency.

In light of the newly available federal funding and the priorities of the Children’s Bureau,<sup>52</sup> the ORPC has developed a plan for use of reimbursement funds from the new Long Bill Line that include the following new initiatives and expansions of existing programming:

1. Increasing parent attorney access to an interdisciplinary team which may include social workers, parent advocates, parent partners, experts, and other professionals that are not currently available in the state.

---

<sup>52</sup> ACF – Children’s Bureau, High Quality Legal Representation for All Parties in Child Welfare Proceedings, ACYF-CB-IM-17-02 (January 17, 2017), available at <https://www.acf.hhs.gov/sites/default/files/cb/im1702.pdf>; ACF – Children’s Bureau, Reshaping child welfare in the United States to focus on strengthening families through primary prevention of child maltreatment and unnecessary parent-child separation, ACYF-CB-IM-18-05 (November 16, 2018), available at <https://www.acf.hhs.gov/sites/default/files/cb/im1805.pdf>; and ACF – Children’s Bureau, Engaging, empowering, and utilizing family and youth voice in all aspects of child welfare to drive case planning and system improvement, ACYF-CB-IM-19-03 (August 1, 2019), available at <https://www.acf.hhs.gov/sites/default/files/cb/im1903.pdf>.



2. Expansion of available legal services to parents and families through:
  - a. Ensuring early appointment of parent attorneys prior to initial hearings in a case and early access to an interdisciplinary team.
  - b. Allowing attorneys to address ancillary civil legal issues that impact the removal of children and reunification, such as protective orders, housing issues, and other legal work during the DHS investigation and upon case filing.
  - c. Exploring methods to recruit new RPC talent, incentivize work in rural communities, and provide mentoring to attorneys.
  - d. Contracting with professionals to assist in providing agency supports and to conduct quality assurance, supervision, and mentoring of ORPC contractors such as attorneys, social workers, and family advocates.
3. Expansion of the Respondent Parent Payment System (RPPS) to allow for efficiency in processes, tracking of IV-E eligible costs and spending on new initiatives, and robust data collection.
4. Establishing a partnership with the Colorado Data Lab to develop a data analysis plan and to onboard the ORPC to the Linked Information Network of Colorado, which will assist the agency in obtaining individual, case-level child welfare data as opposed to aggregate data.

The above efforts are designed to deliver evidence-based legal interventions to parents and to move the child welfare system so that removal of a child from his or her home is reserved for the most extreme circumstances. A hallmark of such a child welfare system is through allowing parents to have early access to high quality legal representation—with the optimal goal that parents have legal representation from the first moment a family faces child welfare intervention.

Evidence supports that legal representation for parents contributes to or is associated with the following:

- Increases in party perception of fairness;
- Increases in party engagement in case planning, services, and court hearings;
- More personally tailored and specific case plans and services;
- Increases in visitation and parenting time;
- Expedited permanency; and
- Cost savings to state government due to reductions in the time children and youth spend in care.<sup>53</sup>

---

<sup>53</sup> ACF – Children’s Bureau, High Quality Legal Representation for All Parties in Child Welfare Proceedings, ACYF-CB-IM-17-02 (January 17, 2017).

Moreover, when a parent experiences a sense of fairness, or procedural justice, they are more likely to comply with court orders, appear for hearings, trust the system, and are less likely to repeat offenses.<sup>54</sup>

Further, lawyers who can address ancillary civil issues earlier in a case can make an impact because “[s]eventy-one percent of low-income households experienced at least 1 civil legal issue in the past year. Twenty-five percent had more than 6 legal issues. But only 20% of low-income Americans even sought legal assistance to resolve their problems. Of those who did, most could not find help. As a result, over 80% of civil legal problems reported by low-income Americans received no or inadequate help. That equals approximately 1.1 million unresolved legal issues per year.”<sup>55</sup> These unresolved civil legal issues can sometimes be what drives continual child welfare involvement in the lives of indigent families. Providing early help with lawyers trained to address housing, immigration, domestic violence, healthcare and public benefits issues may help “prevent children from entering foster care or help children return home sooner.”<sup>56</sup>

Another component of effective parental legal services in the child welfare system is access to an interdisciplinary team that incorporates a social worker or similarly qualified professional, which is a practice the Children’s Bureau encourages all jurisdictions to consider for both parents and children.<sup>57</sup> As the ORPC’s Social Worker Pilot Program (SWPP) evaluation and other recent studies have demonstrated, an interdisciplinary team with a social worker can reduce the time that children are placed in out of home care and increase a parent and child’s likelihood of being reunified safely at case closure.

Research shows that, in order for a parent to complete all of the tasks on a treatment plan, the parent must spend between 22 to 26 hours per week on just completing those treatment plan tasks--not including travel.<sup>58</sup> A substantial portion of the services offered to parents in treatment plans are “cookie cutter” resulting in 35% of parents getting services for problems they do not have.<sup>59</sup> Having a social worker serving as part of the parent defense team to work with parents and their attorneys to tailor treatment plans provides a solution for addressing unduly burdensome and unnecessary services. Research also demonstrates that parents who visit their children as recommended by the child welfare agency are approximately 10 times more likely to be reunified.<sup>60</sup> Social workers and lawyers together can advocate and support a parent in increasing visits and achieving visitation goals.

---

<sup>54</sup> *Id.*

<sup>55</sup> Vivek Sankaran, *Redesigning the Delivery of Legal Services to Prevent Children from Entering Foster Care*, available at <http://rethinkingfostercare.blogspot.com/2018/07/redesigning-delivery-of-legal-services.html>.

<sup>56</sup> ACF – Children’s Bureau, *High Quality Legal Representation for All Parties in Child Welfare Proceedings*, ACYF-CB-IM-17-02 (January 17, 2017).

<sup>57</sup> *Id.*

<sup>58</sup> Jody Brook and Thomas P. McDonald, *Evaluating the Effects of Comprehensive Substance Abuse Intervention on Successful Reunification*, *Research on Social Work Practice*, Volume 17, No. 6 (2007), pp.664-673, available at <http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.535.7888&rep=rep1&type=pdf>.

<sup>59</sup> Amy C. D’Andrade and Ruth M.Chambers, *Parental problems, case plan requirements, and service targeting in child welfare reunification*, *Children and Youth Services Review*, Volume 34, No. 10 (October 2012), pp. 2131-2138, available at [https://scholarworks.sjsu.edu/cgi/viewcontent.cgi?article=1009&context=social\\_work\\_pub](https://scholarworks.sjsu.edu/cgi/viewcontent.cgi?article=1009&context=social_work_pub).

<sup>60</sup> Davis, I., Landsverk, J., Newton, R., & Ganger, W., *Parental visiting and foster care reunification*. *Children and Youth Services Review*, Volume 18, No. 4-5 (1996), pp. 363-382.

Increasing and expanding access to an RPC lawyer with an interdisciplinary team at earlier stages of child welfare proceedings and addressing related civil legal issues to prevent the trauma of removal to children and parents is part of the ORPC’s strategic plan, supported by research, and encouraged by the Children’s Bureau. These initiatives constitute a worthy use of title IV-E funds for legal representation necessitating the creation of a new Long Bill line and spending authority for reappropriated funds.

**Assumptions and Calculations:**

At this time, the Children’s Bureau has not provided definitive guidance regarding the types of costs that may be reimbursable under the new IV-E interpretation. Lacking such definitive guidance, the ORPC assumes that 100% of its Court-appointed Counsel and Mandated Costs appropriations will be eligible for reimbursement. As additional guidance becomes available, the ORPC will be able to refine these estimates. The ORPC further assumes that the current penetration rate of 48% and the current Federal reimbursement rate of 50% will be used by the Federal reimbursing authority when calculating the ORPC’s reimbursement.

<b>Estimated IV-E Reimbursement</b>	
FY 2019-20 Court-appointed Counsel appropriation	\$17,576,705
FY 2019-20 Mandated Costs appropriation	\$1,290,122
Total Eligible	\$18,866,827
Statewide Penetration Rate	48%
Adjusted Eligible	\$9,056,077
IV-E Reimbursement Rate	50%
Estimated Federal Reimbursement	\$4,528,038

**Anticipated Outcomes:**

Creating the IV-E Legal Representation Long Bill line will enable the ORPC to fulfill its statutory obligation to pay for high quality legal representation for indigent parents involved in dependency and neglect proceedings as required by statute. In addition, the ORPC will be able to continue to implement best practices in respondent parent representation and help produce the best outcomes for children and families. Over time, the implementation of best practices by the ORPC should result in cost savings to other agencies, including the Department of Human Services, the Department of Education, the Department of Corrections, and the Judicial Department.

**Consequences if Not Funded:**

Colorado will lose the opportunity to draw down potentially millions of dollars in federal reimbursement funding to ensure reasonable efforts are made to prevent removal of children, to finalize children's permanency plans, and to ensuring that parents and youth are engaged in and complying with case and treatment plans.

**Impact to Other State Government Agencies:**

The implementation of the above priorities by the ORPC is expected to result in cost savings to other agencies, including the Department of Human Services as a result of the decreased need for out-of-home care, the Department of Education as a result of the decreased disruption to children's lives and their increased readiness to learn, and the Judicial Department and the Department of Corrections as a result of the reduced likelihood that children traumatized by separation from their families will later become court-involved and possibly incarcerated.



*Department Priority: R-5*

*Request Detail: Continuation of Funding for Social Worker Pilot Jurisdictions*

Summary of Incremental Funding Change for FY 2020-21	Total funds	General Fund	FTE
<b>TOTAL REQUEST (All Lines)</b>	<b>\$318,240</b>	<b>\$318,240</b>	<b>-</b>
Mandated Costs	\$318,240	\$318,240	-

**Request Summary:**

The Office of Respondent Parents' Counsel requests \$318,240 Mandated Costs to fund the ongoing work of social workers who completed a multiyear Social Worker Pilot Program in three judicial districts. National research has shown that an interdisciplinary model of parent representation in child welfare cases reduces the time that children spend in out of home care and speeds transitions to permanency. An initial assessment of the Social Worker Pilot Program shows similarly positive outcomes that support the continuation of an interdisciplinary model of representation for indigent parents.

**Background:**

Research demonstrates that children have better long-term outcomes when they are raised in their families of origin.<sup>61</sup> Reunification, or the return of children to their families of origin from out-of-home placement, is one of the most common outcomes for children in the child welfare system, and is often the goal of successful parent advocacy.<sup>62</sup>

Research also shows that high quality legal representation for parents in child welfare cases results not only in improved outcomes for families, but also in a potential cost savings for taxpayers because children spend less time in foster care and children are reunified with their families more quickly.<sup>63</sup>

The right kind of legal representation in child welfare cases can mean the difference between preserving a family and seeing it permanently destroyed. Over the last decade, research from around the country has established that a family's chance of success improves dramatically when parents are provided with an interdisciplinary approach to legal representation including a zealous attorney, an

<sup>61</sup> Mimi Laver, *Improving Representation for Parents in the Child-Welfare System*, October 7, 2013, available at [apps.americanbar.org/litigation/committees/childrights/content/articles](https://apps.americanbar.org/litigation/committees/childrights/content/articles).

<sup>62</sup> *Family Reunification: What the Evidence Shows*, p. 2, Child Welfare Information Gateway, available at [www.childwelfare.gov/pubs/issue\\_briefs/family\\_reunification](https://www.childwelfare.gov/pubs/issue_briefs/family_reunification).

<sup>63</sup> Elizabeth Thornton & Betsy Gwin, *High Quality Legal Representation for Parents in Child-Welfare Cases Results in Improved Outcomes for Families and Potential Cost Savings*, *Family Law Quarterly*, Vol. 46, No. 1 (Spring 2012).

appropriate clinical assessment for services, delivery of timely and effective services, and strong advocacy within the child welfare system by a social worker.

In FY 2017-18, the ORPC piloted this interdisciplinary representation model in high-risk dependency and neglect (D&N) cases in three judicial districts. As part of the Social Worker Pilot Program (SWPP), the ORPC assigned dedicated social workers to select D&N cases based on an assessment of risk factors. These cases involved out-of-home removals for children ages six and under who are therefore subject to Expedited Permanency Planning (EPP). EPP cases reduce the legal time frames for children who are the subject of a dependency case in Colorado to 12 months to achieve permanency. Under ORPC supervision, social workers in the pilot districts participated in the parent legal representation team to support and advocate for parents and help them access tailored resources that might not otherwise be identified and obtained.

The initial evaluation of the SWPP confirms the positive outcomes that other states have seen. The pilot program has now run successfully for two years and yielded positive results which are documented in an independent evaluation completed for this budget request by Metropolitan State University of Denver Department of Social Work.<sup>64</sup> The incorporation of social workers and other forensic mental health professionals into parent defense practice reduces the time that children are placed in out-of-home care and increases a parent and child's likelihood of being reunified safely at case closure.<sup>65</sup>

The most recent national study, published in July of this year, used a quasi-experimental design to examine child welfare cases filed in New York City Courts over a seven-year period.<sup>66</sup> The study compared case outcomes for 9,582 families and 18,288 children based on whether parents were represented by solo practitioners or by professionals who were part of interdisciplinary law offices.<sup>67</sup> Using a rigorous statistical design that controlled for competing explanations, the study concluded that interdisciplinary representation reduced time in foster care by nearly four months and led to faster reunification, resulting in annual savings of up to nearly \$40 million in foster care costs for the city.<sup>68</sup> Family defense offices also saw higher rates of kinship placement and guardianships than did solo practitioners.<sup>69</sup> Though not as comprehensive or methodologically rigorous as the New York City study, earlier studies in states like Washington, Michigan, Pennsylvania, and Vermont reached similar conclusions.

---

<sup>64</sup> Lori Darnel and Dawn Matera Basset, *A Program Evaluation of Colorado Office of Respondent Parents' Counsel Social Work Program*, Metropolitan State University of Denver Department of Social Work (pending publication) (attached as Appendix A; hereinafter Appendix A).

<sup>65</sup> See Appendix A, p. 18

<sup>66</sup> Lucas Gerber et al., *Effects of an Interdisciplinary Approach to Parental Representation in Child Welfare*, July 2019, p. 45, available at <https://www.sciencedirect.com/science/article/pii/S019074091930088X>.

<sup>67</sup> *Id.* at p. 46

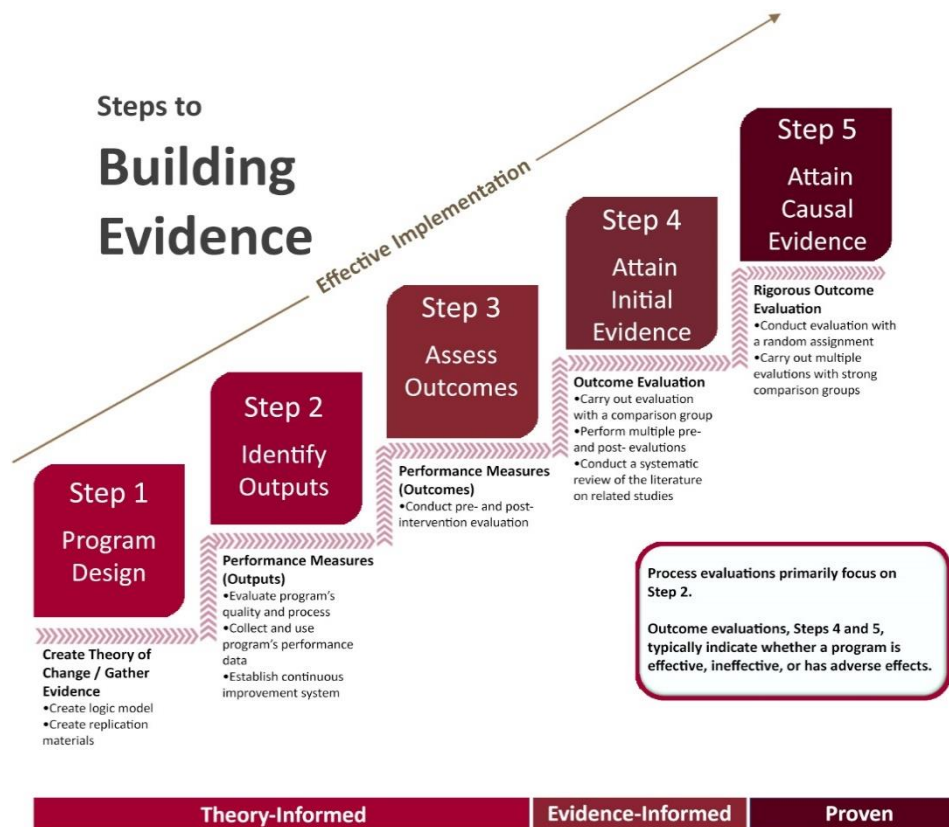
<sup>68</sup> *Id.* at p. 53

<sup>69</sup> *Id.* at p. 52

## I. The Social Worker Pilot Program is Moving Successfully Through the Evidence Continuum for Budget Decision-Making.

The Colorado Joint Budget Committee adopted an evidence continuum in 2018 that is illustrated in Figure 1 below. The ORPC’s SWPP has moved successfully through steps 1, 2, and 3 on the evidence continuum, and the ORPC is poised to more systematically evaluate outcomes and establish causal evidence of the effectiveness of an interdisciplinary parent representation model in Colorado (step 4).

**Figure 1: Steps to Building Evidence**



- a) **Step 1:** Based on the success of interdisciplinary approaches to parent representation in other states, the ORPC launched a pilot program in Colorado in 2017.

As part of the pilot program, the ORPC assigned social workers to some EPP cases in three judicial districts based on an assessment of risks. The initial evaluation of the pilot program compared outcomes in the pilot EPP cases with outcomes in all EPP cases in the pilot districts.

- b) **Step 2:** For the first two years of the pilot program, the ORPC has overseen the program’s implementation and tracked performance measures, while addressing setbacks such as a delay in program start-up in one district.

Since the pilot program's launch in July 2017, the ORPC has collected data relating to the time in out-of-home placement, rates of reunification, permanency outcomes, and overall length of the case. One of the challenges the agency faced was a delay in implementing the program in Mesa County, where additional time was needed to contract with a qualified social worker and to address initial resistance to the program by child welfare stakeholders.

**c) Step 3: The ORPC contracted with an independent evaluator to track key aggregate performance measures, and the initial findings are positive.**

The ORPC contracted with members of the Department of Social Work at Metropolitan State University of Denver to evaluate the impact of the SWPP. Specifically, based on an analysis of aggregate data collected to date and interviews conducted with a handful of parents, the researchers explored whether the SWPP EPP cases saw a reduction in the number of days in out-of-home placement and better permanency outcomes compared to all EPP cases in those districts.

In addition, the ORPC conducted a survey of Respondent Parent Counsel (RPC) in the pilot districts who were assigned social workers to their legal representation teams as part of the pilot program. It is essential that attorneys participating on interdisciplinary representation teams see the value in social workers' contributions to individual cases and to parent representation in general.

**II. The preliminary evaluation of the Social Worker Pilot Program is promising, showing positive permanency outcomes and reduced time that children are placed in out-of-home care.**

Outcomes from the SWPP are promising and consistent with the national data.<sup>70</sup> Across the three judicial districts in which the pilot program was conducted, parents who had interdisciplinary representation saw their children spend fewer days out of the home and their families reunify at a higher rate than the county average in the same type of D&N cases.

**a) Children in the Social Worker Pilot Program spent less time in out-of-home care.**

The removal of children from their families is a traumatic experience for both children and parents. For children in particular, separation trauma can endure and have long term implications for a child's educational attainment, mental and physical health, and future employability. At the same time, for every child who does not enter foster care or whose length of stay in foster care is shortened, the government saves thousands of dollars.

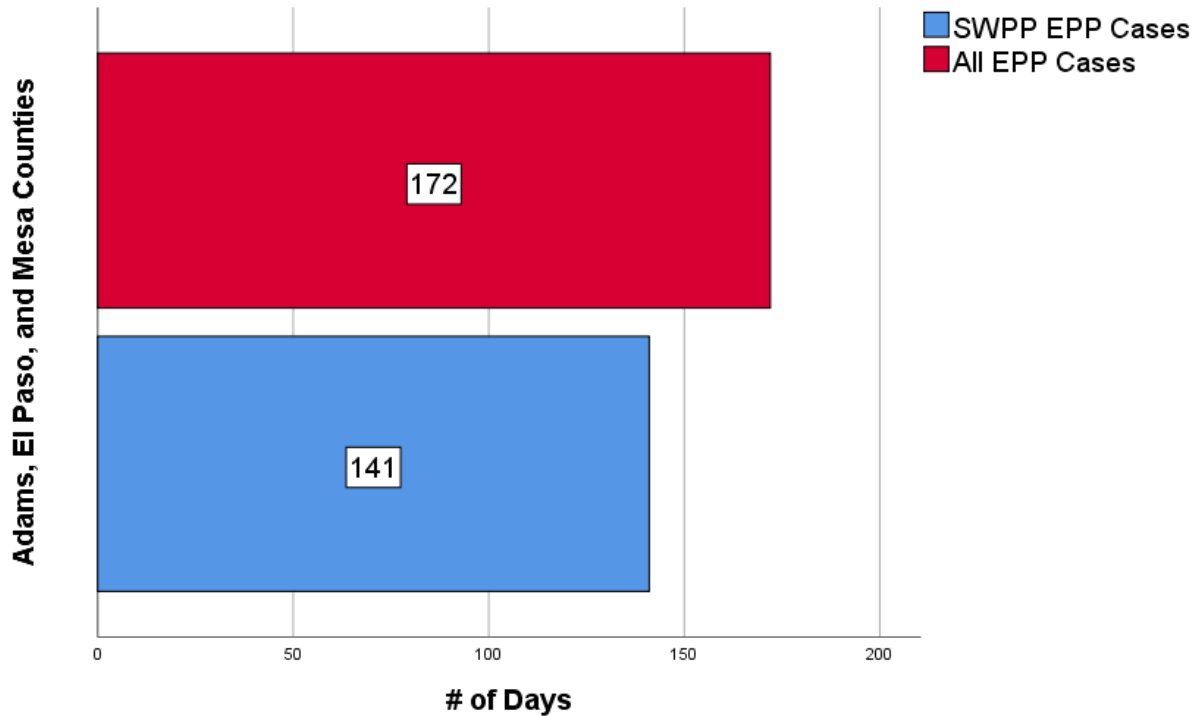
---

<sup>70</sup> See Appendix A, p. 5-8



As Figure 2 shows, children of parents whose EPP cases were automatically assigned a social worker through the SWPP spent an average of 141 days in out-of-home care, compared to children in all EPP cases who spent an average of 172 days—a month longer—in out-of-home care.

**Figure 2. Mean Days in Out-Of-Home Care – SWPP EPP Cases vs. All EPP Cases – 2018**



**b) Children in the Social Worker Pilot Program experienced better permanency outcomes.**

In addition to the research demonstrating that children have better long-term outcomes when they are raised in their families of origin, research has also shown that youth aging out of foster care are more likely to drop out of high school, to be unemployed, and to be dependent on public assistance when compared with youth in the general population.<sup>71</sup> Youth from foster care also experience mental health problems, substance use, and involvement with the criminal justice system at higher rates than children in the general population.<sup>72</sup> These negative, long-term effects for children experiencing out-of-home care demonstrate the need to focus on family reunification efforts in the child welfare system.

---

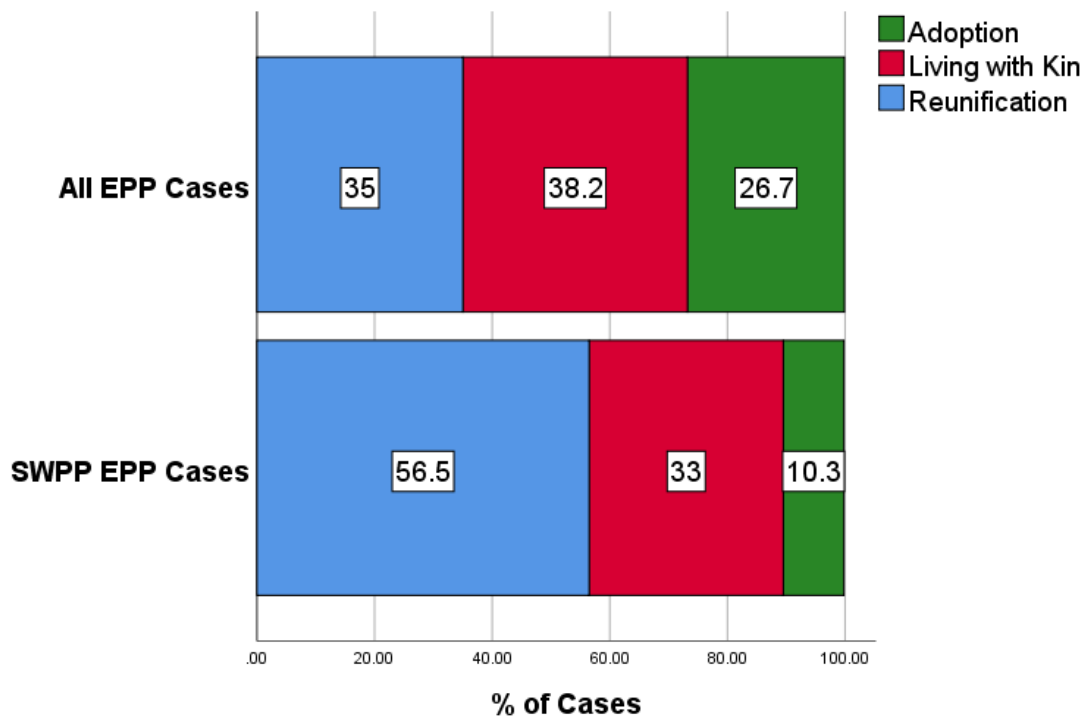
<sup>71</sup> Pecora et al., *Educational and employment outcomes of adults formerly placed in foster care: results from the Northwest Foster Care Alumni Study*, Child and Youth Services Review (2006).

<sup>72</sup> Courtney et al., *Midwest Evaluation of the Adult Functioning of Former Foster Youth: Outcomes at Age 26*, Chapin Hall at the University of Chicago, Chicago (2011).

For cases in the SWPP, reunification rates were nearly 22% higher than the county average for children whose parents had interdisciplinary representation.

As Figure 3 shows, in nearly 57% of EPP cases, parents who had interdisciplinary legal representation reunified with their children, while only 35% of families in all EPP cases in the same counties reunified. For cases assigned an interdisciplinary team, nearly 90% concluded with reunification or kinship placement.

**Figure 3. Number of Reunifications, Kinship Placements, and Adoptions – SWPP EPP Cases vs. All EPP Cases – 2018**



**c) A substantial majority of RPC contractors who provided interdisciplinary representation to parents reported positive outcomes in their cases and positive opinions of the model.**

The ORPC surveyed the 35 RPCs whose cases were assigned social workers as part of the SWPP, and their assessments of their experience with the interdisciplinary representation model were overwhelmingly positive. All survey respondents indicated that the social worker was valuable to their clients, with over 92% describing the social worker as extremely valuable. Eighty-five percent indicated that the social worker’s assistance in representing their clients was extremely helpful (see Figure 4), and more than three-fourths of contractors believed it would impact their practice very negatively if the ORPC’s social worker program were discontinued. Below are examples of feedback RPCs gave in the survey:

*“I have at least three cases that would have resulted in termination but for the work of the social worker. In all three cases, we either returned the children home or now have a return home as the permanency goal.”*

- RPC in SWPP case

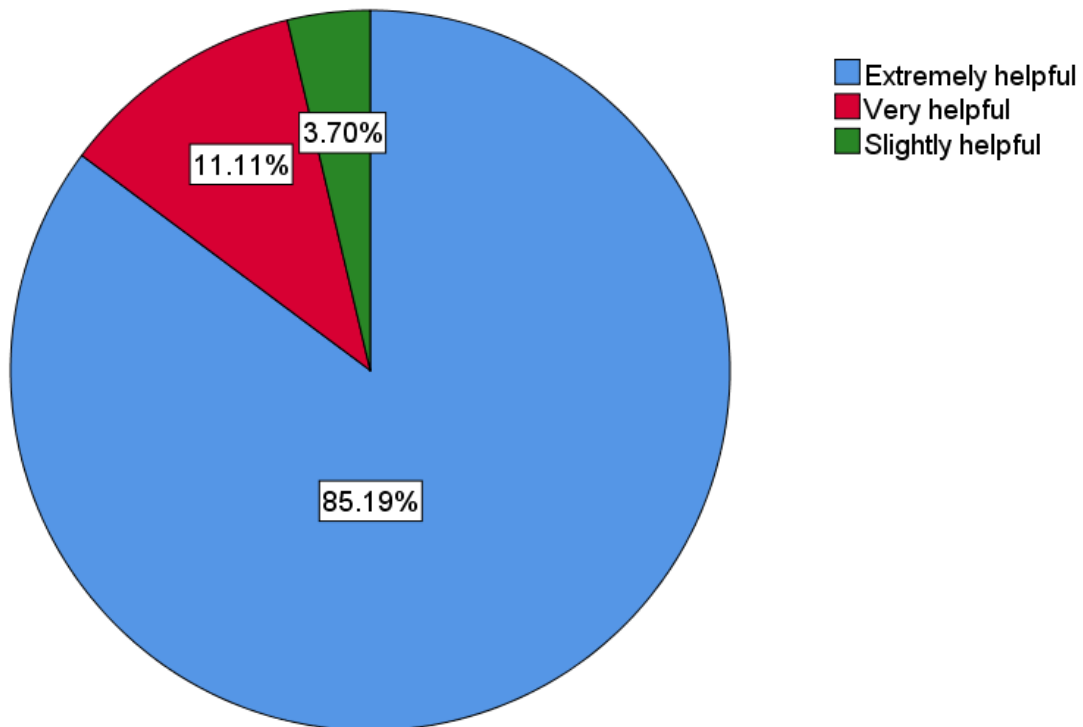
*“We had a case where parents were homeless and using drugs. The social worker was able to assist them in getting to all of their appointments and treatment as well as attaining housing vouchers and financial resources so that they are now sober, living in a furnished apartment, and getting their children returned to their care.”*

- RPC in SWPP case

*“In the cases on which the social worker and I have worked, I could not have managed the case and the level of client support needed without the social worker. Social worker participation is critical to these cases and ensuring that clients have a team supporting them and that someone on the team is up-to-date on community resources and familiar with DHS internal processes.”*

- RPC in SWPP case

**Figure 4. SWPP RPCs’ Rating of Social Workers’ Assistance in Representing Their Clients**



It is well-established nationwide that social workers are an important part of high quality interdisciplinary legal defense teams. This best practice is reflected in the social science research and in the ABA Standards of Practice for Attorneys Representing Parents in Abuse and Neglect Cases. An initial assessment of the Social Worker Pilot Program shows similarly positive outcomes that

support the continuation of an interdisciplinary model of representation for indigent parents. The ORPC requests this decision item be approved to fund the ongoing work of the social workers who completed the two-year SWPP to support reduced length of stay in out-of-home placement and better permanency outcomes for children and families.

- d) The independent evaluation of the pilot found a total projected systems savings of \$271,562 for three of the counties in the SWPP because children experienced a reduced length of stay in out-of-home care.

The SWPP evaluation reviewed data regarding the length of stay for children in out-of-home placement for EPP cases handled as part of the SWPP and compared this to the same data for all EPP cases across the county.<sup>73</sup> This data was then used to calculate estimated cost savings at the case, county, and project level.<sup>74</sup> The evaluation found that for 2017 and 2018, the total projected cost savings in El Paso, Adams, and Mesa counties was \$271,562.<sup>75</sup> This projected cost savings to Colorado's child welfare system is a result of the decreased lengths of stay in out-of-home placement for children whose parents were represented by an interdisciplinary team through the SWPP.

**Assumptions and Calculations:**

Licensed Social Workers (LSWs) will be compensated at a rate of \$44 an hour and Licensed Clinical Social Workers (LCSWs) or Master's level Social Workers with 5 or more years of child welfare experience will be compensated at a rate of \$53 an hour.

If the rate increase is approved for social workers under priority R-3, the hourly rate would increase to \$46 for LSWs and \$56 an hour for LCSWs. The expense estimates below are based on the average of the rates for LSWs and LCSWs. The request is based on the rates that will be in effect if the rate increase is approved.

Every contract social worker must keep a detailed accounting of their activities on each case and must bill their time through the ORPC billing system. The projected program cost is based on three contract social workers billing 40 hours a week for 52 weeks. This number is an estimate and could be influenced by case filings, vacations, license level, court and travel time, and case need.

---

<sup>73</sup> See Appendix A, p. 12

<sup>74</sup> *Id.*

<sup>75</sup> *Id.*

<b>Estimated Costs of Social Worker Pilot Program at Current Hourly Rate</b>	
	<b>Total</b>
<b>Contractor Cost:</b>	
Number of Social Workers in Pilot Program	3
Hours per Year (40 hours/week x 52 weeks/year)	2,080
Total Hours per Year	6,240
Average Cost per Hour - $(\$44 + \$53)/2 = \$48.50$	\$ 48.50
<b>Annual Cost for Contractors (Mandated Costs)</b>	<b>\$ 302,640</b>

<b>Estimated Costs of Social Worker Pilot Program if Rate Increase is Approved</b>	
	<b>Total</b>
<b>Contractor Cost:</b>	
Number of Social Workers in Pilot Program	3
Hours per Year (40 hours/week x 52 weeks/year)	2,080
Total Hours per Year	6,240
Average Cost per Hour - $(\$46 + \$56)/2 = \$51.00$	\$ 51.00
<b>Annual Cost for Contractors (Mandated Costs)</b>	<b>\$ 318,240</b>

**Anticipated Outcomes:**

Maintaining the funding for the social workers who completed the SWPP will mean that parents in the judicial districts where the pilot operated will benefit from continued access to an interdisciplinary team, thereby producing further engagement from parents and better permanency outcomes for children and families. It is anticipated that the advocacy provided by the interdisciplinary team will continue to show positive outcomes such as a reduction in the time children spend in out-of-home placement, higher rates of reunification, and better permanency outcomes for children by helping parents and children to reunify.

**Consequences if Not Funded:**

If not funded, parents in the participating jurisdictions will not have continued access to contract social workers on EPP cases. Children in those jurisdictions will spend more time in out-of-home care and will not experience the same rate of reunification or positive permanency outcomes as children and parents who benefited from the efforts of the social workers through the SWPP. Colorado will bear the costs of children who spend more time in out-of-home care, including long-term negative outcomes for children who experienced the trauma of removal and financial costs to a child welfare system that delays family reunification. In addition, the ORPC will not have the same data set with which to continue studying the effectiveness of interdisciplinary representation.

**Impact to Other State Government Agencies:**

The SWPP has allowed for collaboration with other child welfare stakeholders including the Department of Human Services, the Office of the Child’s Representative (OCR), and mental health/substance abuse providers in the community. The program has increased parental engagement with treatment plans, services offered, and other parties on the case, which created better permanency outcomes for children and families and reduced length of stay in out-of-home placement for children.

The implementation of best practices by the ORPC is expected to result in cost savings to other agencies, including the Department of Human Services as a result of the decreased need for out-of-home care, the Department of Education as a result of the decreased disruption to children’s lives and their increased readiness to learn, and the Judicial Department and the Department of Corrections as a result of the reduced likelihood that children traumatized by separation from their families will later become court-involved and possibly incarcerated.



*Department Priority: R-6*

*Request Title: Social Worker Outreach Coordinator*

Summary of Incremental Funding Change for FY 2020-21	Total funds	General Fund	FTE
<b>TOTAL REQUEST (All Lines)</b>	<b>\$130,826</b>	<b>\$130,826</b>	<b>1.0</b>
Personal Services	\$100,625	\$100,625	1.0
Health/Life/Dental	\$12,672	\$12,672	-
Short-term Disability	\$170	\$170	-
AED	\$4,478	\$4,478	-
SAED	\$4,478	\$4,478	-
Operating	\$8,403	\$8,403	-

**Request Summary:**

The Office of Respondent Parents' Counsel requests 1.0 FTE and \$130,826 General Fund increase to create the position of Social Worker Outreach Coordinator. The position will promote the ORPC's legislative mandate to improve the quality of appointed legal representation for parents in dependency and neglect proceedings by offering social work resources, high quality training, and access to pilot programs that enhance representation to respondent parent attorneys across Colorado.

**Background:**

It is well-established nationwide that social workers are an important part of high quality interdisciplinary legal defense teams. This best practice is reflected in the social science research and in the ABA Standards of Practice for Attorneys Representing Parents in Abuse and Neglect cases. In 2016, ORPC hired a Social Worker Coordinator to oversee a Social Worker Pilot Program (SWPP) that began in FY18. This pilot program has now run successfully for two years and yielded positive results which are documented in an independent evaluation completed for this budget request.<sup>76</sup> The incorporation of social workers and other forensic mental health professionals into parent defense practice reduces the time that children are placed in out-of-home care and increases a parent and child's likelihood of being reunified safely at case closure.<sup>77</sup> In addition, Colorado's Respondent Parent Counsel (RPC) cite the inclusion of social workers and family advocates on their legal teams as an incredible benefit to their clients and to the attorneys' ability to provide client-centered, high quality legal representation.

<sup>76</sup> Lori Darnel and Dawn Matera Basset, *A Program Evaluation of Colorado Office of Respondent Parents' Counsel Social Work Program*, Metropolitan State University of Denver Department of Social Work (pending publication) (attached as Appendix A; hereinafter Appendix A).

<sup>77</sup> See Appendix A, p. 18

*[The Social Worker] really knows her stuff, and she is one of the very few people I know who is able to competently articulate really deep feelings in a way that forces others to think about what they are doing. She seems to have boundless energy. She is not only extremely valuable to my clients, she is extremely valuable to me.*

- RPC

*Her ability to help clients negotiate the difficulties of getting the correct treatment, talking to treatment providers, helping to modify treatment plans, willing to attend meetings and provide valuable input, she is a great resource to brainstorm new ideas to help the client.*

- RPC

*Social Workers I've worked with help the case in so many ways. They are available when I am not to meet with clients, to assist clients and be a support for them in meetings and treatment. Social Workers I've worked with also have a way of explaining things to our clients that really helps them to understand the case and expectations in a way that I continue to be impressed by. As an attorney I forget that I speak a different language because I talk fast and use legal words that not everyone understands.*

- RPC

The ORPC's initial appropriation for a Social Worker Coordinator 1.0 FTE was approved in 2016. The ORPC hired a Licensed Clinical Social Worker (LCSW) to recruit, supervise, train and coordinate independent contractor social workers in the Social Worker Pilot Program (SWPP), assist in training new RPCs, identify expert resources, and integrate access to social science literature and research for attorneys.

In 2018 the original Social Worker Coordinator left the ORPC and a new ORPC staff Social Worker took on increased responsibility in the role of Social Worker – Director of Programs based on her extensive experience working on parent defense teams, training parent defense attorneys, and building social work program capacity in the legal services field. The time constraints placed on the Social Worker – Director of Programs to consult, offer supervision, recruit additional contractors, train, and field requests from attorneys has made it challenging to bring on master's level social worker interns and social worker or family advocate<sup>78</sup> contractors, particularly in rural and rural-urban jurisdictions where there are fewer trained professionals available for this unique forensic work.

At the same time, RPC requests for social workers have increased significantly. This increased demand is a result of the SWPP's successful programming and outcomes as well as increased access to training and research on the positive impacts of the interdisciplinary model in defense work. Social work support has become a critical component to providing needed resources for attorneys in their representation of parents due to the complicated nature of the cases in areas like mental illness,

---

<sup>78</sup> Family Advocates are bachelors or master's level forensic clinical consultants with child welfare and social work experience commensurate to a master's level social worker. The term is meant to distinguish this category of clinical consultants assigned to interdisciplinary teams from those who have a master's degree in social work and is a common practice throughout the country.



disability, trauma, domestic violence, substance abuse, and extreme poverty. Attorneys who partner with social workers to represent parents facing multiple obstacles are more successful than those attorneys who manage high volume parent representation on their own.

*[The Social Worker] is extremely professional and provides insight to assist me in understanding different approaches to take in order to build trust with my clients for a successful outcome in each case we have together.*

- RPC

*[The Social Worker] was integral in having a case dismissed. Most importantly, she was able to provide culturally appropriate representation for the client and assisted me and other professionals in cultural competence necessary to successfully work with the client and her family.*

- RPC

In FY 2018-19, the ORPC social work program received an unprecedented number of RPC requests for social work services, which the ORPC could not meet based on the current pool of available social work and family advocate contractors. The ORPC Social Worker – Director of Programs appointed Social Workers or Family Advocates on 325 cases statewide outside of the SWPP. To meet demand, the Social Worker – Director of Programs recruited additional social work and family advocate contractors and social worker interns, bringing the current number of available social work and family advocate contractors outside of the SWPP to 25. She also supervises 3 master’s level social work interns from the University of Denver and Colorado State University School of Social Work. Despite having additional contractors, the ORPC remains unable to fulfill every attorney request for social work assistance and has created an ORPC waitlist. One RPC request for a social worker that is currently on the wait list includes the following email:

*Jill,*

*I have a client, [client], who I believe is in need of a social worker. The case opened due to allegations of domestic violence/ substance abuse/ homelessness. My client is committed to making the appropriate changes in her life, but she is frequently overwhelmed with all of her obligations. Currently we are in the process of arranging her treatment between various providers and there have been some snags in getting it all appropriately set up. Further, this family is currently living in a motorhome and contemplating their options moving forward. Additionally, one of my client’s children is struggling with mental health challenges; further increasing the stress involved. In sum, MR is a client who is genuinely committed to addressing her issues, but she has a ton on her plate. I feel that with a social worker who can be more hands-on with her than I can, my client’s progress through this case will be greatly benefited.*

*If you have any questions, please let me know.*

- RPC, E-mail dated 10/15/2019

The continued rapid pace of growth in requests for social workers to join parent defense legal teams carries challenges that other state judicial agencies are also experiencing. Defense-based forensic

social work is relatively new to Colorado in both parent defense and criminal defense. The deficit in the available professional workforce means that recruitment and training for new social work contractors is time consuming and resource intensive, requiring travel to all of Colorado's diverse judicial districts. In this specialized area of work, even experienced social work professionals need supervision, case consultation, and training to practice at a level where they can sustain a high-volume caseload effectively and maintain fidelity to the model.

Social work interns offer an opportunity for the ORPC to provide some social work resources at a lower cost, but master's level interns require ongoing clinical supervision and evaluation as they learn necessary forensic skills to work under the ethical rules required of attorneys. One goal would be to train a new group of social workers who aspire to work on interdisciplinary teams after having hands on experience and supervision early in their career. Integrating more interns could lessen the burden of training and supervision for future professionals. The ORPC has received feedback about some of the social work interns that have already been integrated into the ORPC interdisciplinary model, and one RPC writes:

*[The MSW social work intern] is, to say the least, AMAZING. I think she is going to singlehandedly save our client from homelessness and having his heat turned off at his home, which will ultimately keep the children out of foster care. She has helped our client access so many services that I know he would never have known about or looked into, and she follows up with her contacts regularly to see what the status of his applications are. She is amazing. Let's clone her.*

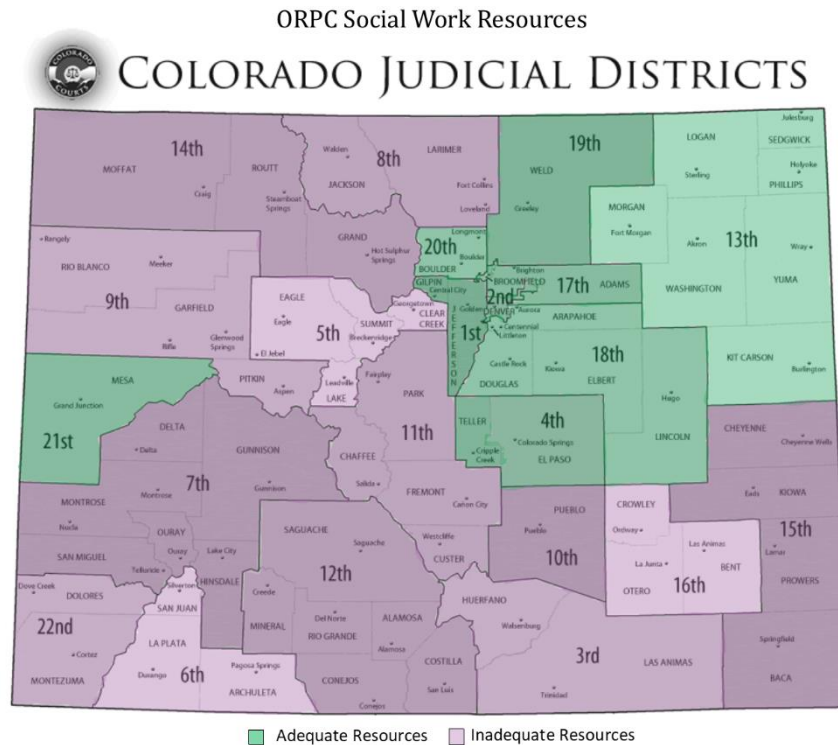
- RPC, E-mail dated 11/19/2018

The majority of social workers and family advocates who apply for contract positions at the ORPC are in or near the Denver Metro area. Attorneys who request social work assistance on cases in non-metro areas may wait longer due to this challenge. For contract social workers who must work on teams outside their geographic area, there is additional travel cost, less time for client-centered activities, and a diminished caseload for that contractor because of increased travel time.

Managing the quality of the work is also important to the ORPC's mission and values. In addition to working directly with parents and attorneys, social work and family advocate professionals engage directly with the child welfare stakeholders in every Colorado jurisdiction. This requires a high level of professionalism, skill, and specialized knowledge about resources, policies and laws that impact child welfare involved families. The ORPC believes that all social work and family advocate professionals need access to ORPC support and consultation to continue to positively impact permanency timeframes and outcomes for children and families in Colorado.

The ORPC would like to make interdisciplinary legal teams a routine practice across the state. To do so, the ORPC will need to recruit, train, and supervise additional social worker and family advocate contractors to be available for statewide assignments as well as provide training to attorneys on how to work effectively on interdisciplinary defense teams. As illustrated in the figure below, there are

still many parts of the state where the ORPC cannot currently provide routine, local access to social workers or family advocates.



*Whenever possible, the parent’s attorney should engage or involve a social worker as part of the parent’s “team” to help determine an appropriate case plan, evaluate social services suggested for the client, and act as a liaison and advocate for the client with the service providers.*

- American Bar Association Standards of Practice for Attorneys Representing Parents in Abuse and Neglect Cases, 2006

The ORPC proposes adding 1.0 FTE to create a position of Social Worker Outreach Coordinator. Adding a Social Worker Outreach Coordinator will:

1. Serve the ORPC’s mission and legislative mandate to improve legal representation available to indigent parents.
2. Enable the ORPC to expand social work resources throughout the state with a focus on rural and rural-urban jurisdictions.
3. Provide more capacity to integrate social work interns into the practice as a cost-saving intervention.
4. Allow the Social Worker – Director of Programs to refine and expand current social worker programming, oversee ongoing program evaluation processes, participate in attorney training modules, and provide ongoing consultation to interdisciplinary teams across the state.

A full-time Social Worker Outreach Coordinator will enable the agency to recruit social work interns and contractors across the state and address issues of social work contractors working outside of their geographic areas. Separating recruitment, training, and supervision of social work and family advocate contractors will allow the Social Worker – Director of Programs to concentrate more fully on program evaluation, expansion of social work programming and training, and consider additional pilot programs that would support high quality representation as mandated by the legislature.

**Assumptions and Calculations:**

Calculations are based on common policies and the Common Compensation Plan of the Office of Respondent Parents’ Counsel, the Office of Alternate Defense Counsel, and the Office of the Child’s Representative. The salary range of the position will be the same as that of staff having comparable responsibilities as reflected in the Common Compensation Plan. The ORPC assumes that it will be necessary to offer a salary of at least the midpoint of the relevant range to hire an individual with the needed education, experience and expertise.

The ORPC assumes that the person hired will choose health and dental coverage at the average of the FY 2020-21 premiums for that coverage. As one of the principal needs of the ORPC is to increase attorney oversight and evaluation, the position will require extensive travel to complete in-court observations. For that reason, a durable laptop computer is required.

The ORPC received an estimate of over \$30,000 to build two new offices in our existing suite in the Ralph Carr Judicial Center. To save money, the ORPC is not requesting an office buildout or agency relocation currently. The ORPC assumes that the person in this position will be traveling part of the time and working from home part of the time and will share an office with an existing staff person during the times they are in the office. The ORPC is therefore requesting furniture and equipment for the home office space as well as the base request for the shared office space. The additional equipment for the home office space will increase the efficiency and effectiveness of the new person. It will also improve the physical well-being of the new staff and have a positive impact on employee retention. The following additional equipment and furniture is therefore requested.

<b>Equipment Needs for Home Office</b>			
<b>Item</b>	<b>Qty</b>	<b>Cost</b>	<b>Amount</b>
Monitors	2	\$ 140	\$ 280
Monitor arms	1	130	130
Docking station	1	100	100
Ergonomic mouse	1	20	20
Noise-cancelling headphones	1	250	250
Keyboard	1	40	40
Varidesk Height-Adjustable Standing Desktop	1	395	395
Surge Protector and Multi-Plug	1	20	20
Wi-fi Range Extender	1	70	70
Power Bank	1	100	100
1080p Webcam	1	50	50
Mobile hot spot	1	225	225
<b>TOTAL EQUIPMENT NEEDS FOR HOME OFFICE</b>			<b>\$ 1,680</b>

<b>Social Worker Coordinator</b>			
<b>Personal Services &amp; Benefits</b>		<b>YEAR 1</b>	<b>YEAR 2</b>
<b>Number of Persons per Class Title</b>		<b>1.0</b>	<b>1.0</b>
Monthly Base Salary		7,983	7,983
Number of months in FY2020-21		11	12
Salary		87,808	95,790
Salary Survey Adjustment (2%)		1,756	1,916
Subtotal, Salary		89,564	97,706
PERA	10.90%	9,762	10,650
Medicare	1.45%	1,299	1,417
<b>Sub-total Personal Services</b>		<b>100,625</b>	<b>109,773</b>
<b>Health/Life/Dental (Avg, FY20-21 State Premiums)</b>	<b>1,152</b>	<b>12,672</b>	<b>13,824</b>
<b>Short-term Disability</b>	<b>0.19%</b>	<b>170</b>	<b>186</b>
<b>AED</b>	<b>5.00%</b>	<b>4,478</b>	<b>4,885</b>
<b>SAED</b>	<b>5.00%</b>	<b>4,478</b>	<b>4,885</b>
<b>Total Personal Services</b>		<b>122,423</b>	<b>133,553</b>
<b>FTE</b>		<b>0.9</b>	<b>1.0</b>
<b>Operating</b>			
Regular FTE Operating	\$ 500	500	500
Telephone Expenses	\$ 450	450	450
Computer (high-travel)/Software, One-Time	\$ 2,300	2,300	-
Office Furniture, One-Time	\$ 3,473	3,473	-
Home Office Equipment, One-Time	\$ 1,680	1,680	-
<b>Total Operating</b>		<b>8,403</b>	<b>950</b>
<b>TOTAL PERSONAL SERVICES &amp; OPERATING</b>		<b>\$ 130,826</b>	<b>\$ 134,503</b>

### **Anticipated Outcomes:**

An additional Social Worker Outreach Coordinator FTE will help the ORPC to ensure fidelity to the well-researched interdisciplinary model that has emerged as a best practice across the country. The ORPC will fulfill more of the current demand for social workers to join parent defense teams. This will improve outcomes for families by decreasing the length of time children remain in out-of-home placements and increasing reunification rates at case closure. The ORPC will increase its ability to recruit highly qualified contractors, including outside of the metro areas, and provide essential supervision and consultation to social work professionals.

**Consequences if Not Funded:**

The consequences of not funding this FTE are that the ORPC will not be able to meet the current demands of or expand the social work program. RPC requests for a social worker to join an interdisciplinary parent defense team may continue to be rejected or waitlisted. Rural and rural-urban jurisdictions would not have equal access to social work resources. The ORPC would not be able to integrate additional social work interns from the Colorado graduate schools of social work as a way to provide low cost social work resources or to train a new group of professionals to do this unique type of defense social work through fieldwork and supervision. Given the research available nationally and, now in Colorado, this would impact the time that some children spend in out of home placements, which is traumatic for children and families and has a fiscal impact on taxpayers who pay for foster care and kinship supports.

**Impact to Other State Government Agencies:**

None.

Page intentionally left blank.





*Department Priority: R-7*

*Request Title: Carrie Ann Lucas Fellowship*

Summary of Incremental Funding Change for FY 2019-20	Total funds	General Fund	FTE
<b>TOTAL REQUEST (All Lines)</b>	<b>\$173,522</b>	<b>\$173,522</b>	<b>1.0</b>
Personal Services	\$139,771	\$139,771	1.0
Health/Life/Dental	\$12,672	\$12,672	-
Short-term Disability	\$236	\$236	-
AED	\$6,220	\$6,220	-
SAED	\$6,220	\$6,220	-
Operating	\$8,403	\$8,403	-

**Request Summary:**

The Office of Respondent Parents' Counsel requests 1.0 FTE and \$173,522 General Fund increase for the creation of the Carrie Ann Lucas Fellowship. Parents with disabilities in a child welfare case experience higher rates of termination of parental rights<sup>79</sup> and children with disabilities experience higher rates of becoming legal orphans.<sup>80</sup> A fellow is needed to meet the growing demand for case consultations related to complex ADA issues and to target resources and training to Respondent Parent Counsel who advocate for indigent parents who have disabilities.

**Background:**

On February 24, 2019, Colorado and the nation lost one of the most effective and strongest advocates for parents with disabilities, Carrie Ann Lucas, when she died at the age of 47. Ms. Lucas was the Case Strategy Director for the Office of Respondent Parents' Counsel (ORPC) at the time of her death. Her untimely death was a crushing loss for both the disabled community and the legal community. Ms. Lucas lived with a rare form of muscular dystrophy for three decades. Though Ms. Lucas had planned to go into ministry, she changed course and went to law school after struggling to adopt her niece out of foster care due to discrimination based on her own disability.

Ms. Lucas' advocacy was instrumental in amending Colorado's law to ensure that a parent's disability cannot be the sole reason for denial of custody, adoption, foster care, or guardianship of a child and

<sup>79</sup> National Council on Disability, *Rocking the Cradle: Ensuring the Rights of Parents with Disabilities and Their Children* (September 27, 2012), p. 77, available at [https://www.ncd.gov/sites/default/files/Documents/NCD\\_Parenting\\_508\\_0.pdf](https://www.ncd.gov/sites/default/files/Documents/NCD_Parenting_508_0.pdf).

<sup>80</sup> Center for Advanced Studies in Child Welfare, *The Intersection of Child Welfare and Disability: Focus on Children* (Spring 2013), p. 8, available at [https://casw.umn.edu/wp-content/uploads/2013/12/Spring2013\\_360\\_web-FINAL.pdf](https://casw.umn.edu/wp-content/uploads/2013/12/Spring2013_360_web-FINAL.pdf).

to ensure that parents with disabilities receive reasonable accommodations to allow them to reunify with their children. As State Senator Julie Gonzales recognized when the legislature held a moment of silence in Ms. Lucas' honor, "Carrie Ann Lucas is a testament to doing everything that you can with what you've got."

Part of Ms. Lucas' immense impact was through her work at the ORPC, where she advocated for the rights of parents with disabilities. To honor Ms. Lucas' memory and to ensure that her important work continues after her passing, the ORPC aims to create the Carrie Ann Lucas Fellowship. The Carrie Ann Lucas Fellowship will be a paid fellowship. The fellowship's goals include:

- **Research and Reporting:** The fellow will conduct research which will include the following topics:
  - Permanency outcomes for children in the child welfare system with disabilities and resources for stabilization of families where either children or parents are living with disabilities;
  - Access and barriers to services, means for how parents currently access services, and how those services intersect with Medicaid and health insurance in Colorado and across the United States;
  - Barriers faced by parents in child welfare cases and the accommodations that can be made to ensure parents have every opportunity to reunify with their children; and
  - Programs showing promise in permitting children to remain with parents with disabilities or reunify with parents with disabilities.
- **Attorney Consultation:** The fellow will provide individual case consults for attorneys who represent parents with disabilities and parents who are parenting children with disabilities. The fellow will help parent attorneys understand the intersection between disability rights and child welfare, including how to better advocate for this population of parents.
- **Attorney and Law Student Outreach:** The fellow will help the ORPC recruit and train more attorneys to engage in parent representation by working toward the creation of law school clinical programs that specialize in parent representation. The fellow will establish partnerships with law schools, explore funding sources for the creation of clinical programs, and recruit interns with the goal of getting more recent law school graduates excited about and interested in parent representation and disability rights.
- **Carrie Ann Lucas Portal and Training:** The fellow will create and maintain a public Carrie Ann Lucas resource portal on the ORPC website, which will house information about Ms. Lucas and her work, as well as resources available to parents with disabilities and those representing them. The fellow will create and lead trainings for attorneys who represent parents with disabilities and parents who parent children with disabilities.

In 2012, the National Council on Disability (NCD) published a report entitled *Rocking the Cradle: Ensuring the Rights of Parents with Disabilities and their Children*.<sup>81</sup> The NCD's letter included with the

---

<sup>81</sup> National Council on Disability, *Rocking the Cradle: Ensuring the Rights of Parents with Disabilities and Their Children* (September 27, 2012), available at [https://www.ncd.gov/sites/default/files/Documents/NCD\\_Parenting\\_508\\_0.pdf](https://www.ncd.gov/sites/default/files/Documents/NCD_Parenting_508_0.pdf).

report recognized that decades after the passing of the ADA, “parents with disabilities are the only distinct community of Americans who must struggle to retain custody of their children.”<sup>82</sup> The study further concluded that higher rates of termination of parental rights for parents with intellectual disabilities resulted in higher rates of children with disabilities becoming legal orphans.<sup>83</sup> Multiple studies have concluded that attorneys representing parents in dependency and neglect cases fail to obtain appropriate evaluations or adequately understand the parents’ disabilities in order to advocate for appropriate accommodations.<sup>84</sup>

Respondent Parent Counsel (RPC) have a unique and crucial role to play in child welfare proceedings.<sup>85</sup> As parents’ representatives, these attorneys are charged with protecting parents’ constitutional and statutory rights as well as promoting the preservation of family relationships when appropriate. This unique role was recognized by the General Assembly when creating the ORPC as an independent agency. Based on data reported by RPCs when closing their cases, approximately two thirds of parents who are not successful in reunifying with their children have disabilities.

Parents with disabilities deserve an equal opportunity to parent their children, and children with disabilities deserve parents who are educated about their children’s needs and able to access services to assist in meeting those needs. Families with disabilities have protections under both Colorado and federal law. Specifically, Title II of the Americans with Disabilities Act prohibits public agencies, such as local departments of human services, from discriminating against individuals with disabilities in their provision of services.<sup>86</sup> Another federal law, Section 504 of the Rehabilitation Act, also prohibits discrimination against individuals with disabilities by agencies that receive federal financial assistance.<sup>87</sup> Every county in Colorado receives federal assistance for the provision of child welfare services.

Just two weeks after Ms. Lucas’ death, on March 7, 2019, the Colorado Court of Appeals held that courts must consider reasonable accommodations when deciding the appropriateness of a parent’s treatment plan and whether reasonable efforts were made to rehabilitate the parent.<sup>88</sup> Parents have an affirmative obligation to disclose the existence of a disability as well as any modifications that are necessary to the service plan to accommodate the disability. Due to this affirmative obligation, it is critical to parents’ success that their attorneys be trained to recognize and seek appropriate assessments for parents with disabilities early on in cases. Based on these assessments, attorneys must be trained to advocate for any necessary accommodations to the treatment plan or services provided to the parents. It is also critical that attorneys have access to and training on how to work

---

<sup>82</sup> *Id.*, p. 1.

<sup>83</sup> *Id.*, p. 106.

<sup>84</sup> See Robert L. Hayman, Jr., “Presumptions of Justice: Law, Politics, and the Mentally Retarded Parent,” *Harvard Law Review* 103 (1990), pp. 1228, 1243; and Nina Warsow, “Planned Failure: California’s Denial of Reunification Services to Parents with Mental Disabilities,” *New York University Review of Law and Social Change* 31 (2006), pp. 218–219.

<sup>85</sup> C.R.S. §13-92-101(1)(a), (2018).

<sup>86</sup> 42 U.S.C. §§ 12131-12134 (2018).

<sup>87</sup> 29 U.S.C. § 794 (2012).

<sup>88</sup> *People in Interest of S.K.*, 440 P.3d 1240, 1245 (Colo. App. 2019).

with an interdisciplinary team, including social workers, to guide clients through what can be a confusing and traumatic process even for parents who do not have disabilities.

Ms. Lucas' passing has created a gap in experience and knowledge related to the Americans with Disabilities Act (ADA) that no other RPC attorney in the state of Colorado can currently fill. As a result, the ORPC has had to refer requests for case consultations with complex disability issues to a national ADA expert that does not reside in the state.

The Carrie Ann Lucas Fellow will perform mission-critical activities to bring Ms. Lucas' lifetime of advocacy to fruition by ensuring attorneys are trained to work within an interdisciplinary team, consulting with RPC to ensure that they have access to appropriate evaluations and can advocate for appropriate accommodations, conducting research, and linking parents to vital resources.

### **Assumptions and Calculations:**

Calculations are based on common policies and the Common Compensation Plan of the Office of Respondent Parents' Counsel, the Office of Alternate Defense Counsel, and the Office of the Child's Representative. The salary range of the position will be the same as that of existing ORPC attorney staff. The ORPC assumes that it will be necessary to offer a salary of at least the midpoint of the relevant range to hire an experienced attorney.

The ORPC assumes that the person hired will choose health and dental coverage at the average of the FY 2020-21 premiums for that coverage. As one of the principal needs of the ORPC is to increase attorney oversight and evaluation, the position will require extensive travel to complete in-court observations. For that reason, a durable laptop computer is required.

The ORPC received an estimate of over \$30,000 to build two new offices in our existing suite in the Ralph Carr Judicial Center. To save money, the ORPC is not requesting an office buildout or agency relocation currently. The ORPC assumes that the person in this position will be traveling part of the time and working from home part of the time and will share an office with an existing staff person during the times they are in the office. The ORPC is therefore requesting furniture and equipment for the home office space as well as the base request for the shared office space. The additional equipment for the home office space will increase the efficiency and effectiveness of the new person. It will also improve the physical well-being of the new staff and have a positive impact on employee retention. The following additional equipment and furniture is therefore requested.

<b>Equipment Needs for Home Office</b>			
<b>Item</b>	<b>Qty</b>	<b>Cost</b>	<b>Amount</b>
Monitors	2	\$ 140	\$ 280
Monitor arms	1	130	130
Docking station	1	100	100
Ergonomic mouse	1	20	20
Noise-cancelling headphones	1	250	250
Keyboard	1	40	40
Varidesk Height-Adjustable Standing Desktop	1	395	395
Surge Protector and Multi-Plug	1	20	20
Wi-fi Range Extender	1	70	70
Power Bank	1	100	100
1080p Webcam	1	50	50
Mobile hot spot	1	225	225
<b>TOTAL EQUIPMENT NEEDS FOR HOME OFFICE</b>			<b>\$ 1,680</b>

<b>Carrie Ann Lucas Fellowship - Attorney</b>			
<b>Personal Services &amp; Benefits</b>		<b>YEAR 1</b>	<b>YEAR 2</b>
<b>Number of Persons per Class Title</b>		<b>1.0</b>	<b>1.0</b>
Monthly Base Salary		11,088	11,088
Number of months in FY2020-21		11	12
Salary		121,968	133,056
Salary Survey Adjustment (2%)		2,439	2,661
Subtotal, Salary		124,407	135,717
PERA	10.90%	13,560	14,793
Medicare	1.45%	1,804	1,968
<b>Sub-total Personal Services</b>		<b>139,771</b>	<b>152,478</b>
<b>Health/Life/Dental (Avg, FY20-21 State Premiums)</b>	<b>1,152</b>	<b>12,672</b>	<b>13,824</b>
<b>Short-term Disability</b>	<b>0.19%</b>	<b>236</b>	<b>258</b>
<b>AED</b>	<b>5.00%</b>	<b>6,220</b>	<b>6,786</b>
<b>SAED</b>	<b>5.00%</b>	<b>6,220</b>	<b>6,786</b>
<b>Total Personal Services</b>		<b>165,119</b>	<b>180,132</b>
<b>FTE</b>		<b>0.9</b>	<b>1.0</b>
<b>Operating</b>			
Regular FTE Operating	\$ 500	500	500
Telephone Expenses	\$ 450	450	450
Computer (high-travel)/Software, One-Time	\$ 2,300	2,300	-
Office Furniture, One-Time	\$ 3,473	3,473	-
Home Office Equipment, One-Time	\$ 1,680	1,680	-
<b>Total Operating</b>		<b>8,403</b>	<b>950</b>
<b>TOTAL PERSONAL SERVICES &amp; OPERATING</b>		<b>\$ 173,522</b>	<b>\$ 181,082</b>

### **Anticipated Outcomes:**

If funded, the fellow will provide at least three training opportunities each year for RPCs to increase their advocacy skills for parents with disabilities. The fellow will be available on an ongoing basis for case consultations and will travel throughout the state to ensure that attorneys are advocating appropriately for parents with disabilities. The fellow will also allow the ORPC staff to better address increased case consultation volume.

The fellow will produce a comprehensive report to be provided to the Colorado legislature, the Colorado Department of Human Services, the American Bar Association, and other relevant agencies. The report will evaluate the services and resources, including representation by RPCs, provided to parents with disabilities in dependency and neglect cases and make recommendations for improvement.

**Consequences if Not Funded:**

If not funded, the ORPC may not be equipped to provide adequate legal advocacy tailored to parents with disabilities, who make up two-thirds of parents who do not successfully reunify with their children. The ORPC may continue to refer RPCs to an expert on the Americans with Disabilities Act who resides in another state. RPCs may not have the technical expertise they need to advocate for their clients to have reasonable accommodations and for the services they need to be successful, resulting in fewer reunifications of parents with their children. The ORPC may be unable to adequately perform its critical role of attorney observations, oversight and training.

**Impact to Other State Government Agencies:**

The program could increase parental engagement with treatment plans, services offered, and other parties on the case, which could create better outcomes for children and families. Better advocacy and access to accommodations may result in decreased stays in foster care and decreased expenditures on foster care placements.

Page intentionally left blank.





*Department Priority: R-8*

*Request Title: Increase in Contractor Hourly Rates*

Summary of Incremental Funding Change for FY 2019-20	Total funds	General Fund
<b>TOTAL REQUEST (All Lines)</b>	<b>\$999,670</b>	<b>\$999,670</b>
Court-appointed Counsel	\$939,102	\$939,102
Mandated	\$60,568	\$60,568

**Request Summary:**

The Office of Respondent Parents' Counsel requests \$1,115,181 General Fund, including \$1,048,491 for Court-Appointed Counsel and \$66,690 for Mandated Costs to fund a 5% increase in the hourly contractor rates for attorneys, paralegals, investigators, family advocates, and social workers. The current and proposed contractor rates are shown below. The ORPC will update the estimate and consider the need to submit a budget amendment as more information becomes available.

Contractor Hourly Rates			
	Current	Proposed	Change
Attorneys	\$80	\$84	\$4
Paralegals	\$33	\$35	\$2
Investigators	\$44	\$46	\$2
Family Advocate	\$44	\$46	\$2
Licensed Social Workers	\$44	\$46	\$2
Licensed Clinical Social Workers	\$53	\$56	\$3

**Background:**

The Office of Respondent Parents' Counsel (ORPC) was established on January 1, 2016 in accordance with Senate Bill 14-203 as amended by House Bill 15-1149. On July 1, 2016 the Office assumed responsibility for paying contract attorneys, paralegals, and other members of the legal team tasked with representing indigent parents in dependency and neglect cases.

The rates paid to contractors by the ORPC were increased in FY2018-19, the most recent year in which the contractors received an increase. Since that time, state salaries increased by 3% in FY2019-20 without a corresponding increase in the ORPC hourly rate. The FY 2020-21 budget request regarding state employees will include a salary increase of 2%. It is essential for professionals contracting with ORPC to keep pace economically with the private sector and salaried state

employees. To attract and retain experienced attorneys and other non-attorney professionals, the ORPC requests a \$4/hour increase in the hourly rate for attorneys and a commensurate 5.0% increase in the hourly rates of other contractors.

As with the last request for a rate increase, the ORPC sought data from other sources to inform the requested rate increase. The United States Attorney's Office (USAO) Matrix ("the Laffey Matrix") for the District of Columbia is a matrix of hourly rates for attorneys of different experience levels. It is used to evaluate requests for attorney's fees in civil cases in District of Columbia courts. Since the previous request by this agency, rates represented in the matrix have increased substantially. In 2016-17<sup>89</sup>, the matrix reflected a rate range from \$291 per hour for attorneys with less than two years' experience to \$581 per hour for attorneys with 31 or more years' experience. For 2018-19, the rates according to the matrix increased to \$307 per hour for attorneys with less than two years' experience and \$613 per hour for attorneys with 31 or more years' experience. This reflects a 5.5% increase across the board. Based on the Bureau of Labor Statistics Occupational Employment Statistics for lawyers, the annual mean wage of lawyers in Colorado in 2018 was 76.6% of that of lawyers in the District of Columbia.<sup>90</sup> Applying that percentage to the range of pay in the USAO Matrix results in hourly rates for Colorado attorneys ranging from \$235 to \$470, or 2.9 times to 5.9 times the proposed rate of \$80.

The data in the Laffey Matrix is supported by the most recent data available in Colorado regarding law firm billing rates. As of 2017, attorneys practicing for 1-2 years charge, on average, an hourly rate of \$202 per hour while attorneys practicing between 5 and 9 years charge an hourly rate of \$231.<sup>91</sup>

It is true that the Court-appointed Counsel agencies clustered within the Colorado Judicial Branch experience parity in the rates they pay contractors, but not all court-appointed work is compensated at this rate. In fact, pursuant to the Criminal Justice Act, 18 U.S.C. 3006A, attorneys appointed to represent indigent clients in non-capital cases in the United States criminal courts are currently paid \$148 per hour for their work.<sup>92</sup>

While the level of compensation provided by the State will never compete with private-pay rates, the rate increase will acknowledge the increased operating costs that the public interest attorneys who represent indigent clients in Colorado incur. Further, it is common to compare salaries of state employees in similar professions to that of the independent contractors on whom ORPC relies to provide constitutionally mandated representation to indigent parents. It might seem logical, for

---

<sup>89</sup> The Laffey Matrix, available at <https://www.justice.gov/usao-dc/file/796471/download>.

<sup>90</sup> Bureau of Labor statistics, available at [https://www.bls.gov/oes/current/oes231011.htm#\(9\)](https://www.bls.gov/oes/current/oes231011.htm#(9)).

<sup>91</sup> *The Colorado Bar Association 2017 Economic Survey*, available at <http://www.cobar.org/portals/COBAR/repository/2017EconomicSurvey.pdf>.

<sup>92</sup> <https://www.uscourts.gov/services-forms/defender-services>.

instance, to consider the fact that the starting annual salary for a public defender in Colorado is \$64,620.<sup>93</sup> Such a comparison is unreasonable.

Many associate attorneys employed by large firms are required to bill 1,800 hours per year to clients.<sup>94</sup> Using this figure, an ORPC contractor, working full-time on indigent respondent parent cases at the current hourly rate, would bill \$144,000 per year. This is more than double the annual starting salary for Colorado public defenders. However, that \$144,000 is not salary to the contractor. From that income, solo practitioners, who comprise a substantial majority of ORPC contractors, must deduct federal, state, and local taxes as well as office overhead costs, which may include other employee salaries and benefits. Additionally, unlike salaried state employees, contractors must fund their own retirement and health insurance benefits. They also are required to attend to the administrative tasks of running a law office, for which they are not compensated by any client. It is a time-consuming task that impacts the number of hours a contractor can reasonably bill any agency during a year. These deductions result in take-home salaries for full-time contractors much lower than their salaried counterparts.

The ORPC agrees with the Office of the Child's Representative and the Office of the Alternate Defense Counsel that the compensation rate should be increased. Parallel requests and funding will ensure that there is parity in the rates across the respective offices.

### **Anticipated Outcomes:**

It is critical that the Office of Respondent Parents' Counsel be able to attract and retain skilled and experienced attorneys to represent indigent parents who might lose a constitutional and fundamental right, that of parenting their children. Keeping pace with the economic growth of our state and the private sector is vital in maintaining and attracting experienced and talented lawyers dedicated to representing indigent clients. Retention and recruitment of quality professionals in the child welfare arena is a priority for ORPC. Increasing the hourly rates as proposed will help prevent the loss of the public-spirited attorneys who provide a vital service to their clients and to the State of Colorado. It will also increase the ability of the ORPC to attract strong professionals to the practice of parent representation.

### **Assumptions and Calculations:**

The ORPC assumes that the FY2020-21 budget request for Court-appointed Counsel and Mandated Costs accurately estimates expenses for those appropriations. The ORPC also assumes that the relative percentages of expense by contractor type throughout the year will be the same as those in July and August 2019. Based on those assumptions, a \$1,048,491 increase in the Court-appointed

---

<sup>93</sup> Office of the Colorado State Public Defender, <http://www.coloradodefenders.us/jobs/attorney-positions/>.

<sup>94</sup> In fact, according to the National Association for Law Placement, the average number of billable hours required from a first year associate in 2015-16 was 1,892. The National Association of Law Placement, available at <https://www.nalp.org/0516research?s=billable%20hours%20required>

Counsel appropriation and a \$66,690 increase in the Mandated Costs appropriation as calculated in the table below are requested.

Estimate of Adjustment Needed Based on Current Appropriation							
	Expense for July & August, 2019	% of Total Expense	FY2020-21 Requested Appropriation	Appropriation per Category based on % of Total Expense	Increase factor	Estimated Appropriation per Category	Appropriation Adjustment
<b>COURT-APPOINTED COUNSEL</b>							
Attorney	\$ 2,801,402	92.9%	\$ 19,479,597	\$ 18,092,543	1.05	\$ 18,997,170	\$ 904,627
Paralegal	106,760	3.5%	19,479,597	689,499	1.05	723,974	34,475
Copies	5,469	0.2%	19,479,597	35,319	1	35,319	-
Expenses	3,536	0.1%	19,479,597	22,838	1	22,838	-
Mileage	99,003	3.3%	19,479,597	639,398	1	639,398	-
<b>TOTAL CAC</b>	<b>\$ 3,016,170</b>	<b>100.0%</b>		<b>\$ 19,479,597</b>		<b>\$ 20,418,699</b>	<b>\$ 939,102</b>
<b>MANDATED COSTS</b>							
Expert	\$ 22,770	9.0%	\$ 1,725,723	\$ 155,776	1	\$ 155,776	\$ -
Family Advocate	37,242	14.8%	1,725,723	254,776	1.05	267,515	12,739
Interpreter	3,769	1.5%	1,725,723	25,786	1	25,786	-
Investigator	950	0.4%	1,725,723	6,502	1.05	6,827	325
Licensed Clinical Social Worker	48,143	19.1%	1,725,723	329,351	1.05	345,819	16,468
Licensed Social Worker	90,732	36.0%	1,725,723	620,711	1.05	651,747	31,036
Discovery	3,989	1.6%	1,725,723	27,289	1	27,289	-
Subpoenas	844	0.3%	1,725,723	5,776	1	5,776	-
Transcripts	43,817	17.4%	1,725,723	299,756	1	299,756	-
<b>TOTAL MANDATED</b>	<b>\$ 252,256</b>	<b>100.0%</b>		<b>\$ 1,725,723</b>		<b>\$ 1,786,291</b>	<b>\$ 60,568</b>
<b>TOTAL COURT-APPOINTED COUNSEL AND MANDATED COSTS</b>						<b>\$ 22,204,990</b>	<b>\$ 999,670</b>

### Consequences if Not Funded:

Inadequate pay could result in the *de facto* denial of adequate counsel to parents faced with the possibility of losing their parental rights. Inexperienced and less-skilled attorneys could slow case processing, causing costly delays in cases. Experienced, talented, and well-trained professionals are crucial to meet the ORPC's mandate of providing effective assistance of counsel to protect the fundamental right to parent. Finally, if the rates paid to the contractors of the ORPC are less than those paid to the contractors of other agencies, issues of parity will result.

### Impact to Other State Government Agencies:

None.



*Department Priority: R-9*

*Request Title: Operating Expenses*

Summary of Incremental Funding Change for FY 2020-21	Total funds	General Fund
<b>TOTAL REQUEST (All Lines)</b>	<b>\$27,968</b>	<b>\$27,968</b>
Operating Expenses	\$27,968	\$27,968

**Request Summary:**

The Office of Respondent Parents' Counsel (ORPC) requests \$27,968 in additional Operating Expenses to align the appropriation with the increase in Westlaw and EcoPass cost, and to subscribe to Westlaw Drafting Assistant, SPSS, DocuSign, SkillShare, and Survey Monkey software licenses. The ORPC will submit an FY 2019-20 Supplemental request related to these items.

**Background:**

The JBC adjusted the ORPC Operating Expenses appropriation in FY 2018-19. Since FY 2018-19, some of the expenses included in the appropriation have increased significantly.

**Assumptions and Calculations:**

**Westlaw:** The ORPC's existing 3-year contract with Thomson Reuters to provide Westlaw to contractors and ORPC staff ended and needed to be renegotiated in August 2019. Westlaw is an invaluable resource to attorneys and provides access to all state case law, state statutes, Colorado primary law, and all Federal materials. Unfortunately, the previous package of services the ORPC received from Westlaw was no longer available, and thus the ORPC could not pick aspects of Westlaw à la carte to provide to contractors. Westlaw is also now providing Westlaw Edge, which incorporates artificial intelligence to make legal searches more efficient but comes at an additional cost.

Many independent contractors cannot afford Westlaw access. Analysis of the use of Westlaw by ORPC attorneys indicates that if attorneys were to purchase their usage individually, the total cost for the period from September 1, 2018 through August 31, 2019 for to RPC would have been approximately \$1,400,000. For that reason, the ORPC believes Westlaw to be an excellent investment, and a resource that RPC access frequently.

The ORPC has also contracted to receive Westlaw Drafting Assistant, an additional service. Drafting Assistant will help ORPC Attorneys ensure citation formatting is correct, automatically append the full text of authorities cited in documents, quickly insert hyperlinks, and easily compile lists of citations. All these features will reduce errors and save time for ORPC contract attorneys, which should result in savings in Court-appointed Counsel expenses. The cost of Westlaw Drafting Assistant in FY 2020-21 will be \$423 per month, or \$5,076 per year. The total cost of Westlaw in FY

2020-21 will be \$49,374, or \$23,222 more than the FY 2018-19 expense estimate of \$26,152. The ORPC will submit an FY 2019-20 supplemental budget request related to this expense.

<b>Additional Other Expense - Access to Westlaw</b>			
	<b>Westlaw Edge for Government</b>	<b>Drafting Assistant</b>	<b>Total</b>
Contract price/month, 7/1/2020 - 9/30/2020	\$ 3,543	\$ 423	\$ 3,966
Number of months	3	3	3
July-September, FY 2020-21 Westlaw Expense	10,629	1,269	11,898
Contract price/month, 10/1/2020 - 6/30/2021	\$ 3,741	\$ 423	\$ 4,164
Number of months	9	9	9
October-June, FY 2020-21 Westlaw Expense	33,669	3,807	37,476
FY 2020-21 Westlaw Expense	\$ 44,298	\$ 5,076	\$ 49,374
FY 2018-19 Westlaw Estimate	\$ (26,152)	\$ -	\$ (26,152)
<b>Total Additional Westlaw Expense</b>	<b>\$ 18,146</b>	<b>\$ 5,076</b>	<b>\$ 23,222</b>

***EcoPasses:*** The ORPC pays for RTD EcoPasses for employees, an environmentally sound policy in accordance with the Governor’s priorities. EcoPasses also contribute to ORPC employee satisfaction and retention. In the FY 2018-19 budget request, ORPC assumed an estimated cost of \$3,500 for EcoPasses, but the actual cost in FY 2018-19 was \$5,087 due to an increase of \$1,587 by RTD. ORPC requests \$1,587 for the increased EcoPass expense. The ORPC will submit an FY 2019-20 supplemental budget request related to this expense. If RTD announces another substantial increase, the ORPC may also submit a budget amendment related to the expense.

<b>Additional Dues, Subscriptions &amp; Memberships</b>	
	<b>FY 2020-21 Estimate</b>
EcoPass, CY 2019 Expense	\$ 5,087
FY 2018-19 Estimate	\$ (3,500)
<b>Estimate of Total Additional Dues, Subscriptions &amp; Memberships Expense</b>	<b>\$ 1,587</b>

***Software Licenses***

- **DocuSign** is an electronic solution designed to collect approval and signatures on invoices, contracts, offer letters, and other important documents electronically. It will allow the ORPC

to improve efficiency and save in paper, copies, and printing cost. The annual subscription cost is \$300.

- **SkillShare** is a learning platform with online classes taught by the world's best practitioners in all fields. SkillShare membership gives unlimited access to thousands of classes in business, technology, software, design, etc. and will allow ORPC employees to improve and learn new skills at their own pace, in their own areas of interest, and at a minimal cost. SkillShare will help the ORPC attract, strengthen and retain strong staff, which is a pillar in the ORPC Strategic Plan. It also supports the Governor's priority of ensuring that all Coloradoans have access to quality life-long education connected to the future of work. The cost per user is \$99 per year and the annual cost for ORPC will be \$1,287 (\$99 x 13 staff).
- **Survey Monkey** is a survey tool that will allow ORPC to conduct surveys more efficiently. Surveys give the ORPC valuable information about the concerns and needs of RPC attorneys and social workers, including their strengths and challenges, training needs, problems in specific jurisdictions, supports needed, etc. The information provided by the surveys helps the ORPC determine contractor needs and how best to provide strong interdisciplinary teams to parents in accordance with the Fair and Followed Systems pillar of the ORPC Strategic Plan. The annual subscription cost is \$384.
- **SPSS** is an IBM software package for statistical analysis. It will allow the ORPC Data Analyst to complete tasks more efficiently based on reliable data for decision making purposes and will increase the utility of the data collected by the ORPC. Moreover, the Data Analysts plans to use SPSS to automate data analysis of contractor bills on a regular basis. The analysis of the information from surveys and other sources will help the ORPC strengthen parent representation and make the ORPC's oversight function more efficient. The cost per month is \$99 and the annual cost will be \$1,188.

<b>Additional Software License Expense</b>			
<b>Software License</b>	<b>Monthly Expense</b>	<b># of Months</b>	<b>Annual Expense</b>
DocuSign	\$ 25	12	\$ 300
SkillShare	107	12	1,287
SPSS	99	12	1,188
Survey Monkey	32	12	384
<b>Total Additional Software License Expense</b>	<b>\$ 263</b>		<b>\$ 3,159</b>

**Anticipated Outcomes:**

If approved, the Operating Expenses appropriation will provide the funding needed for the base expenses of the office and will accurately reflect the planned uses of the appropriation. In addition, the ORPC will be able to purchase services to allow its attorneys and employees to work efficiently.

**Consequences if Not Funded:**

If not funded, the ORPC's operating expense appropriation will not accurately reflect the Agency's needs and the Agency might be unable to fulfill its statutory oversight mandates and purchase needed services.

**Impact to Other State Government Agencies:**

None.





*Department Priority: R-10*

*Request Title: General Fund and Cash Fund Training Increase*

Summary of Incremental Funding Change for FY 2019-20	Total funds	General Fund	Cash Funds
<b>TOTAL REQUEST (All Lines)</b>	<b>\$46,000</b>	<b>\$28,000</b>	<b>\$18,000</b>
Training	\$46,000	\$28,000	\$18,000

**Request Summary:**

The Office of Respondent Parents' Counsel (ORPC) requests an increase of \$28,000 to its General Fund appropriation for Training to offset the loss of grant funds and the need to train increasing numbers of attorneys and other professionals. The ORPC also requests an increase of \$18,000 in Cash Fund spending authority so that the Office may expend the training fees it anticipates collecting. The ORPC anticipates that a Supplemental Request will be needed to increase Cash Fund spending authority in FY 2019-20.

**Background:**

The ORPC is charged with protecting the fundamental right to parent by providing effective legal advocates for indigent parents in child welfare proceedings. This right is protected when a parent has a dedicated advocate or team of advocates knowledgeable about child welfare laws and principles. RPC attorneys have a unique and critical role to play in child welfare proceedings.<sup>95</sup> As parents' representatives, RPC attorneys are charged with protecting parents' constitutional and statutory rights as well as promoting the preservation of family relationships when appropriate. This unique role was recognized by the general assembly when creating the ORPC as an independent agency.

It is well-established nationwide that social workers are an important part of high quality interdisciplinary legal defense teams. Providing access to an interdisciplinary team provides a holistic model of representation for indigent parents. Recent studies suggest that this holistic representation model results in better outcomes for children and families.<sup>96</sup> In recognition of this emerging model, the ORPC conducted a Social Worker Pilot Program (SWPP) in several jurisdictions over the past three years, and the ORPC currently contracts with social workers and family advocates in non-pilot

<sup>95</sup> C.R.S. §13-92-101(1)(a) (2018).

<sup>96</sup> See, e.g., Effects of an interdisciplinary approach to parental representation in child welfare, Children and Youth Services Review, Volume 102, July 2019, Pages 42-55.

jurisdictions across the state. Since the ORPC initiated its SWPP in FY 2017-18, the number of social workers and family advocates with whom the ORPC contracts has nearly tripled. The ORPC also approves an increasing number of other professionals, such as investigators, interpreters, and paralegals. The interdisciplinary approach of including an attorney, a social worker, and other professionals on the team supports parents to participate meaningfully in their own legal representation and engage in case planning towards safe and lasting permanency for their families.

In accordance with its statutory charge to improve the quality of legal representation for indigent parents,<sup>97</sup> the ORPC is required to provide high quality and accessible training to RPC attorneys and other parent representation professionals with whom it contracts.<sup>98</sup> Additionally, the ORPC has thirteen staff members who all participate in ongoing training to improve the quality of their work in their various roles.

The primary goal of ORPC's training program is to improve the quality of representation for indigent parents by providing effective and accessible training focused on increasing subject matter knowledge and building community among parent representation professionals statewide. In order to improve the quality of representation and outcomes for families, each member of the parent representation team must have a deep knowledge and understanding of state and federal law and social science underpinning child welfare. The ORPC imparts that knowledge and understanding through training. Additionally, the ORPC believes that parent representatives are better and more effective when they have a strong support network and community. The ORPC's Training Director and Director of Engagement are working to expand the ORPC's training opportunities to serve the goals of building community and providing accessible, high quality training to RPCs and other professionals throughout the state. The recent interdisciplinary approach to advocacy requires a focus on team building and leadership with an eye toward best-practices as this model of representation grows within the agency and nationwide. Additional training is essential to achieve success.

At its inception, the ORPC was provided \$60,000 total funds for its training budget, including \$30,000 General Fund and \$30,000 cash fund from training fees. The ORPC has also successfully applied for and received passthrough federal training grants from the Colorado Department of Human Services and from the Judicial Department for Federal Fiscal Years 2017, 2018, and 2019. These passthrough training grants were funded by the Children's Justice Act (CJA) in the amount of \$40,000 per year and the Court Improvement Program (CIP) in the amount of \$20,000 per year.

For federal fiscal year 2020, beginning October 1, 2019, the ORPC's training grant from the CJA will be reduced by \$8,000 to a total of \$32,000. Additionally, the ORPC will not receive any training grant funding from the CIP for federal fiscal year 2020, a further reduction of \$20,000 in funds available for training. The ORPC has fully expended its General Fund appropriation for training, as

---

<sup>97</sup> C.R.S. §13-92-104(1)(a)(I) (2018).

<sup>98</sup> Colorado Supreme Court Chief Justice Directive 16-02(II)(c).

well as both federal training grants, every year since it opened on July 1, 2016 and anticipates that it will continue to incur training expenses in amounts comparable to or larger than those in previous fiscal years. The ORPC has not previously collected fees equal to or exceeding the \$30,000 cash fund spending authority but anticipates doing so in FY 2019-20 and in FY 2020-21.

The ORPC's training budget funds a variety of training activities for ORPC parent representation professionals and staff, including:

- Recurring, multi-day annual trainings;
- Rotating subject matter trainings as needed;
- Regional trainings and roundtables;
- Training webinars;
- Videography services to make trainings widely available;
- Training scholarships for ORPC professionals to attend trainings hosted by ORPC and others;
- Training scholarships for ORPC staff to attend local and national trainings;
- Training materials, such as legal authorities, social science research, and other treatises; and
- One-on-one training and coaching for contractors provided by ORPC staff.

The recurring, multi-day trainings that the ORPC currently offers are its Annual Fall Conference and its Annual New Attorney Boot Camp, as well as Appellate Certification every other year. The ORPC's Annual Fall Conference is currently the ORPC's primary method of building community among parent representation professionals, as it brings together professionals of all types from across the state. As the list of professionals who contract with the ORPC has grown, the numbers of those needing training has increased. As a result, the ORPC's recurring trainings cost more and more each year. The ORPC seeks to add other recurring annual trainings to its training program, including an annual evidence primer and trial advocacy training, as trial skills and knowledge of the Rules of Evidence have consistently been identified as areas for growth for RPC attorneys. In addition, there will be an ongoing need to provide consistent, regular training regarding effective interdisciplinary advocacy for parents.

The ORPC's rotating subject matter trainings vary from year to year based on needs identified by professionals, ORPC staff, and other stakeholders. Examples of training topics offered on a rotating basis include appellate RPC advocacy, ethics, use of experts, representing parents in specialty courts, crafting compelling written content, drug use and addiction, trial skills, and many more. These rotating subject matter trainings are generally held centrally in the Denver metro area.

Subject matter training needs often vary across jurisdictions and RPCs, and professionals in rural or rural-urban jurisdictions have difficulty attending trainings in the Denver metro area, driving the need for ORPC to conduct more regional trainings. The ORPC has offered regional trainings on topics such as the Dependency and Neglect Systems Reform (DANSR), collaboration among professionals in dependency court, the Families First Prevention and Services Act, and more. Regional roundtables provide an opportunity for the ORPC staff to meet with the contractors in their home jurisdiction, and for those contractors to identify unique issues they are facing within their individual counties. These roundtables serve the ORPC's goal of building community among contractors. The ORPC has been unable to offer the number of regional trainings and roundtables it would like to offer due primarily to financial considerations. A goal of the ORPC's training program is to expand the availability of regional trainings and roundtables across the state.

Another method the ORPC employs to reach rural and rural-urban contractors is to offer training webinars that contractors can participate in remotely or view electronically. While webinars help negate distance concerns for non-metro area contractors, they do little to identify and address jurisdiction-specific training needs. Another limitation of training through webinars is a necessary lack of audience participation and engagement. Adult learning theory principles suggest that adults learn better when they are actively engaged in the learning process and receive feedback on the new skills that they learn.<sup>99</sup> While webinars are a cost-effective way to reach contractors across the state, there are limits to their effectiveness and ability to facilitate a transfer of learning and retention of knowledge. Webinars are not effective for trainings that are skills-based or require audience participation or interaction. Thus, the ORPC's training webinars are generally confined to administrative topics that apply statewide, such as the ORPC's billing and contracting policies and use of legal research platforms.

Although open to all ORPC contractors, the ORPC's training programs have historically been designed for RPC attorneys. As the list of non-attorney professionals who provide services to respondent parents grows, the ORPC seeks to expand its training program to include trainings designed specifically for social workers, family advocates, investigators, and paralegals. These professionals are part of the parent representation team and serve a crucial role in improving the quality of representation available to indigent parents in the child welfare system.

The ORPC's training budget also funds training materials for use by ORPC contractors and staff, such as hard copies of the Guided Reference in Dependency and Neglect, updated copies of the Children's Code, subscriptions to the Chronicle for Social Change, and other written materials about child welfare law, policy, and social science.

In light of the growth and development of parent representation in Colorado, the ORPC needs to expand and evolve its training program now more than ever to stay on trend with national best practices. The loss of federal training monies this fiscal year leaves the ORPC in the difficult

---

<sup>99</sup> See, e.g., Bierema, Laura and Merriam, Sharan, Adult Learning: Linking Theory and Practice (2014).

position of choosing between which training priorities it will be able to fund for contractors across the state.

**Assumptions and Calculations:**

In order to offset attrition, the ORPC has contracted with 30-40 new RPC attorneys in each of the past two fiscal years. Additionally, the ORPC continues to expand its list of social workers, family advocates, investigators, and paralegals. Dependency and neglect case filings have increased in the past year, and the ORPC assumes that the numbers of new RPCs and other professionals will continue to grow to meet the needs of counties across the state. The ORPC further assumes that total training costs will remain approximately the same as prior years because the Office is working to offset the cost per trainee by increasing training fees and by structuring and timing trainings so that food costs will be minimized or eliminated.

The ORPC assumes that training expenses will be incurred as follows:

Estimated Costs of Trainings Planned for FY 2020-21										
Training Title	AV & IT	Food	Materials & Supplies	Lodging, Per diem & Transportation	Registration Fees	Scholarships	Space Rental	Speaker Fees/ Mock Juror Fees	Videography	Total
ABA Conference				8,328	4,800	4,650				17,778
ADA Training		2,000		2,452			1,650		1,500	7,602
Appellate Certification		300		1,228		1,200		1,500		4,228
Boot Camp		2,120		1,187		1,600		2,500		7,407
Evidence		600							1,500	2,100
Implicit Bias & Culture		600		1,680				1,000	1,500	4,780
Jury Selection		600		101				1,500		2,201
ORPC Fall Conference	10,794	720	4,000	40,502		5,397				61,413
Preservation of Issues		600		752				500	1,500	3,352
Regional Trainings:										
Northern Colorado				581						581
Southern Colorado				936						936
Western Slope				1,336						1,336
National Trainings:										
NLADA Appellate Defender				2,440	610					3,050
Others				4,800	1,200					6,000
Toxicology		600							1,500	2,100
Train the Trainer				1,090						1,090
Trauma-Informed Practice		600		700				1,500	1,500	4,300
Trial Advocacy				1,350		2,250				3,600
Volume VII Training		600						146	1,500	2,246
Writing for Trial Attorneys		600		146					1,500	2,246
<b>Total</b>	<b>10,794</b>	<b>9,940</b>	<b>4,000</b>	<b>69,609</b>	<b>6,610</b>	<b>15,097</b>	<b>1,650</b>	<b>8,646</b>	<b>12,000</b>	<b>138,346</b>

In prior years, the ORPC has fully expended its General Fund training budget, as well as \$60,000 in reappropriated federal grant funds in training its attorneys and other professionals. This year, the ORPC’s reappropriated federal training dollars will be reduced by \$28,000. The ORPC is thus in the

position of needing to expand its training program at a time when training funds are being reduced significantly. The ORPC therefore requests an increase of \$28,000 in General Funds for Training.

<b>Reductions in Grant Funding &amp; Request for Additional General Fund</b>				
<b>Grant Source</b>	<b>Federal Fiscal Year 2019</b>	<b>Federal Fiscal Year 2020</b>	<b>Decrease in Grant Funding</b>	<b>Additional General Fund Requested</b>
CJA Grant from CDHS	\$ 40,000	\$ 32,000	\$ (8,000)	\$ 8,000
CIP Grant from the Judicial Department	20,000	-	(20,000)	20,000
<b>Total Grants</b>	<b>\$ 60,000</b>	<b>\$ 32,000</b>	<b>\$ (28,000)</b>	<b>\$ 28,000</b>

The ORPC assumes that Cash Fund revenues will increase commensurate with the increase in the number of attorneys and other professionals requiring training and that the Office will collect more training fees than the current Cash Fund spending authority allows. The ORPC therefore requests an increase in Cash Fund spending authority of \$18,000 in FY 2020-21. The ORPC anticipates that an FY 2019-20 Supplemental request to increase Cash Fund spending authority will also be needed.

<b>Cash Fund Collections</b>						
<b>Source</b>	<b>FY 2019-20</b>			<b>FY 2020-21</b>		
	<b>Average Rate</b>	<b>Number</b>	<b>Amount</b>	<b>Average Rate (Est.)</b>	<b>Number (Est.)</b>	<b>Amount</b>
<b><u>Actual through 9/30/2019</u></b>						
Fall Conference Registration Fees	\$ 126.13	200	\$ 25,226			\$ -
Fall Conference Webinar Fees	\$ 96.80	1	97			-
Other Training Registration Fees		-	-			-
<b><u>Estimated</u></b>						
Fall Conference Registration Fees	\$ -	-	-	\$ 130.00	230	29,900
Fall Conference Webinar Fees	\$ 100.00	40	4,000	\$ 100.00	60	6,000
Evidence Training Registration Fees (December)	\$ 50.00	60	3,000			-
Discovery Training Registration Fees (April)	\$ 50.00	60	3,000			-
Other Trainings (TBD) Registration Fees	\$ 25.00	50	1,250	\$ 50.00	230	11,500
Miscellaneous			1,427			600
<b>Total Estimated Cash Fund Collections</b>			<b>\$ 38,000</b>			<b>\$ 48,000</b>
<b>Current Appropriation</b>			<b>\$ 30,000</b>			<b>\$ 30,000</b>
<b>Cash Fund Increase Requested</b>			<b>\$ 8,000</b>			<b>\$ 18,000</b>

**Anticipated Outcomes:**

Increasing the General Fund and Cash Fund available for training will enable the ORPC to provide high quality and accessible training for all parent representation professionals, thereby fulfilling its obligation to provide high quality representation for indigent parents involved in dependency and neglect proceedings. If the requested increases are approved, the ORPC's total funding available for training will be \$138,000 as shown below. This amount approximates anticipated expenses.

<b>Training Funding by Source</b>				
	<b>General Fund</b>	<b>Cash Funds</b>	<b>Reappropriated Funds</b>	<b>Total</b>
Current	30,000	30,000	32,000	92,000
FY 2020-21 Request	28,000	18,000		46,000
<b>Total Training Funding</b>	<b>58,000</b>	<b>48,000</b>	<b>32,000</b>	<b>138,000</b>

**Consequences if Not Funded:**

If not funded, the ORPC will be unable to fulfill its mandate to provide high quality and accessible training for all parent representation professionals, and the quality of representation for indigent parents in dependency and neglect proceedings will suffer.

**Impact to Other State Government Agencies:**

None.

Page intentionally left blank.



Office of the Respondent Parents' Counsel - FY 2020-21  
 Reconciliation of Department Request

Long Bill Line Item	Total Funds	FTE	General Fund	General Fund Exempt	Cash Funds	Reappropriated Funds	Federal Funds
<b>Personal Services</b>							
FY 2019-20 Long Bill Appropriation, S.B. 19-207	\$1,485,089	13.0	\$1,485,089	\$0	\$0	\$0	\$0
HB 18-1322, Footnote 66	\$12,000	0.0	\$12,000	\$0	\$0	\$0	\$0
<b>FY 2019-20 Total Appropriation</b>	<b>\$1,497,089</b>	<b>13.0</b>	<b>\$1,497,089</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Annualization of HB 18-1322, Footnote 66	(\$12,000)	0.0	(\$12,000)	\$0	\$0	\$0	\$0
Annualization of FY 2019-20 R-2, Staff Attorney	\$8,312	0.0	\$8,312	\$0	\$0	\$0	\$0
Annualization of FY 2019-20 R-3, Administrative Specialist	\$4,294	0.0	\$4,294	\$0	\$0	\$0	\$0
Annualization of FY 2019-20 R-4, Program Analyst	\$6,033	0.0	\$6,033	\$0	\$0	\$0	\$0
Annualization of FY 2019-20 R-5, Common Compensation Plan	\$166	0.0	\$166	\$0	\$0	\$0	\$0
FY 2019-20 Salary Survey allocated to Personal Services	\$0	0.0	\$0	\$0	\$0	\$0	\$0
FY 2019-20 Merit allocated to Personal Services	\$34,215	0.0	\$34,215	\$0	\$0	\$0	\$0
<b>FY 2020-21 Base Request</b>	<b>\$1,538,109</b>	<b>13.0</b>	<b>\$1,538,109</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
R-2, Common Compensation Plan - Attorneys	\$74,317	0.0	\$74,317	\$0	\$0	\$0	\$0
R-3, Common Compensation Plan - Other Staff	\$50,962	0.0	\$50,962	\$0	\$0	\$0	\$0
R-6, Social Work Coordinator	\$100,625	1.0	\$100,625	\$0	\$0	\$0	\$0
R-7, Carrie Ann Lucas Fellowship	\$139,771	1.0	\$139,771	\$0	\$0	\$0	\$0
<b>FY 2020-21 November 01 Request</b>	<b>\$1,903,784</b>	<b>15.0</b>	<b>\$1,903,784</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Health Life and Dental</b>							
FY 2019-20 Long Bill Appropriation, S.B. 19-207	\$159,549	0.0	\$159,549	\$0	\$0	\$0	\$0
<b>FY 2019-20 Total Appropriation</b>	<b>\$159,549</b>	<b>0.0</b>	<b>\$159,549</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Total Compensation Common Policy (incremental change)	\$6,133	0.0	\$6,133	\$0	\$0	\$0	\$0
<b>FY 2020-21 Base Request</b>	<b>\$165,682</b>	<b>0.0</b>	<b>\$165,682</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
R-6, Social Work Coordinator	\$12,672	0.0	\$12,672	\$0	\$0	\$0	\$0
R-7, Carrie Ann Lucas Fellowship	\$12,672	0.0	\$12,672	\$0	\$0	\$0	\$0
<b>FY 2020-21 November 01 Request</b>	<b>\$191,026</b>	<b>0.0</b>	<b>\$191,026</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Short Term Disability</b>							
FY 2019-20 Long Bill Appropriation, S.B. 19-207	\$2,058	0.0	\$2,058	\$0	\$0	\$0	\$0
<b>FY 2019-20 Total Appropriation</b>	<b>\$2,058</b>	<b>0.0</b>	<b>\$2,058</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Total Compensation Common Policy (incremental change)	\$283	0.0	\$283	\$0	\$0	\$0	\$0
<b>FY 2020-21 Base Request</b>	<b>\$2,341</b>	<b>0.0</b>	<b>\$2,341</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
R-2, Common Compensation Plan - Attorneys	\$112	0.0	\$112	\$0	\$0	\$0	\$0
R-3, Common Compensation Plan - Other Staff	\$77	0.0	\$77	\$0	\$0	\$0	\$0
R-6, Social Work Coordinator	\$170	0.0	\$170	\$0	\$0	\$0	\$0
R-7, Carrie Ann Lucas Fellowship	\$236	0.0	\$236	\$0	\$0	\$0	\$0
<b>FY 2020-21 November 01 Request</b>	<b>\$2,936</b>	<b>0.0</b>	<b>\$2,936</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Office of the Respondent Parents' Counsel - FY 2020-21  
 Reconciliation of Department Request

Long Bill Line Item	Total Funds	FTE	General Fund	General Fund Exempt	Cash Funds	Reappropriated Funds	Federal Funds
<b>AED</b>							
FY 2019-20 Long Bill Appropriation, S.B. 19-207	\$62,772	0.0	\$62,772	\$0	\$0	\$0	\$0
<b>FY 2019-20 Total Appropriation</b>	<b>\$62,772</b>	<b>0.0</b>	<b>\$62,772</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Total Compensation Common Policy (incremental change)	\$6,078	0.0	\$6,078	\$0	\$0	\$0	\$0
<b>FY 2020-21 Base Request</b>	<b>\$68,850</b>	<b>0.0</b>	<b>\$68,850</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
R-2, Common Compensation Plan - Attorneys	\$3,307	0.0	\$3,307	\$0	\$0	\$0	\$0
R-3, Common Compensation Plan - Other Staff	\$2,268	0.0	\$2,268	\$0	\$0	\$0	\$0
R-6, Social Work Coordinator	\$4,478	0.0	\$4,478	\$0	\$0	\$0	\$0
R-7, Carrie Ann Lucas Fellowship	\$6,220	0.0	\$6,220	\$0	\$0	\$0	\$0
<b>FY 2020-21 November 01 Request</b>	<b>\$85,123</b>	<b>0.0</b>	<b>\$85,123</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>SAED</b>							
FY 2019-20 Long Bill Appropriation, S.B. 19-207	\$62,772	0.0	\$62,772	\$0	\$0	\$0	\$0
<b>FY 2019-20 Total Appropriation</b>	<b>\$62,772</b>	<b>0.0</b>	<b>\$62,772</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Total Compensation Common Policy (incremental change)	\$6,078	0.0	\$6,078	\$0	\$0	\$0	\$0
<b>FY 2020-21 Base Request</b>	<b>\$68,850</b>	<b>0.0</b>	<b>\$68,850</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
R-2, Common Compensation Plan - Attorneys	\$3,307	0.0	\$3,307	\$0	\$0	\$0	\$0
R-3, Common Compensation Plan - Other Staff	\$2,268	0.0	\$2,268	\$0	\$0	\$0	\$0
R-6, Social Work Coordinator	\$4,478	0.0	\$4,478	\$0	\$0	\$0	\$0
R-7, Carrie Ann Lucas Fellowship	\$6,220	0.0	\$6,220	\$0	\$0	\$0	\$0
<b>FY 2020-21 November 01 Request</b>	<b>\$85,123</b>	<b>0.0</b>	<b>\$85,123</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Salary Survey</b>							
FY 2019-20 Long Bill Appropriation, S.B. 19-207	\$0	0.0	\$0	\$0	\$0	\$0	\$0
<b>FY 2019-20 Total Appropriation</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Total Compensation Common Policy (full amount for FY21)	\$30,335	0.0	\$30,335	\$0	\$0	\$0	\$0
<b>FY 2020-21 Base Request</b>	<b>\$30,335</b>	<b>0.0</b>	<b>\$30,335</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2020-21 November 01 Request</b>	<b>\$30,335</b>	<b>0.0</b>	<b>\$30,335</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Merit Pay</b>							
FY 2019-20 Long Bill Appropriation, S.B. 19-207	\$34,215	0.0	\$34,215	\$0	\$0	\$0	\$0
<b>FY 2019-20 Total Appropriation</b>	<b>\$34,215</b>	<b>0.0</b>	<b>\$34,215</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Merit allocated to Personal Services	(\$34,215)	0.0	(\$34,215)	\$0	\$0	\$0	\$0
<b>FY 2020-21 Base Request</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2020-21 November 01 Request</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Office of the Respondent Parents' Counsel - FY 2020-21  
 Reconciliation of Department Request

Long Bill Line Item	Total Funds	FTE	General Fund	General Fund Exempt	Cash Funds	Reappropriated Funds	Federal Funds
<b>Operating Expenses</b>							
FY 2019-20 Long Bill Appropriation, S.B. 19-207	\$104,899	0.0	\$104,899	\$0	\$0	\$0	\$0
<b>FY 2019-20 Total Appropriation</b>	<b>\$104,899</b>	<b>0.0</b>	<b>\$104,899</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Annualization for FY 2016-17, H.B. 15-1043 Felony DUI	\$0	0.0	\$0	\$0	\$0	\$0	\$0
Annualization of FY 2019-20 R-2, Staff Attorney	(\$2,300)	0.0	(\$2,300)	\$0	\$0	\$0	\$0
Annualization of FY 2019-20 R-3, Administrative Specialist	(\$1,230)	0.0	(\$1,230)	\$0	\$0	\$0	\$0
Annualization of FY 2019-20 R-4, Program Analyst	(\$2,300)	0.0	(\$2,300)	\$0	\$0	\$0	\$0
<b>FY 2020-21 Base Request</b>	<b>\$99,069</b>	<b>0.0</b>	<b>\$99,069</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
R-6, Social Work Coordinator	\$8,403	0.0	\$8,403	\$0	\$0	\$0	\$0
R-7, Carrie Ann Lucas Fellowship	\$8,403	0.0	\$8,403	\$0	\$0	\$0	\$0
R-9, Operating	\$27,968	0.0	\$27,968	\$0	\$0	\$0	\$0
<b>FY 2020-21 November 01 Request</b>	<b>\$143,843</b>	<b>0.0</b>	<b>\$143,843</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Training</b>							
FY 2019-20 Long Bill Appropriation, S.B. 19-207	\$60,000	0.0	\$30,000	\$0	\$30,000	\$0	\$0
<b>FY 2019-20 Total Appropriation</b>	<b>\$60,000</b>	<b>0.0</b>	<b>\$30,000</b>	<b>\$0</b>	<b>\$30,000</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2020-21 Base Request</b>	<b>\$60,000</b>	<b>0.0</b>	<b>\$30,000</b>	<b>\$0</b>	<b>\$30,000</b>	<b>\$0</b>	<b>\$0</b>
R-10, Training	\$46,000	0.0	\$28,000	\$0	\$18,000	\$0	\$0
<b>FY 2020-21 November 01 Request</b>	<b>\$106,000</b>	<b>0.0</b>	<b>\$58,000</b>	<b>\$0</b>	<b>\$48,000</b>	<b>\$0</b>	<b>\$0</b>
<b>Court-Appointed Counsel</b>							
FY 2019-20 Long Bill Appropriation, S.B. 19-207	\$17,576,705	0.0	\$17,576,705	\$0	\$0	\$0	\$0
<b>FY 2019-20 Total Appropriation</b>	<b>\$17,576,705</b>	<b>0.0</b>	<b>\$17,576,705</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2020-21 Base Request</b>	<b>\$17,576,705</b>	<b>0.0</b>	<b>\$17,576,705</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
R-1, Increase in Number of and Costs per Appointment	\$1,902,892	0.0	\$1,902,892	\$0	\$0	\$0	\$0
R-8, Contractor Rate Increase	\$939,102	0.0	\$939,102	\$0	\$0	\$0	\$0
<b>FY 2020-21 November 01 Request</b>	<b>\$20,418,699</b>	<b>0.0</b>	<b>\$20,418,699</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Mandated Costs</b>							
FY 2019-20 Long Bill Appropriation, S.B. 19-207	\$1,290,122	0.0	\$1,290,122	\$0	\$0	\$0	\$0
<b>FY 2019-20 Total Appropriation</b>	<b>\$1,290,122</b>	<b>0.0</b>	<b>\$1,290,122</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Annualization of FY 2017-18 BA-2, Social Worker Pilot Program	(\$302,640)	0.0	(\$302,640)	\$0	\$0	\$0	\$0
<b>FY 2020-21 Base Request</b>	<b>\$987,482</b>	<b>0.0</b>	<b>\$987,482</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
R-1, Increase in Number of and Costs per Appointment	\$435,601	0.0	\$435,601	\$0	\$0	\$0	\$0
R-5, Social Work Pilot Program Continuation	\$318,240	0.0	\$318,240	\$0	\$0	\$0	\$0
R-8, Contractor Rate Increase	\$60,568	0.0	\$60,568	\$0	\$0	\$0	\$0
<b>FY 2020-21 November 01 Request</b>	<b>\$1,801,891</b>	<b>0.0</b>	<b>\$1,801,891</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>IV-E Legal Representation</b>							
FY 2019-20 Long Bill Appropriation, S.B. 19-207	\$0	0.0	\$0	\$0	\$0	\$0	\$0
<b>FY 2019-20 Total Appropriation</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2020-21 Base Request</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
R-4, IV-E Legal Representation	\$4,528,038	0.0	\$0	\$0	\$0	\$4,528,038	\$0
<b>FY 2020-21 November 01 Request</b>	<b>\$4,528,038</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$4,528,038</b>	<b>\$0</b>

Office of the Respondent Parents' Counsel - FY 2020-21  
 Reconciliation of Department Request

Long Bill Line Item	Total Funds	FTE	General Fund	General Fund Exempt	Cash Funds	Reappropriated Funds	Federal Funds
<b>Grants</b>							
FY 2019-20 Long Bill Appropriation, S.B. 19-207	\$31,095	0.0	\$0	\$0	\$0	\$31,095	\$0
<b>FY 2019-20 Total Appropriation</b>	<b>\$31,095</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$31,095</b>	<b>\$0</b>
<b>FY 2020-21 Base Request</b>	<b>\$31,095</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$31,095</b>	<b>\$0</b>
<b>FY 2020-21 November 01 Request</b>	<b>\$31,095</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$31,095</b>	<b>\$0</b>
<b>FY 2019-20 Total Appropriation (Long Bill plus Special Bills)</b>	<b>\$20,881,276</b>	<b>13.0</b>	<b>\$20,820,181</b>	<b>\$0</b>	<b>\$30,000</b>	<b>\$31,095</b>	<b>\$0</b>
<b>FY 2020-21 Base Request</b>	<b>\$20,628,518</b>	<b>13.0</b>	<b>\$20,567,423</b>	<b>\$0</b>	<b>\$30,000</b>	<b>\$31,095</b>	<b>\$0</b>
<b>FY 2020-21 November 01 Request</b>	<b>\$29,327,893</b>	<b>15.0</b>	<b>\$24,720,760</b>	<b>\$0</b>	<b>\$48,000</b>	<b>\$4,559,133</b>	<b>\$0</b>
Change, FY 2019-20 Appropriation to FY 2020-21 Base Request	(\$252,758)	0.0	(\$252,758)	\$0	\$0	\$0	\$0
Change, FY 2019-20 Appropriation to FY 2020-21 November 01 Request	\$8,446,617	2.0	\$3,900,579	\$0	\$18,000	\$4,528,038	\$0
Percentage Change from FY 2019-20	40.5%	15.4%	18.7%	0.0%	60.0%	14561.9%	0.0%
<i>Change FY 2019-20 Appropriation to FY 2020-21 Base Request - FROM ANNUALIZATIONS</i>	<i>(\$301,665)</i>	<i>0.0</i>	<i>(\$301,665)</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>
<i>Percent Changes - FROM ANNUALIZATIONS</i>	<i>-1.4%</i>	<i>0.0%</i>	<i>-1.4%</i>	<i>0.0%</i>	<i>0.0%</i>	<i>0.0%</i>	<i>0.0%</i>
<i>Change FY 2019-20 Appropriation to FY 2020-21 Base Request - FROM COMMON POLICY</i>	<i>\$48,907</i>	<i>0.0</i>	<i>\$48,907</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>
<i>Percent Changes - FROM COMMON POLICY</i>	<i>0.2%</i>	<i>0.0%</i>	<i>0.2%</i>	<i>0.0%</i>	<i>0.0%</i>	<i>0.0%</i>	<i>0.0%</i>
<i>Change FY 2019-20 Appropriation to FY 2020-21 Base Request - FROM DECISION ITEMS</i>	<i>\$8,699,375</i>	<i>2.0</i>	<i>\$4,153,337</i>	<i>\$0</i>	<i>\$18,000</i>	<i>\$4,528,038</i>	<i>\$0</i>
<i>Percent Changes - FROM DECISION ITEMS</i>	<i>41.7%</i>	<i>15.4%</i>	<i>19.9%</i>	<i>0.0%</i>	<i>60.0%</i>	<i>14561.9%</i>	<i>0.0%</i>

**Office of the Respondent Parents' Counsel FY 2020-21  
Department Summary**

**Schedule 2**

Item	FTE	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
FY 2015-16 Actual Expenditures	2.7	712,564	712,564	-	-	-
FY 2016-17 Actual Expenditures	10.0	13,961,461	13,932,510	9,613	19,338	-
FY 2017-18 Actual Expenditures	9.7	16,110,219	16,045,575	-	64,644	-
FY 2018-19 Actual Expenditures	9.2	20,525,589	20,435,214	20,300	70,076	-
FY 2019-20 Appropriation	13.0	20,881,276	20,820,181	30,000	31,095	-
FY 2020-21 Request	15.0	29,327,893	24,720,760	48,000	4,559,133	-

**Office of the Respondent Parents' Counsel FY 2020-21  
Summary**

Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<b>FY 2017-18 Appropriation</b>						
FY 2017-18 Long Bill, S.B. 17-254	\$16,230,423	10.00	\$16,169,328	\$30,000	\$31,095	\$0
<b>FY 2017-18 Appropriation</b>	\$16,230,423	10.00	\$16,169,328	\$30,000	\$31,095	\$0
<b>FY 2018-19 Appropriation</b>						
FY 2018-19 Long Bill, H.B. 18-1322	\$17,431,929	10.00	\$17,370,834	\$30,000	\$31,095	\$0
FY 2018-19 Supplemental, S.B. 19-115	\$3,078,244	-	\$3,078,244	\$0	\$0	\$0
<b>FY 2018-19 Appropriation</b>	\$20,510,173	10.00	\$20,449,078	\$30,000	\$31,095	\$0
<b>FY 2019-20 Appropriation</b>						
FY 2019-20 Long Bill, S.B. 19-207	\$20,869,276	13.00	\$20,808,181	\$30,000	\$31,095	\$0
Rollforward from FY 2018-19	\$12,000	-	\$12,000	\$0	\$0	\$0
<b>FY 2019-20 Appropriation</b>	\$20,881,276	13.00	\$20,820,181	\$30,000	\$31,095	\$0
<b>FY 2020-21 Request</b>						
FY 2019-20 Appropriation	\$20,881,276	13.00	\$20,820,181	\$30,000	\$31,095	\$0
Common policy adjustment, Salary Survey	\$30,335	-	\$30,335	\$0	\$0	\$0
Common policy adjustment, HLD	\$6,133	-	\$6,133	\$0	\$0	\$0
Common policy adjustment, STD	\$283	-	\$283	\$0	\$0	\$0
Common policy adjustment, AED	\$6,078	-	\$6,078	\$0	\$0	\$0
Common policy adjustment, SAED	\$6,078	-	\$6,078	\$0	\$0	\$0
DOL Legal Services Allocation Adjustment	\$0	-	\$0	\$0	\$0	\$0
Annualization of HB 18-1322, Footnote 66	(\$12,000)	-	(\$12,000)	\$0	\$0	\$0
Annualization, FY 2018-19, R-1, Social Work Pilot	(\$302,640)	-	(\$302,640)	\$0	\$0	\$0
Annualization, FY 2019-20, R-2, Staff Attorney	\$6,012	-	\$6,012	\$0	\$0	\$0
Annualization, FY 2019-20, R-3, Admin Specialist	\$3,064	-	\$3,064	\$0	\$0	\$0
Annualization, FY 2019-20, R-4, Program Analyst	\$3,733	-	\$3,733	\$0	\$0	\$0
Annualization, FY 2019-20, R-5, Common Comp Plan	\$166	-	\$166	\$0	\$0	\$0
R-1, Increase in Number and Cost of Appointments	\$2,338,493	-	\$2,338,493	\$0	\$0	\$0
R-2, Common Compensation Plan - Attorneys	\$81,043	-	\$81,043	\$0	\$0	\$0
R-3, Common Compensation Plan - Other Staff	\$55,575	-	\$55,575	\$0	\$0	\$0
R-4, IV-E Legal Representation	\$4,528,038	-	\$0	\$0	\$4,528,038	\$0
R-5, Social Work Pilot Program Continuation	\$318,240	-	\$318,240	\$0	\$0	\$0
R-6, Social Worker Coordinator	\$130,826	1.00	\$130,826	\$0	\$0	\$0
R-7, Carrie Ann Lucas Fellowship	\$173,522	1.00	\$173,522	\$0	\$0	\$0
R-8, Contractor Rate Increase	\$999,670	-	\$999,670	\$0	\$0	\$0
R-9, Operating	\$27,968	-	\$27,968	\$0	\$0	\$0
R-10, Training	\$46,000	-	\$28,000	\$18,000	\$0	\$0
<b>FY 2020-21 Request</b>	\$29,327,893	15.00	\$24,720,760	\$48,000	\$4,559,133	\$0
<i>annual change</i>	<i>\$8,446,617</i>	<i>2.00</i>	<i>\$3,900,579</i>	<i>\$18,000</i>	<i>\$4,528,038</i>	<i>\$0</i>
<b>Change, FY 2019-20 to FY 2020-21: Dollar amounts and FTE Percentage</b>	<b>\$8,446,617 40.5%</b>	<b>2.0 15.4%</b>	<b>\$3,900,579 18.7%</b>	<b>\$18,000 60.0%</b>	<b>\$4,528,038 14561.9%</b>	<b>\$0 0.0%</b>

**Office of the Respondent Parents' Counsel FY 2020-21**  
**Line Item by Year**

**Schedule 3**

Long Bill Line Item	FTE	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<b>Personal Services</b>						
<b>FY 2017-18 Actual</b>						
FY 2017-18 Long Bill, SB 17-254	10.0	1,177,365	1,177,365	-	-	-
<b>Final FY 2017-18 Appropriation</b>	<b>10.0</b>	<b>1,177,365</b>	<b>1,177,365</b>	-	-	-
FY 2017-18 Allocated Pots	-	170,743	170,743	-	-	-
FY 2017-18 Salary Survey Allocated to Personal Svcs	-	17,159	17,159	-	-	-
FY 2017-18 Merit Allocated to Personal Svcs	-	7,354	7,354	-	-	-
<b>FY 2017-18 Total Available Spending Authority</b>	<b>10.0</b>	<b>1,372,621</b>	<b>1,372,621</b>	-	-	-
FY 2017-18 Expenditures	9.7	1,315,372	1,315,372	-	-	-
<b>FY 2017-18 Reversion/(Overexpenditure)</b>	<b>0.3</b>	<b>57,249</b>	<b>57,249</b>	-	-	-
<b>FY 2018-19 Actual</b>						
FY 2018-19 Long Bill, HB 18-1322	10.0	1,221,878	1,221,878	-	-	-
<b>Final FY 2018-19 Appropriation</b>	<b>10.0</b>	<b>1,221,878</b>	<b>1,221,878</b>	-	-	-
FY 2018-19 Allocated Pots	-	193,549	193,549	-	-	-
FY 2018-19 Salary Survey Allocated to Personal Svcs	-	31,841	31,841	-	-	-
Year End Transfers	-	(62,016)	(62,016)	-	-	-
Rollforward to FY 2019-20, HB 18-1322, footnote 66	-	(12,000)	(12,000)	-	-	-
<b>FY 2018-19 Total Available Spending Authority</b>	<b>10.0</b>	<b>1,373,252</b>	<b>1,373,252</b>	-	-	-
FY 2018-19 Expenditures	9.7	1,373,252	1,373,252	-	-	-
<b>FY 2018-19 Reversion/(Overexpenditure)</b>	<b>0.3</b>	-	-	-	-	-
<b>FY 2019-20 Appropriation</b>						
FY 2019-20 Long Bill, SB 19-207	13.0	1,485,089	1,485,089	-	-	-
Carryfwd from FY 2018-19, HB 18-1322, footnote 66	-	12,000	12,000	-	-	-
<b>FY 2019-20 Total Appropriation</b>	<b>13.0</b>	<b>1,497,089</b>	<b>1,497,089</b>	-	-	-
<b>FY 2019-20 Total Available Spending Authority</b>	<b>13.0</b>	<b>1,497,089</b>	<b>1,497,089</b>	-	-	-

**Office of the Respondent Parents' Counsel FY 2020-21**  
**Line Item by Year**

**Schedule 3**

Long Bill Line Item	FTE	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<b>FY 2020-21 Request</b>						
FY 2019-20 Appropriation	13.0	1,497,089	1,497,089	-	-	-
Annualization of HB 18-1322, Footnote 66	-	(12,000)	(12,000)	-	-	-
Annualization of FY 2019-20 R-2	-	8,312	8,312	-	-	-
Annualization of FY 2019-20 R-3	-	4,294	4,294	-	-	-
Annualization of FY 2019-20 R-4	-	6,033	6,033	-	-	-
Annualization of FY 2019-20 R-5	-	166	166	-	-	-
FY 2019-20 Merit Allocated to Personal Svcs	-	34,215	34,215	-	-	-
<b>FY 2020-21 Base Request</b>	<b>13.0</b>	<b>1,538,109</b>	<b>1,538,109</b>	-	-	-
R-2, Compensation Plan Alignment - Attorney Staff	-	74,317	74,317	-	-	-
R-3, Compensation Plan Alignment - Other Staff	-	50,962	50,962	-	-	-
R-6, Social Worker Outreach Coordinator	1.0	100,625	100,625	-	-	-
R-7, Carrie Ann Lucas Fellowship	1.0	139,771	139,771	-	-	-
<b>FY 2020-21 Total Request</b>	<b>15.0</b>	<b>1,903,784</b>	<b>1,903,784</b>	-	-	-
<b>FY 2019-20 Total Appropriation</b>	<b>13.0</b>	<b>1,497,089</b>	<b>1,497,089</b>	-	-	-
<b>FY 2020-21 Base Request</b>	<b>13.0</b>	<b>1,538,109</b>	<b>1,538,109</b>	-	-	-
<b>FY 2020-21 Total Request</b>	<b>15.0</b>	<b>1,903,784</b>	<b>1,903,784</b>	-	-	-
<b>Percentage Change FY 2019-20 to FY 2020-21</b>	<b>15%</b>	<b>27%</b>	<b>27%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>



**Office of the Respondent Parents' Counsel FY 2020-21**  
**Line Item by Year**

**Schedule 3**

Long Bill Line Item	FTE	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<b>Health, Life and Dental</b>						
<b>FY 2017-18 Actual</b>						
FY 2017-18 Long Bill, SB 17-254	-	84,338	84,338	-	-	-
<b>Final FY 2017-18 Appropriation</b>	-	<b>84,338</b>	<b>84,338</b>	-	-	-
FY 2017-18 Allocated Pots	-	(84,338)	(84,338)	-	-	-
<b>FY 2017-18 Total Available Spending Authority</b>	-	-	-	-	-	-
<b>FY 2018-19 Actual</b>						
FY 2018-19 Long Bill, HB 18-1322	-	93,928	93,928	-	-	-
<b>Final FY 2018-19 Appropriation</b>	-	<b>93,928</b>	<b>93,928</b>	-	-	-
FY 2018-19 Allocated Pots	-	(93,928)	(93,928)	-	-	-
<b>FY 2018-19 Total Available Spending Authority</b>	-	-	-	-	-	-
<b>FY 2019-20 Appropriation</b>						
FY 2019-20 Long Bill, SB 19-207	-	159,549	159,549	-	-	-
<b>FY 2019-20 Total Appropriation</b>	-	<b>159,549</b>	<b>159,549</b>	-	-	-
<b>FY 2019-20 Total Available Spending Authority</b>	-	159,549	159,549	-	-	-
<b>FY 2020-21 Request</b>						
FY 2019-20 Appropriation	-	159,549	159,549	-	-	-
Total Compensation Common Policy	-	6,133	6,133	-	-	-
<b>FY 2020-21 Base Request</b>	-	<b>165,682</b>	<b>165,682</b>	-	-	-
R-2, Compensation Plan Alignment - Attorney Staff	-	-	-	-	-	-
R-3, Compensation Plan Alignment - Other Staff	-	-	-	-	-	-
R-6, Social Worker Outreach Coordinator	-	12,672	12,672	-	-	-
R-7, Carrie Ann Lucas Fellowship	-	12,672	12,672	-	-	-
<b>FY 2020-21 Total Request</b>	-	<b>191,026</b>	<b>191,026</b>	-	-	-
<b>FY 2019-20 Total Appropriation</b>	-	<b>159,549</b>	<b>159,549</b>	-	-	-
<b>FY 2020-21 Base Request</b>	-	<b>165,682</b>	<b>165,682</b>	-	-	-
<b>FY 2020-21 Total Request</b>	-	<b>191,026</b>	<b>191,026</b>	-	-	-
<b>Percentage Change FY 2019-20 to FY 2020-21</b>	-	<b>20%</b>	<b>20%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>

**Office of the Respondent Parents' Counsel FY 2020-21**  
**Line Item by Year**

**Schedule 3**

Long Bill Line Item	FTE	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<b>Short-term Disability</b>						
<b>FY 2017-18 Actual</b>						
FY 2017-18 Long Bill, SB 17-254	-	1,611	1,611	-	-	-
<b>Final FY 2017-18 Appropriation</b>	-	<b>1,611</b>	<b>1,611</b>	-	-	-
FY 2017-18 Allocated Pots	-	(1,611)	(1,611)	-	-	-
<b>FY 2017-18 Total Available Spending Authority</b>	-	-	-	-	-	-
<b>FY 2018-19 Actual</b>						
FY 2018-19 Long Bill, HB 18-1322	-	1,665	1,665	-	-	-
<b>Final FY 2018-19 Appropriation</b>	-	<b>1,665</b>	<b>1,665</b>	-	-	-
FY 2018-19 Allocated Pots	-	(1,665)	(1,665)	-	-	-
<b>FY 2018-19 Total Available Spending Authority</b>	-	-	-	-	-	-
<b>FY 2019-20 Appropriation</b>						
FY 2019-20 Long Bill, SB 19-207	-	2,058	2,058	-	-	-
<b>FY 2019-20 Total Appropriation</b>	-	<b>2,058</b>	<b>2,058</b>	-	-	-
<b>FY 2020-21 Request</b>						
FY 2019-20 Appropriation	-	2,058	2,058	-	-	-
Total Compensation Common Policy	-	283	283	-	-	-
<b>FY 2020-21 Base Request</b>	-	<b>2,341</b>	<b>2,341</b>	-	-	-
R-2, Compensation Plan Alignment - Attorney Staff	-	112	112	-	-	-
R-3, Compensation Plan Alignment - Other Staff	-	77	77	-	-	-
R-6, Social Worker Outreach Coordinator	-	170	170	-	-	-
R-7, Carrie Ann Lucas Fellowship	-	236	236	-	-	-
<b>FY 2020-21 Total Available Spending Authority</b>	-	<b>2,936</b>	<b>2,936</b>	-	-	-
<b>FY 2020-21 Total Request</b>	-	<b>2,936</b>	<b>2,936</b>	-	-	-
<b>FY 2019-20 Total Appropriation</b>	-	<b>2,058</b>	<b>2,058</b>	-	-	-
<b>FY 2020-21 Base Request</b>	-	<b>2,341</b>	<b>2,341</b>	-	-	-
<b>FY 2020-21 Total Request</b>	-	<b>2,936</b>	<b>2,936</b>	-	-	-
<b>Percentage Change FY 2019-20 to FY 2020-21</b>	-	<b>43%</b>	<b>43%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>

**Office of the Respondent Parents' Counsel FY 2020-21**  
**Line Item by Year**

**Schedule 3**

Long Bill Line Item	FTE	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<b>S.B. 04-257 AED</b>						
<b>FY 2017-18 Actual</b>						
FY 2017-18 Long Bill, SB 17-254	-	42,397	42,397	-	-	-
<b>Final FY 2017-18 Appropriation</b>	-	<b>42,397</b>	<b>42,397</b>	-	-	-
FY 2017-18 Allocated Pots	-	(42,397)	(42,397)	-	-	-
<b>FY 2017-18 Total Available Spending Authority</b>	-	-	-	-	-	-
<b>FY 2018-19 Actual</b>						
FY 2018-19 Long Bill, HB 18-1322	-	48,978	48,978	-	-	-
<b>Final FY 2018-19 Appropriation</b>	-	<b>48,978</b>	<b>48,978</b>	-	-	-
FY 2018-19 Allocated Pots	-	(48,978)	(48,978)	-	-	-
<b>FY 2018-19 Total Available Spending Authority</b>	-	-	-	-	-	-
<b>FY 2019-20 Appropriation</b>						
FY 2019-20 Long Bill, SB 19-207	-	62,772	62,772	-	-	-
<b>FY 2019-20 Total Appropriation</b>	-	<b>62,772</b>	<b>62,772</b>	-	-	-
<b>FY 2020-21 Request</b>						
FY 2019-20 Appropriation	-	62,772	62,772	-	-	-
Total Compensation Common Policy	-	6,078	6,078	-	-	-
<b>FY 2020-21 Base Request</b>	-	<b>68,850</b>	<b>68,850</b>	-	-	-
R-2, Compensation Plan Alignment - Attorney Staff	-	3,307	3,307	-	-	-
R-3, Compensation Plan Alignment - Other Staff	-	2,268	2,268	-	-	-
R-6, Social Worker Outreach Coordinator	-	4,478	4,478	-	-	-
R-7, Carrie Ann Lucas Fellowship	-	6,220	6,220	-	-	-
<b>FY 2020-21 Total Request</b>	-	<b>85,123</b>	<b>85,123</b>	-	-	-
<b>FY 2019-20 Total Appropriation</b>	-	<b>62,772</b>	<b>62,772</b>	-	-	-
<b>FY 2020-21 Base Request</b>	-	<b>68,850</b>	<b>68,850</b>	-	-	-
<b>FY 2020-21 Total Request</b>	-	<b>85,123</b>	<b>85,123</b>	-	-	-
<b>Percentage Change FY 2019-20 to FY 2020-21</b>	-	<b>36%</b>	<b>36%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>

**Office of the Respondent Parents' Counsel FY 2020-21**  
**Line Item by Year**

**Schedule 3**

Long Bill Line Item	FTE	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<b>S.B. 06-235 SAED</b>						
<b>FY 2017-18 Actual</b>						
FY 2017-18 Long Bill, SB 17-254	-	42,397	42,397	-	-	-
<b>Final FY 2017-18 Appropriation</b>	-	<b>42,397</b>	<b>42,397</b>	-	-	-
FY 2017-18 Allocated Pots	-	(42,397)	(42,397)	-	-	-
<b>FY 2017-18 Total Available Spending Authority</b>	-	-	-	-	-	-
<b>FY 2018-19 Actual</b>						
FY 2018-19 Long Bill, HB 18-1322	-	48,978	48,978	-	-	-
<b>Final FY 2018-19 Appropriation</b>	-	<b>48,978</b>	<b>48,978</b>	-	-	-
FY 2018-19 Allocated Pots	-	(48,978)	(48,978)	-	-	-
<b>FY 2018-19 Total Available Spending Authority</b>	-	-	-	-	-	-
<b>FY 2019-20 Appropriation</b>						
FY 2019-20 Long Bill, SB 19-207	-	62,772	62,772	-	-	-
<b>FY 2019-20 Total Appropriation</b>	-	<b>62,772</b>	<b>62,772</b>	-	-	-
<b>FY 2020-21 Request</b>						
FY 2020-21 Appropriation	-	62,772	62,772	-	-	-
Total Compensation Common Policy	-	6,078	6,078	-	-	-
<b>FY 2020-21 Base Request</b>	-	<b>68,850</b>	<b>68,850</b>	-	-	-
R-2, Compensation Plan Alignment - Attorney Staff	-	3,307	3,307	-	-	-
R-3, Compensation Plan Alignment - Other Staff	-	2,268	2,268	-	-	-
R-6, Social Worker Outreach Coordinator	-	4,478	4,478	-	-	-
R-7, Carrie Ann Lucas Fellowship	-	6,220	6,220	-	-	-
<b>FY 2020-21 Total Request</b>	-	<b>85,123</b>	<b>85,123</b>	-	-	-
<b>FY 2019-20 Total Appropriation</b>	-	<b>62,772</b>	<b>62,772</b>	-	-	-
<b>FY 2020-21 Base Request</b>	-	<b>68,850</b>	<b>68,850</b>	-	-	-
<b>FY 2020-21 Total Request</b>	-	<b>85,123</b>	<b>85,123</b>	-	-	-
<b>Percentage Change FY 2019-20 to FY 2020-21</b>	-	<b>36%</b>	<b>36%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>

**Office of the Respondent Parents' Counsel FY 2020-21**  
**Line Item by Year**

**Schedule 3**

Long Bill Line Item	FTE	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<b>Salary Survey</b>						
<b>FY 2017-18 Actual</b>						
FY 2017-18 Long Bill, SB 17-254	-	17,159	17,159	-	-	-
<b>Final FY 2017-18 Appropriation</b>	-	<b>17,159</b>	<b>17,159</b>	-	-	-
Allocated to Personal Services	-	(17,159)	(17,159)	-	-	-
<b>FY 2017-18 Total Available Spending Authority</b>	-	-	-	-	-	-
<b>FY 2018-19 Actual</b>						
FY 2018-19 Long Bill, HB 18-1322	-	31,841	31,841	-	-	-
<b>Final FY 2018-19 Appropriation</b>	-	<b>31,841</b>	<b>31,841</b>	-	-	-
Allocated to Personal Services	-	(31,841)	(31,841)	-	-	-
<b>FY 2018-19 Total Available Spending Authority</b>	-	-	-	-	-	-
<b>FY 2019-20 Appropriation</b>						
FY 2019-20 Long Bill, SB 19-207	-	-	-	-	-	-
<b>FY 2019-20 Total Appropriation</b>	-	-	-	-	-	-
<b>FY 2020-21 Request</b>						
FY 2019-20 Appropriation	-	-	-	-	-	-
Total Compensation Common Policy	-	30,335	30,335	-	-	-
Total Compensation Common Policy - Move to Min	-	-	-	-	-	-
<b>FY 2020-21 Base Request</b>	-	<b>30,335</b>	<b>30,335</b>	-	-	-
<b>FY 2020-21 Total Request</b>	-	<b>30,335</b>	<b>30,335</b>	-	-	-
<b>FY 2019-20 Total Appropriation</b>	-	-	-	-	-	-
<b>FY 2020-21 Base Request</b>	-	<b>30,335</b>	<b>30,335</b>	-	-	-
<b>FY 2020-21 Total Request</b>	-	<b>30,335</b>	<b>30,335</b>	-	-	-
<b>Percentage Change FY 2019-20 to FY 2020-21</b>	-	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>

**Office of the Respondent Parents' Counsel FY 2020-21**  
**Line Item by Year**

**Schedule 3**

Long Bill Line Item	FTE	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<b>Merit</b>						
<b>FY 2017-18 Actual</b>						
FY 2017-18 Long Bill, SB 17-254	-	7,354	7,354	-	-	-
<b>Final FY 2017-18 Appropriation</b>	-	<b>7,354</b>	<b>7,354</b>	-	-	-
Allocated to Personal Services	-	(7,354)	(7,354)	-	-	-
<b>FY 2017-18 Total Available Spending Authority</b>	-	-	-	-	-	-
<b>FY 2018-19 Actual</b>						
FY 2018-19 Long Bill, HB 18-1322	-	-	-	-	-	-
<b>FY 2018-19 Total Available Spending Authority</b>	-	-	-	-	-	-
<b>FY 2019-20 Appropriation</b>						
FY 2019-20 Long Bill, SB 19-207	-	34,215	34,215	-	-	-
<b>FY 2019-20 Total Appropriation</b>	-	<b>34,215</b>	<b>34,215</b>	-	-	-
<b>FY 2020-21 Request</b>						
FY 2019-20 Appropriation	-	34,215	34,215	-	-	-
FY 2019-20 Salary Survey Allocated to Personal Svcs	-	(34,215)	(34,215)	-	-	-
<b>FY 2020-21 Base Request</b>	-	-	-	-	-	-
<b>FY 2020-21 Total Request</b>	-	-	-	-	-	-
<b>FY 2019-20 Total Appropriation</b>	-	<b>34,215</b>	<b>34,215</b>	-	-	-
<b>FY 2020-21 Base Request</b>	-	-	-	-	-	-
<b>FY 2020-21 Total Request</b>	-	-	-	-	-	-
<b>Percentage Change FY 2019-20 to FY 2020-21</b>	-	<b>-100%</b>	<b>-100%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>

**Office of the Respondent Parents' Counsel FY 2020-21**  
**Line Item by Year**

**Schedule 3**

Long Bill Line Item	FTE	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<b>Operating</b>						
<b>FY 2017-18 Actual</b>						
FY 2017-18 Long Bill, SB 17-254	-	87,221	87,221	-	-	-
Rollforward from FY 2017-18	-	711	711	-	-	-
<b>Final FY 2017-18 Appropriation</b>	-	<b>87,932</b>	<b>87,932</b>	-	-	-
Year End Transfers	-	-	-	-	-	-
<b>FY 2017-18 Total Available Spending Authority</b>	-	<b>87,932</b>	<b>87,932</b>	-	-	-
FY 2017-18 Expenditures	-	80,389	80,389	-	-	-
<b>FY 2017-18 Reversion/(Overexpenditure)</b>	-	<b>7,543</b>	<b>7,543</b>	-	-	-
<b>FY 2018-19 Actual</b>						
FY 2018-19 Long Bill, HB 18-1322	-	103,119	103,119	-	-	-
<b>Final FY 2018-19 Appropriation</b>	-	<b>103,119</b>	<b>103,119</b>	-	-	-
Year End Transfers	-	30,974	30,974	-	-	-
<b>FY 2018-19 Total Available Spending Authority</b>	-	<b>134,093</b>	<b>134,093</b>	-	-	-
FY 2018-19 Expenditures	-	134,093	134,093	-	-	-
<b>FY 2018-19 Reversion/(Overexpenditure)</b>	-	-	-	-	-	-
<b>FY 2019-20 Appropriation</b>						
FY 2019-20 Long Bill, SB 19-207	-	104,899	104,899	-	-	-
<b>FY 2019-20 Total Appropriation</b>	-	<b>104,899</b>	<b>104,899</b>	-	-	-

**Office of the Respondent Parents' Counsel FY 2020-21**  
**Line Item by Year**

**Schedule 3**

Long Bill Line Item	FTE	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<b>FY 2020-21 Request</b>						
FY 2019-20 Appropriation	-	104,899	104,899	-	-	-
Annualization of FY 2019-20 R-2	-	(2,300)	(2,300)	-	-	-
Annualization of FY 2019-20 R-3	-	-	(1,230)	-	-	-
Annualization of FY 2019-20 R-4	-	-	(2,300)	-	-	-
<b>FY 2020-21 Base Request</b>	-	<b>99,069</b>	<b>99,069</b>	-	-	-
R-6, Social Worker Outreach Coordinator	-	8,403	8,403	-	-	-
R-7, Carrie Ann Lucas Fellowship	-	8,403	8,403	-	-	-
R-9, Operating Expenses	-	27,968	27,968	-	-	-
<b>FY 2020-21 Total Request</b>	-	<b>143,843</b>	<b>143,843</b>	-	-	-
<b>FY 2019-20 Total Appropriation</b>	-	<b>104,899</b>	<b>104,899</b>	-	-	-
<b>FY 2020-21 Base Request</b>	-	<b>99,069</b>	<b>99,069</b>	-	-	-
<b>FY 2020-21 Total Request</b>	-	<b>143,843</b>	<b>143,843</b>	-	-	-
<b>Percentage Change FY 2019-20 to FY 2020-21</b>	-	<b>37%</b>	<b>37%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>



**Office of the Respondent Parents' Counsel FY 2020-21**  
**Line Item by Year**

**Schedule 3**

Long Bill Line Item	FTE	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<b>Legal Services</b>						
<b>FY 2017-18 Actual</b>						
FY 2017-18 Long Bill, SB 17-254	-	2,131	2,131	-	-	-
<b>Final FY 2017-18 Appropriation</b>	-	<b>2,131</b>	<b>2,131</b>	-	-	-
<b>FY 2017-18 Total Available Spending Authority</b>	-	<b>2,131</b>	<b>2,131</b>	-	-	-
FY 2017-18 Expenditures	-	2,131	2,131	-	-	-
<b>FY 2017-18 Reversion/(Overexpenditure)</b>	-	-	-	-	-	-
<b>FY 2018-19 Actual</b>						
FY 2018-19 Long Bill, HB 18-1322	-	1,864	1,864	-	-	-
<b>Final FY 2018-19 Appropriation</b>	-	<b>1,864</b>	<b>1,864</b>	-	-	-
<b>FY 2018-19 Total Available Spending Authority</b>	-	<b>1,864</b>	<b>1,864</b>	-	-	-
FY 2018-19 Expenditures	-	1,864	1,864	-	-	-
<b>FY 2018-19 Reversion/(Overexpenditure)</b>	-	-	-	-	-	-
<b>FY 2019-20 Appropriation</b>						
<b>FY 2019-20 Total Appropriation</b>	-	-	-	-	-	-
<b>FY 2020-21 Request</b>						
FY 2019-20 Appropriation	-	-	-	-	-	-
FY 2020-21 Dept. of Law Legal Services Allocations	-	-	-	-	-	-
<b>FY 2020-21 Base Request</b>	-	-	-	-	-	-
<b>FY 2020-21 Total Request</b>	-	-	-	-	-	-
<b>FY 2019-20 Total Appropriation</b>	-	-	-	-	-	-
<b>FY 2020-21 Base Request</b>	-	-	-	-	-	-
<b>FY 2020-21 Total Request</b>	-	-	-	-	-	-
<b>Percentage Change FY 2019-20 to FY 2020-21</b>	-	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>

**Office of the Respondent Parents' Counsel FY 2020-21**  
**Line Item by Year**

**Schedule 3**

Long Bill Line Item	FTE	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<b>Case Management System</b>						
<b>FY 2017-18 Actual</b>						
FY 2017-18 Long Bill, SB 17-254	-	-	-	-	-	-
Rollforward from FY 2016-17	-	3,875	3,875	-	-	-
<b>FY 2017-18 Total Available Spending Authority</b>	-	<b>3,875</b>	<b>3,875</b>	-	-	-
FY 2017-18 Expenditures	-	3,875	3,875	-	-	-
<b>FY 2017-18 Reversion/(Overexpenditure)</b>	-	-	-	-	-	-
<b>FY 2018-19 Actual</b>						
FY 2018-19 Long Bill, HB 18-1322	-	-	-	-	-	-
<b>Final FY 2018-19 Appropriation</b>	-	-	-	-	-	-
<b>FY 2018-19 Total Available Spending Authority</b>	-	-	-	-	-	-
<b>FY 2019-20 Appropriation</b>						
FY 2019-20 Long Bill, SB 19-207	-	-	-	-	-	-
<b>FY 2019-20 Total Appropriation</b>	-	-	-	-	-	-
<b>FY 2020-21 Request</b>						
FY 2019-20 Appropriation	-	-	-	-	-	-
<b>FY 2020-21 Base Request</b>	-	-	-	-	-	-
<b>FY 2020-21 Total Request</b>	-	-	-	-	-	-
FY 2019-20 Total Appropriation	-	-	-	-	-	-
FY 2020-21 Base Request	-	-	-	-	-	-
FY 2020-21 Total Request	-	-	-	-	-	-
<b>Percentage Change FY 2019-20 to FY 2020-21</b>	-	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>

**Office of the Respondent Parents' Counsel FY 2020-21**  
**Line Item by Year**

**Schedule 3**

Long Bill Line Item	FTE	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<b>Training</b>						
<b>FY 2017-18 Actual</b>						
FY 2017-18 Long Bill, SB 17-254	-	60,000	30,000	30,000	-	-
<b>Final FY 2017-18 Appropriation</b>	-	<b>60,000</b>	<b>30,000</b>	<b>30,000</b>	-	-
Undercollection of Revenue	-	(10,274)	-	(10,274)	-	-
<b>FY 2017-18 Total Available Spending Authority</b>	-	<b>49,726</b>	<b>30,000</b>	<b>19,726</b>	-	-
FY 2017-18 Expenditures	-	29,183	29,183	-	-	-
<b>FY 2017-18 Reversion/(Overexpenditure)</b>	-	<b>20,543</b>	<b>817</b>	<b>19,726</b>	-	-
<b>FY 2018-19 Actual</b>						
FY 2018-19 Long Bill, HB 18-1322	-	60,000	30,000	30,000	-	-
<b>Final FY 2018-19 Appropriation</b>	-	<b>60,000</b>	<b>30,000</b>	<b>30,000</b>	-	-
Undercollection of Revenue	-	(9,700)	-	(9,700)	-	-
Year End Transfers	-	66	66	-	-	-
<b>FY 2018-19 Total Available Spending Authority</b>	-	<b>50,366</b>	<b>30,066</b>	<b>20,300</b>	-	-
FY 2018-19 Expenditures	-	50,366	30,066	20,300	-	-
<b>FY 2018-19 Reversion/(Overexpenditure)</b>	-	-	-	-	-	-
<b>FY 2019-20 Appropriation</b>						
FY 2019-20 Long Bill, SB 19-207	-	60,000	30,000	30,000	-	-
<b>FY 2019-20 Total Appropriation</b>	-	<b>60,000</b>	<b>30,000</b>	<b>30,000</b>	-	-
<b>FY 2020-21 Request</b>						
FY 2019-20 Appropriation	-	60,000	30,000	30,000	-	-
<b>FY 2019-20 Base Request</b>	-	<b>60,000</b>	<b>30,000</b>	<b>30,000</b>	-	-
R-10, Training Expenses	-	46,000	28,000	18,000	-	-
<b>FY 2020-21 Total Request</b>	-	<b>106,000</b>	<b>58,000</b>	<b>48,000</b>	-	-
<b>FY 2019-20 Total Appropriation</b>	-	<b>60,000</b>	<b>30,000</b>	<b>30,000</b>	-	-
<b>FY 2020-21 Base Request</b>	-	<b>60,000</b>	<b>30,000</b>	<b>30,000</b>	-	-
<b>FY 2020-21 Total Request</b>	-	<b>106,000</b>	<b>58,000</b>	<b>48,000</b>	-	-
<b>Percentage Change FY 2019-20 to FY 2020-21</b>	-	<b>77%</b>	<b>93%</b>	<b>60%</b>	<b>0%</b>	<b>0%</b>

**Office of the Respondent Parents' Counsel FY 2020-21**  
**Line Item by Year**

**Schedule 3**

Long Bill Line Item	FTE	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<b>Court Appointed Counsel</b>						
<b>FY 2017-18 Actual</b>						
FY 2017-18 Long Bill, SB 17-254	-	13,827,934	13,827,934	-	-	-
<b>Final FY 2017-18 Appropriation</b>	-	<b>13,827,934</b>	<b>13,827,934</b>	-	-	-
Year End Transfers	-	(245,000)	(245,000)	-	-	-
<b>FY 2017-18 Total Available Spending Authority</b>	-	<b>13,582,934</b>	<b>13,582,934</b>	-	-	-
FY 2017-18 Expenditures	-	13,523,625	13,523,625	-	-	-
<b>FY 2017-18 Reversion/(Overexpenditure)</b>	-	<b>59,309</b>	<b>59,309</b>	-	-	-
<b>FY 2018-19 Actual</b>						
FY 2018-19 Long Bill, HB 18-1322	-	14,728,892	14,728,892	-	-	-
FY 2018-19 Supplemental Bill, SB 19-115	-	2,847,813	2,847,813	-	-	-
<b>Final FY 2018-19 Appropriation</b>	-	<b>17,576,705</b>	<b>17,576,705</b>	-	-	-
Year End Transfers	-	(197,335)	(197,335)	-	-	-
<b>FY 2018-19 Total Available Spending Authority</b>	-	<b>17,379,370</b>	<b>17,379,370</b>	-	-	-
FY 2018-19 Expenditures	-	17,379,370	17,379,370	-	-	-
<b>FY 2018-19 Reversion/(Overexpenditure)</b>	-	-	-	-	-	-
<b>FY 2019-20 Appropriation</b>						
FY 2019-20 Long Bill, SB 19-207	-	17,576,705	17,576,705	-	-	-
<b>FY 2019-20 Total Appropriation</b>	-	<b>17,576,705</b>	<b>17,576,705</b>	-	-	-
<b>FY 2020-21 Request</b>						
FY 2019-20 Appropriation	-	17,576,705	17,576,705	-	-	-
<b>FY 2020-21 Base Request</b>	-	<b>17,576,705</b>	<b>17,576,705</b>	-	-	-
R-1, Increase in Number of and Costs per Appointment	-	1,902,892	1,902,892	-	-	-
R-8, Increase in Contractor Hourly Rates	-	939,102	939,102	-	-	-
<b>FY 2020-21 Total Request</b>	-	<b>20,418,699</b>	<b>20,418,699</b>	-	-	-
<b>FY 2019-20 Total Appropriation</b>	-	<b>17,576,705</b>	<b>17,576,705</b>	-	-	-
<b>FY 2020-21 Base Request</b>	-	<b>17,576,705</b>	<b>17,576,705</b>	-	-	-
<b>FY 2020-21 Total Request</b>	-	<b>20,418,699</b>	<b>20,418,699</b>	-	-	-
<b>Percentage Change FY 2019-20 to FY 2020-21</b>	-	<b>16%</b>	<b>16%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>

**Office of the Respondent Parents' Counsel FY 2020-21**  
**Line Item by Year**

**Schedule 3**

Long Bill Line Item	FTE	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<b>Mandated Costs</b>						
<b>FY 2017-18 Actual</b>						
FY 2017-18 Long Bill, SB 17-254	-	849,421	849,421	-	-	-
<b>Final FY 2017-18 Appropriation</b>	-	<b>849,421</b>	<b>849,421</b>	-	-	-
Year End Transfers	-	245,000	245,000	-	-	-
<b>FY 2017-18 Total Available Spending Authority</b>	-	<b>1,094,421</b>	<b>1,094,421</b>	-	-	-
FY 2017-18 Expenditures	-	1,091,001	1,091,001	-	-	-
<b>FY 2017-18 Reversion/(Overexpenditure)</b>	-	<b>3,420</b>	<b>3,420</b>	-	-	-
<b>FY 2018-19 Actual</b>						
FY 2018-19 Long Bill, HB 18-1322	-	1,059,691	1,059,691	-	-	-
FY 2018-19 Supplemental Bill, SB 19-115	-	230,431	230,431	-	-	-
<b>Final FY 2018-19 Appropriation</b>	-	<b>1,290,122</b>	<b>1,290,122</b>	-	-	-
Year End Transfers	-	228,311	228,311	-	-	-
<b>FY 2018-19 Total Available Spending Authority</b>	-	<b>1,518,433</b>	<b>1,518,433</b>	-	-	-
FY 2018-19 Expenditures	-	1,518,433	1,518,433	-	-	-
<b>FY 2018-19 Reversion/(Overexpenditure)</b>	-	-	-	-	-	-
<b>FY 2019-20 Appropriation</b>						
FY 2019-20 Long Bill, SB 19-207	-	1,290,122	1,290,122	-	-	-
<b>FY 2019-20 Total Appropriation</b>	-	<b>1,290,122</b>	<b>1,290,122</b>	-	-	-

**Office of the Respondent Parents' Counsel FY 2020-21**  
**Line Item by Year**

**Schedule 3**

Long Bill Line Item	FTE	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<b>FY 2020-21 Request</b>						
FY 2019-20 Appropriation	-	1,290,122	1,290,122	-	-	-
Annualization of FY 2018-19 R-1	-	(302,640)	(302,640)	-	-	-
<b>FY 2020-21 Base Request</b>	-	<b>987,482</b>	<b>987,482</b>	-	-	-
<b>FY 2019-20 Total Available Spending Authority</b>	-	987,482	987,482	-	-	-
R-1, Increase in Number of and Costs per Appointment	-	435,601	435,601	-	-	-
R-5, Social Work Pilot Program	-	318,240	318,240	-	-	-
R-8, Increase in Contractor Hourly Rates	-	60,568	60,568	-	-	-
<b>FY 2020-21 Total Request</b>	-	<b>1,801,891</b>	<b>1,801,891</b>	-	-	-
<b>FY 2019-20 Total Appropriation</b>	-	<b>1,290,122</b>	<b>1,290,122</b>	-	-	-
<b>FY 2020-21 Base Request</b>	-	<b>987,482</b>	<b>987,482</b>	-	-	-
<b>FY 2020-21 Total Request</b>	-	<b>1,801,891</b>	<b>1,801,891</b>	-	-	-
<b>Percentage Change FY 2019-20 to FY 2020-21</b>	-	<b>40%</b>	<b>40%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>

**Office of the Respondent Parents' Counsel FY 2020-21**  
**Line Item by Year**

**Schedule 3**

Long Bill Line Item	FTE	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<b>IV-E Legal Representation</b>						
<b>FY 2017-18 Actual</b>						
FY 2017-18 Long Bill, SB 17-254	-	-	-	-	-	-
<b>Final FY 2017-18 Appropriation</b>	-	-	-	-	-	-
<b>FY 2018-19 Actual</b>						
FY 2018-19 Long Bill, HB 18-1322	-	-	-	-	-	-
<b>Final FY 2018-19 Appropriation</b>	-	-	-	-	-	-
<b>FY 2019-20 Appropriation</b>						
FY 2019-20 Long Bill, SB 19-207	-	-	-	-	-	-
<b>FY 2019-20 Total Appropriation</b>	-	-	-	-	-	-
<b>FY 2020-21 Request</b>						
FY 2019-20 Appropriation	-	-	-	-	-	-
<b>FY 2020-21 Base Request</b>	-	-	-	-	-	-
R-4, IV-E Legal Representation	-	4,528,038	-	-	4,528,038	-
<b>FY 2020-21 Total Request</b>	-	<b>4,528,038</b>	-	-	<b>4,528,038</b>	-
<b>FY 2019-20 Total Appropriation</b>	-	-	-	-	-	-
<b>FY 2020-21 Base Request</b>	-	-	-	-	-	-
<b>FY 2020-21 Total Request</b>	-	<b>4,528,038</b>	-	-	<b>4,528,038</b>	-
<b>Percentage Change FY 2019-20 to FY 2020-21</b>	-	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>

**Office of the Respondent Parents' Counsel FY 2020-21**  
**Line Item by Year**

**Schedule 3**

Long Bill Line Item	FTE	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<b>Grants</b>						
<b>FY 2017-18 Actual</b>						
FY 2017-18 Long Bill, SB 17-254	-	31,095	-	-	31,095	-
Custodial Appropriation	-	92,035	-	-	92,035	-
<b>Final FY 2017-18 Appropriation</b>	-	<b>123,130</b>	-	-	<b>123,130</b>	-
<b>FY 2017-18 Total Available Spending Authority</b>	-	<b>123,130</b>	-	-	<b>123,130</b>	-
FY 2017-18 Expenditures	-	64,644	-	-	64,644	-
<b>FY 2017-18 Reversion/(Overexpenditure)</b>	-	<b>58,486</b>	-	-	<b>58,486</b>	-
<b>FY 2018-19 Actual</b>						
FY 2018-19 Long Bill, HB 18-1322	-	31,095	-	-	31,095	-
Custodial Appropriation	-	38,981	-	-	38,981	-
<b>Final FY 2018-19 Appropriation</b>	-	<b>70,076</b>	-	-	<b>70,076</b>	-
<b>FY 2018-19 Total Available Spending Authority</b>	-	<b>70,076</b>	-	-	<b>70,076</b>	-
<b>FY 2019-20 Appropriation</b>						
FY 2019-20 Long Bill, SB 19-207	-	31,095	-	-	31,095	-
<b>FY 2019-20 Total Appropriation</b>	-	<b>31,095</b>	-	-	<b>31,095</b>	-
<b>FY 2020-21 Request</b>						
FY 2019-20 Appropriation	-	31,095	-	-	31,095	-
<b>FY 2020-21 Base Request</b>	-	<b>31,095</b>	-	-	<b>31,095</b>	-
<b>FY 2020-21 Total Request</b>	-	<b>31,095</b>	-	-	<b>31,095</b>	-
<b>FY 2019-20 Total Appropriation</b>	-	<b>31,095</b>	-	-	<b>31,095</b>	-
<b>FY 2020-21 Base Request</b>	-	<b>31,095</b>	-	-	<b>31,095</b>	-
<b>FY 2020-21 Total Request</b>	-	<b>31,095</b>	-	-	<b>31,095</b>	-
<b>Percentage Change FY 2019-20 to FY 2020-21</b>	-	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>



**Office of the Respondent Parents' Counsel FY 2020-21**  
**Funding Source**

**Schedule 4**

	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
FY 2015-16 Actual	712,564	712,564	-	-	-
FY 2016-17 Actual	13,961,461	13,932,510	9,613	19,338	-
FY 2017-18 Actual	16,110,219	16,045,575	-	64,644	-
FY 2018-19 Actual	20,525,589	20,435,214	20,300	70,076	-
FY 2019-20 Appropriation	20,881,276	20,820,181	30,000	31,095	-
FY 2020-21 Request	29,327,893	24,720,760	48,000	4,559,133	-

**Office of the Respondent Parents' Counsel FY 2020-21**  
**Line Item to Statute**

**Schedule 5**

Following passage of S.B. 14-203 and H.B. 15-1149, and pursuant to sections 13-92-101 through 103, C.R.S. (2015), the Office of the Respondent Parents' Counsel was established as an independent agency in the Judicial Branch beginning January 1, 2016. This Long Bill Group funds the activities of the Office of the Respondent Parents' Counsel, which include ensuring provision of uniform, high quality legal representation for parents involved in judicial dependency and neglect proceedings and who lack the financial means to afford legal representation; to assume all existing Respondent Parent Counsel appointments; and to make all new Respondent Parent Counsel appointments.

<b>Long Bill Line</b>	<b>Line Item Description</b>	<b>Programs Supported by Line Item</b>	<b>Statutory Cite</b>
Personal Services	Funds all staff within the Office of the Respondent Parents' Counsel.	Office of the Respondent Parents' Counsel	13-92-101 to 104, C.R.S.
Health/Life/Dental	Funds all health/life/dental costs for Office of the Respondent Parents' Counsel employees.	Office of the Respondent Parents' Counsel	13-92-101 to 104, C.R.S.
Short-term disability	Funds all short-term disability costs for Office of the Respondent Parents' Counsel employees.	Office of the Respondent Parents' Counsel	13-92-101 to 104, C.R.S.
SB 04-257 AED	Funds Office of the Respondent Parents' Counsel's disbursement towards amortizing the unfunded liability in the PERA trust fund.	Office of the Respondent Parents' Counsel	13-92-101 to 104, C.R.S.
SB 06-235 Supplemental AED	Funds Office of the Respondent Parents' Counsel's disbursement towards amortizing the unfunded liability in the PERA trust fund.	Office of the Respondent Parents' Counsel	13-92-101 to 104, C.R.S.
Salary Survey	Funds salary adjustments based on the Total Compensation Survey and on job and wage classifications	Office of the Respondent Parents' Counsel	13-92-101 to 104, C.R.S.
Merit Pay	Funding for salary increases for merit-based compensation adjustments	Office of the Respondent Parents' Counsel	13-92-101 to 104, C.R.S.
Operating Expenses	Funds general operating expenses for the Office of the Respondent Parents' Counsel.	Office of the Respondent Parents' Counsel	13-92-101 to 104, C.R.S.
Training	Funds training for attorneys providing respondent parents' counsel.	Office of the Respondent Parents' Counsel	13-92-101 to 104, C.R.S.
Court-appointed Counsel	Funds the payment of attorneys appointed to represent indigent Respondent Parents' in Dependency and Neglect cases.	Office of the Respondent Parents' Counsel	13-92-101 to 104, C.R.S.
Mandated Costs	Funds the payment of case-related costs which are required by statutory or Constitutional law to ensure due process. Mandated costs include fees and travel reimbursements for expert witnesses and interpreters and fees for mental health evaluations and transcripts.	Office of the Respondent Parents' Counsel	13-92-101 to 104, C.R.S.
IV-E Legal Reimbursement	Funds the expansion and enhancement of legal representation for parents under Title IV-E of the Social Security Act and the U.S. Dept. of Health and Human Services Children's Bureau Child Welfare Policy Manual.	Office of the Respondent Parents' Counsel	26-2-102 to 26-5-104, C.R.S..
Grants	Funds various programs within the Office of the Respondent Parents' Counsel	Office of the Respondent Parents' Counsel	13-92-101 to 104, C.R.S.

**Office of the Respondent Parents' Counsel FY 2020-21  
Special Bills Summary**

**Schedule 6**

Bill Number & Short Title	FTE	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<b>FY 2015-16</b>						
<b>H.B. 15-1149: Concerning the RPC</b>						
Personal Services	(4.2)	(479,386)	(479,386)	-	-	-
HLD		(18,790)	(18,790)	-	-	-
STD		(868)	(868)	-	-	-
AED		(17,362)	(17,362)	-	-	-
SAED		(16,770)	(16,770)	-	-	-
Operating		(13,113)	(13,113)	-	-	-
Case Management System		(215,625)	(215,625)	-	-	-
Training		(30,000)	(15,000)	(15,000)	-	-
Court-appointed Counsel		(4,986,663)	(4,986,663)	-	-	-
<b>H.B. 15-1149: Concerning the RPC</b>	<b>(4.2)</b>	<b>(5,778,577)</b>	<b>(5,763,577)</b>	<b>(15,000)</b>	<b>-</b>	<b>-</b>
<b>FY 2015-16 Department Total</b>	<b>(4.2)</b>	<b>(5,778,577)</b>	<b>(5,763,577)</b>	<b>(15,000)</b>	<b>-</b>	<b>-</b>
<b>FY 2016-17 - none</b>						
<b>FY 2017-18 - none</b>						
<b>FY 2018-19 - none</b>						
<b>FY 2019-20 - none</b>						

**Office of the Respondent Parents' Counsel FY 2020-21  
Supplemental Bills Summary**

**Schedule 7**

Bill Number & Short Title	FTE	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<b>FY 2015-16 - none</b>						
<b>FY 2016-17, Senate Bill 17-164</b>						
Operating		6,890	6,890			
Court-appointed Counsel		2,173,497	2,173,497			
Mandated Costs		161,614	161,614			
GRANTS (new line)		23,755			23,755	
	-	2,365,756	2,342,001	-	23,755	-
<b>FY 2016-17 Department Total</b>	<b>-</b>	<b>2,365,756</b>	<b>2,342,001</b>	<b>-</b>	<b>23,755</b>	<b>-</b>
<b>FY 2017-18 - none</b>						
<b>FY 2018-19, Senate Bill 19-115</b>						
Court-appointed Counsel		2,847,813	2,847,813			
Mandated Costs		230,431	230,431			
	-	3,078,244	3,078,244	-	-	-
<b>FY 2018-19 Department Total</b>	<b>-</b>	<b>3,078,244</b>	<b>3,078,244</b>	<b>-</b>	<b>-</b>	<b>-</b>

**Office of the Respondent Parents' Counsel FY 2020-21  
Common Policy Summary**

**Schedule 8**

	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<b>AED</b>					
Appropriation FY 2017-18	42,397	42,397	-	-	-
Appropriation FY 2018-19	48,978	48,978	-	-	-
Appropriation FY 2019-20	62,772	62,772	-	-	-
Request FY 2020-21	85,123	85,123	-	-	-
<b>SAED</b>					
Appropriation FY 2017-18	42,397	42,397	-	-	-
Appropriation FY 2018-19	48,978	48,978	-	-	-
Appropriation FY 2019-20	62,772	62,772	-	-	-
Request FY 2020-21	85,123	85,123	-	-	-
<b>Salary Survey</b>					
Appropriation FY 2017-18	17,159	17,159	-	-	-
Appropriation FY 2018-19	31,841	31,841	-	-	-
Appropriation FY 2019-20	-	-	-	-	-
Request FY 2020-21	30,335	30,335	-	-	-
<b>Merit</b>					
Appropriation FY 2017-18	7,354	7,354	-	-	-
Appropriation FY 2018-19	-	-	-	-	-
Appropriation FY 2019-20	34,215	34,215	-	-	-
Request FY 2020-21	-	-	-	-	-
<b>Health, Life, and Dental</b>					
Appropriation FY 2017-18	84,338	84,338	-	-	-
Appropriation FY 2018-19	93,928	93,928	-	-	-
Appropriation FY 2019-20	159,549	159,549	-	-	-
Request FY 2020-21	191,026	191,026	-	-	-
<b>Short-term Disability</b>					
Appropriation FY 2017-18	1,611	1,611	-	-	-
Appropriation FY 2018-19	1,665	1,665	-	-	-
Appropriation FY 2019-20	2,058	2,058	-	-	-
Request FY 2020-21	2,936	2,936	-	-	-
<b>Legal Services</b>					
Appropriation FY 2017-18	2,131	2,131	-	-	-
Appropriation FY 2018-19	1,864	1,864	-	-	-
Appropriation FY 2019-20	-	-	-	-	-
Request FY 2020-21	-	-	-	-	-

**Office of the Respondent Parents' Counsel FY 2020-21  
Personal Services**

Schedule 14

Position Type	FY 2017-18 Actual		FY 2018-19 Appropriation		FY 2019-20 Appropriation	
	Expenditures	FTE				
Executive Director	163,303	1.0				
Executive Management	247,066	2.0				
Attorney Staff	380,204	4.1				
Administrative & Accounting Staff	152,716	2.6				
<b>Total Full and Part-time Employee Expenditures</b>	<b>943,289</b>	<b>9.7</b>				
PERA Contributions & Other Retirement Plans	92,842					
Medicare	13,278					
Merit Pay						
Temporary Employees						
Sick and Annual Leave Payouts	567					
Contract Services	93,911					
Other Expenditures (specify as necessary)	180					
<b>Total Temporary, Contract, and Other Expenditures</b>	<b>1,144,067</b>	<b>9.7</b>				
POTS Expenditures (excluding Salary Survey and Performance-based Pay already included above):						
Health, Life, and Dental	78,056					
Short-term Disability	1,779					
S.B. 04-257 AED	45,735					
S.B. 06-235 SAED	45,735					
<b>Total Expenditures for Line Item</b>	<b>1,315,372</b>	<b>9.7</b>	<b>1,447,268</b>	<b>10.0</b>	<b>1,806,455</b>	<b>13.0</b>
<b>Total Spending Authority / Request for Line Item</b>	<b>1,372,621</b>	<b>10.0</b>				
<b>Amount Under/(Over) Expended</b>	<b>57,249</b>	<b>0.3</b>				

**Office of the Respondent Parents' Counsel FY 2020-21  
Personal Services**

Schedule 14

Position Type	FY 2018-19 Actual		FY 2019-20		FY 2020-21 Request	
	Expenditures	FTE	Appropriation			
Executive Director	168,202	1.0				
Executive Management	281,519	2.0				
Attorney Staff	325,343	3.3				
Administrative & Accounting Staff	187,505	2.9				
<b>Total Full and Part-time Employee Expenditures</b>	<b>962,569</b>	<b>9.2</b>				
PERA Contributions & Other Retirement Plans	94,753					
Medicare	14,094					
Merit Pay						
Shift Differential Wages						
Unemployment	5,946					
Settlement less repayment from Risk Management	17,500					
Temporary Employees						
Sick and Annual Leave Payouts	4,615					
Contract Services	83,800					
Furlough Wages						
Other Expenditures (specify as necessary)						
<b>Total Temporary, Contract, and Other Expenditures</b>	<b>1,183,277</b>	<b>9.2</b>				
POTS Expenditures (excluding Salary Survey and Performance-based Pay already included above):						
Health, Life, and Dental	95,176					
Short-term Disability	1,446					
S.B. 04-257 AED	46,677					
S.B. 06-235 SAED	46,677					
<b>Total Expenditures for Line Item</b>	<b>1,373,252</b>	<b>9.2</b>				
<b>Total Spending Authority</b>	<b>1,447,268</b>	<b>10.0</b>				
<b>Transfers</b>	<b>(62,016)</b>					
<b>Rollforwards</b>	<b>(12,000)</b>					
<b>Total Spending Authority / Request for Line Item</b>	<b>1,373,252</b>		<b>1,806,455</b>	<b>13.0</b>	<b>2,298,327</b>	<b>15.0</b>
<b>Amount Under/(Over) Expended</b>	<b>-</b>	<b>0.8</b>				

**Office of the Respondent Parents' Counsel FY 2020-21  
Operating**

**Schedule 14**

<b>Object Code &amp; Description</b>	<b>FY 2017-18 Actual</b>	<b>FY 2018-19 Actual</b>	<b>FY 2019-20 Appropriation</b>	<b>FY 2020-21 Request</b>
2210 - Other Maintenance and Repair Services		\$185		
2252 - State Fleet	\$135	\$437		
2253 - Rental of Non-IT Equipment	\$3,112	\$2,856		
2510 - General Travel - Employee	\$598	\$290		
2511 - Common Carrier Fares		\$221		
2512 - Meals - Employee		\$776		
2513 - Mileage Reimbursement - Employee	\$1,381	\$1,668		
2520 - General Travel - Nonemployee	\$11	\$185		
2522 - Meal Reimbursement - Nonemployee		\$73		
2523 - Mileage Reimbursement - Nonemployee	\$865	\$872		
2530 - General Travel - Employee, Out of State	\$770			
2532 - Meals - Employee, Out of State	\$99			
2610 - Advertising Services		\$140		
2631 - Communication Services	\$13,222	\$15,462		
2680 - Printing & Reproduction Services	\$943	\$1,307		
2820 - Purchased Services	\$5,122	\$5,902		
3110 - Identification & Safety Supplies	\$68	\$576		
3118 - Food & Food Services Supplies	\$2,587	\$1,506		
3120 - Books / Periodicals / Subscriptions	\$31,735	\$35,440		
3121 - Office Supplies	\$7,835	\$2,613		
3123 - Postage	\$1,579	\$1,597		
3128 - NonCapitalized Non-IT Equipment	\$99	\$2,474		
3132 - NonCapitalized Office Furniture and Fixtures	\$3,032	\$23,170		
3140 - Noncapitalized IT Eqpt - Software and Hardware	\$3,018	\$26,493		
4100 - Other Operating Expenditures	\$1,530	\$2,119		
4140 - Dues and Memberships		\$190		
4220 - Registration Fees	\$2,648	\$580		
6211 - Capitalized Information Technology		\$6,960		
<b>Total Expenditures Denoted in Object Codes</b>	<b>\$80,389</b>	<b>\$134,093</b>		
<b>Total Spending Authority / Request for Line Item</b>	<b>\$87,932</b>	<b>\$134,093</b>	<b>\$104,899</b>	<b>\$143,843</b>
<b>Amount Under/(Over) Expended</b>	<b>\$7,543</b>	<b>\$0</b>		



Office of the Respondent Parents' Counsel Legal Services				Schedule 14	
Object Code & Description	FY 2017-18 Actual	FY 2018-19 Actual	FY 2019-20 Appropriation	FY 2020-21 Request	
2690 - Legal Services	\$2,131	\$1,864			
<b>Total Expenditures Denoted in Object Codes</b>	<b>\$2,131</b>	<b>\$1,864</b>			
<b>Total Spending Authority / Request for Line Item</b>	<b>\$2,131</b>	<b>\$1,864</b>	<b>\$0</b>	<b>\$0</b>	
<b>Amount Under/(Over) Expended</b>	<b>\$0</b>	<b>\$0</b>			

Office of the Respondent Parents' Counsel Case Management System				Schedule 14	
Object Code & Description	FY 2017-18 Actual	FY 2018-19 Actual	FY 2019-20 Appropriation	FY 2020-21 Request	
6511 - Capitalized IT Professional Services	\$3,875				
<b>Total Expenditures Denoted in Object Codes</b>	<b>\$3,875</b>	<b>\$0</b>			
<b>Total Spending Authority / Request for Line Item</b>	<b>\$3,875</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	
<b>Amount Under/(Over) Expended</b>	<b>\$0</b>	<b>\$0</b>			

**Office of the Respondent Parents' Counsel  
Training - General Fund**

**Schedule 14**

Object Code & Description	FY 2017-18 Actual	FY 2018-19 Actual	FY 2019-20 Appropriation	FY 2020-21 Request
1622 - Contractual & Non-Classified PERA	\$365			
1624 - Contractual & Non-Classified PERA AED	\$100			
1625 - Contractual & Non-Classified PERA SAED	\$100			
1935 - Professional Services	\$3,563	\$5,275		
2510 - General Travel - Employee	\$1,431	\$871		
2511 -		\$750		
2512 - Meals - Employee		\$306		
2513 - Mileage Reimbursement - Employee	\$250	\$345		
2520 - General Travel - Nonemployee	\$10,038	\$703		
2522 - Meals - Nonemployee	\$6			
2523 - Mileage Reimbursement - Nonemployee	\$673			
2540 - General Travel - Nonemployee, Out of State	\$250			
2820 - Purchased Services	\$400	\$6,465		
3118 - Food & Food Services Supplies	\$8,213	\$1,860		
3120 - Books / Periodicals / Subscriptions	\$237	\$885		
3121 - Office Supplies	\$106	\$5,090		
3128 - Noncapitalized Non-IT Equipment	\$74	\$1,585		
3140 - Noncapitalized IT - Software and Hdwe	\$750			
4100 - Other Operating Expenditures	\$2,627	\$520		
4220 - Registration Fees		\$5,411		
<b>Total Expenditures Denoted in Object Codes</b>	<b>\$29,183</b>	<b>\$30,066</b>		
<b>Total Spending Authority / Request for Line Item</b>	<b>\$30,000</b>	<b>\$30,066</b>	<b>\$30,000</b>	<b>\$58,000</b>
<b>Amount Under/(Over) Expended</b>	<b>\$817</b>	<b>\$0</b>		

Office of the Respondent Parents' Counsel Training - Cash Fund				Schedule 14
Object Code & Description	FY 2017-18 Actual	FY 2018-19 Actual	FY 2019-20 Appropriation	FY 2020-21 Request
2520 - General Travel - Nonemployee		\$1,549		
3118 - Food & Food Services Supplies		\$18,751		
<b>Total Expenditures Denoted in Object Codes</b>	<b>\$0</b>	<b>\$20,300</b>		
Transfers	\$0	\$0		
Roll Forwards	\$0	\$0		
<b>Total Expenditures for Line Item</b>	<b>\$0</b>	<b>\$20,300</b>		
<b>Total Spending Authority / Request for Line Item</b>	<b>\$19,726</b>	<b>\$20,300</b>	<b>\$30,000</b>	<b>\$48,000</b>
<b>Amount Under/(Over) Expended</b>	<b>\$19,726</b>	<b>\$0</b>		

Office of the Respondent Parents' Counsel Court-appointed Counsel				Schedule 14
Object Code & Description	FY 2017-18 Actual	FY 2018-19 Actual	FY 2019-20 Appropriation	FY 2020-21 Request
1622 - Contractual Employee, PERA	\$2,307	\$2,455		
1624 - Contractual Employee, PERA AED	\$1,136	\$1,209		
1625 - Contractual Employee, PERA Supplemental AED	\$1,136	\$1,209		
1935 - Personal Services	\$13,151,561	\$16,828,498		
2520 - General Travel - Nonemployee	\$668	\$94		
2523 - Mileage Reimbursement - Nonemployee	\$325,578	\$495,100		
2543 - Mileage - Nonemployee, Out of State	\$1,847	\$1,453		
4260 - Nonemployee Expense Reimbursements	\$39,392	\$49,352		
<b>Total Expenditures Denoted in Object Codes</b>	<b>\$13,523,625</b>	<b>\$17,379,370</b>		
<b>Total Spending Authority / Request for Line Item</b>	<b>\$13,582,934</b>	<b>\$17,379,370</b>	<b>\$17,576,705</b>	<b>\$20,528,088</b>
<b>Amount Under/(Over) Expended</b>	<b>\$59,309</b>	<b>\$0</b>		

**Office of the Respondent Parents' Counsel  
Mandated Costs**

**Schedule 14**

Object Code & Description	FY 2017-18 Actual	FY 2018-19 Actual	FY 2019-20 Appropriation	FY 2020-21 Request
1622 - Contractual Employee, PERA	\$2,043	\$2,526		
1624 - Contractual Employee, PERA AED	\$1,006	\$1,245		
1625 - Contractual Employee, PERA Supplemental AED	\$1,006	\$1,245		
1920 - Personal Services - Professional	\$779			
1935 - Personal Services	\$1,078,848	\$1,508,735		
2510 - General Travel - Employee	\$970			
2512 - Meals - Employee	\$388			
2513 - Mileage Reimbursement - Employee	\$1,048	\$137		
2520 - General Travel - Nonemployee	\$1,853	\$2,105		
2523 - Mileage Reimbursement - Nonemployee	\$2,663	\$1,785		
2531 - Common Carrier Fares - Employee, Out of State	\$197			
2540 - General Travel - Nonemployee, Out of State		\$118		
2541 - Common Carrier Fares - Nonemployee, Out of State		\$373		
2542 - Meals - Nonemployee, Out of State		\$55		
4220 - Registration Fees	\$200			
4260 - Nonemployee Reimbursement		\$108		
<b>Total Expenditures Denoted in Object Codes</b>	<b>\$1,091,001</b>	<b>\$1,518,433</b>		
<b>Total Spending Authority / Request for Line Item</b>	<b>\$1,094,421</b>	<b>\$1,518,433</b>	<b>\$1,290,122</b>	<b>\$1,808,013</b>
<b>Amount Under/(Over) Expended</b>	<b>\$3,420</b>	<b>(\$0)</b>		

**Office of the Respondent Parents' Counsel  
IV-E Legal Reimbursement - Reappropriated Funds**

**Schedule 14**

Object Code & Description	FY 2017-18 Actual	FY 2018-19 Actual	FY 2019-20 Appropriation	FY 2020-21 Request
<b>Total Expenditures Denoted in Object Codes</b>	<b>\$0</b>	<b>\$0</b>		
Transfers	\$0	\$0		
Roll Forwards	\$0	\$0		
<b>Total Expenditures for Line Item</b>	<b>\$0</b>	<b>\$0</b>		
<b>Total Spending Authority / Request for Line Item</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$4,528,038</b>
<b>Amount Under/(Over) Expended</b>	<b>\$0</b>	<b>\$0</b>		

**Office of the Respondent Parents' Counsel  
Grants - Reappropriated Funds**

**Schedule 14**

<b>Object Code &amp; Description</b>	<b>FY 2017-18 Actual</b>	<b>FY 2018-19 Actual</b>	<b>FY 2019-20 Appropriation</b>	<b>FY 2020-21 Request</b>
1622 - Contractual Employee, PERA	\$151			
1624 - Contractual Employee, PERA AED	\$154			
1625 - Contractual Employee, PERA Supplemental AED	\$154			
1920 - Personal Services - Professional	\$1,000			
1935 - Personal Services - Professional	\$6,638	\$2,325		
2253 - Rental of Non-IT Equipment	\$673			
2250 - Miscellaneous Rentals		\$938		
2255 - Rental of Meeting Rooms		\$171		
2510 - General Travel - Employee	\$2,612	\$14,180		
2511 - In-State Common Carrier Fares	\$532	\$2,835		
2512 - Meals - Employee	\$1,271	\$1,845		
2513 - Mileage Reimbursement - Employee	\$1,646	\$1,619		
2520 - General Travel - Nonemployee	\$862	\$8,243		
2521 - Common Carrier Fares - Nonemployee	\$762	\$9,054		
2522 - Meals - Nonemployee	\$295	\$4,145		
2523 - Mileage Reimbursement - Nonemployee	\$2,126	\$671		
2530 - General Travel - Employee, Out of State	\$5,560			
2531 - Common Carrier Fares - Employee, Out of State	\$2,321			
2532 - Meals - Employee, Out of State	\$1,184			
2540 - General Travel - Nonemployee, Out of State	\$436			
2541 - Common Carrier Fares - Nonemployee, Out of State	\$1,390			
2543 - Mileage - Nonemployee, Out of State	\$44			
2820 - Purchased Services	\$1,760	\$6,171		
3110 - Identification & Safety Supplies		\$54		
3118 - Food & Food Services Supplies	\$23,795	\$11,709		
3120 - Books / Periodicals / Subscriptions		\$475		
3121 - Office Supplies	\$1,087	\$43		
4100 - Other Operating Expenditures	\$5,575	\$129		
4140 - Dues and Memberships		\$460		
4220 - Registration Fees	\$2,616	\$5,010		
<b>Total Expenditures Denoted in Object Codes</b>	<b>\$64,644</b>	<b>\$70,076</b>		
<b>Total Spending Authority / Request for Line Item</b>	<b>\$127,547</b>	<b>\$87,392</b>	<b>\$31,095</b>	<b>\$31,095</b>
<b>Amount Under/(Over) Expended</b>	<b>\$62,903</b>	<b>\$17,316</b>		

**Office of the Respondent Parents' Counsel FY 2020-21  
Transfers**

Long Bill Line Item	Spending Authority before Transfers	Use of 2.5% Transfer Authority	Benefits Transfers	Rollforward to Subsequent Year	Spending Authority after Transfers
<b>FY 2017-18 Transfers</b>					
Personal Services	1,177,365		195,256		1,372,621
Health, Life, and Dental	84,338		(84,338)		-
Short-term Disability	1,611		(1,611)		-
SB 04-257 AED	42,397		(42,397)		-
SB 06-235 SAED	42,397		(42,397)		-
Salary Survey	17,159		(17,159)		-
Merit	7,354		(7,354)		-
Operating Expenses	87,221				87,221
Legal Services	2,131				2,131
Training - General Fund	30,000				30,000
Training - Cash Fund	30,000				30,000
Court-appointed Counsel	13,827,934	(245,000)			13,582,934
Mandated Costs	849,421	245,000			1,094,421
Grants - Reappropriated	31,095				31,095
Rollforwards from FY17:					
Operating	711				711
Case Management System	3,875				3,875
<b>FY 2017-18 Spending Authority</b>	16,235,009	-	-	-	16,235,009
Percentage of General Fund appropriation allowed as additional transfer authority per Long Bill footnote	2.5%				
Additional General Fund Transfer Authority allowed per Long Bill footnote	404,233				
Additional Transfer Authority used	245,000				

**Office of the Respondent Parents' Counsel FY 2020-21  
Transfers**

Long Bill Line Item	Spending Authority before Transfers	Use of 2.5% Transfer Authority	Benefits Transfers	Rollforward to Subsequent Year	Spending Authority after Transfers
<b>FY 2018-19 Transfers</b>					
Personal Services	1,221,878	(62,016)	225,390	(12,000)	1,373,252
Health, Life, and Dental	93,928		(93,928)		-
Short-term Disability	1,665		(1,665)		-
SB 04-257 AED	48,978		(48,978)		-
SB 06-235 SAED	48,978		(48,978)		-
Salary Survey	31,841		(31,841)		-
Merit	-		-		-
Operating Expenses	103,119	30,974			134,093
Legal Services	1,864				1,864
Capital Outlay	-				-
Case Management System	-				-
Training - General Fund	30,000	66			30,066
Training - Cash Fund	30,000				30,000
Court-appointed Counsel	17,576,705	(197,335)			17,379,370
Mandated Costs	1,290,122	228,311			1,518,433
Grants - Reappropriated	87,392				87,392
<b>FY 2018-19 Spending Authority</b>	20,566,470	-	-	(12,000)	20,554,470
Percentage of General Fund appropriation allowed as additional transfer authority per Long Bill footnote	2.5%				
Additional General Fund Transfer Authority allowed per Long Bill footnote	511,227				
Additional Transfer Authority used	259,350				



**Office of Respondent Parents' Counsel FY 2020-21  
Salary Pots Request Template**

	TOTAL FUNDS/FTE FY 2020-21	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
<b>I. Continuation Salary Base</b>					
Sum of Filled FTE as of July 25, 2019	13.00	100.000%	0.000%	0.000%	0.0000%
Salary X 12	\$1,349,996	1,349,996	-	-	-
PERA (Standard, Trooper, and Judicial Rates)					
	\$147,149	147,149	-	-	-
Medicare @ 1.45%	\$19,575	19,575	-	-	-
Subtotal Continuation Salary Base =	\$1,516,720	1,516,720	-	-	-
<b>II. Salary Survey Adjustments</b>					
System Maintenance Studies					
	-	\$0.00	-	-	-
Across the Board - Base Adjustment	\$27,000	\$27,000.00	-	-	-
Across the Board - Non-Base Adjustment	\$0	-	-	-	-
Movement to Minium - Base Adjustment	\$0	-	-	-	-
<b>Subtotal - Salary Survey Adjustments</b>	<b>\$27,000</b>	<b>\$27,000.00</b>	-	-	-
PERA (Standard, Trooper, and Judicial Rates)	\$2,943	2,943	-	-	-
Medicare @ 1.45%	\$392	392	-	-	-
Request Subtotal =	\$30,335	\$30,335.00	-	-	-
<b>III. Increase for Minimum Wage (\$13.00 hourly effective July 1, 2020)</b>					
Increase for Minimum Wage	-	\$0.00	\$0.00	\$0.00	\$0.00
<b>Subtotal - Minimum Wage Adjustments</b>	-	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
PERA (Standard, Trooper, and Judicial Rates) at FY 2020-21 PERA Rates	\$0	\$0.00	\$0.00	\$0.00	\$0.00
Medicare @ 1.45%	\$0	-	-	-	-
Request Subtotal =	\$0	\$0.00	\$0.00	\$0.00	\$0.00
<b>IV. Merit Pay Adjustments</b>					
Merit Pay - Base Adjustments	\$0	-	-	-	-
Merit Pay - Non-Base Adjustments	\$0	-	-	-	-
<b>Subtotal - Merit Pay Adjustments</b>	<b>\$0</b>	-	-	-	-
PERA (Standard, Trooper, and Judicial Rates) at FY 2020-21 PERA Rates	\$0	-	-	-	-
Medicare @ 1.45%	\$0	-	-	-	-
Request Subtotal =	\$0	-	-	-	-
<b>V. Shift Differential</b>					
FY 2018-19 ACTUAL EXPENDITURES for All Occupational Groups	-	-	-	-	-
Total Actual and Adjustments @ 100%	\$0	-	-	-	-
PERA (Standard, Trooper, and Judicial Rates) at Current PERA Rates	\$0	-	-	-	-
Medicare @ 1.45%	\$0	-	-	-	-
Request Subtotal =	\$0	-	-	-	-
<b>VI. Revised Salary Basis for Remaining Request Subtotals</b>					
Total Continuation Salary Base, Adjustments, Performance Pay & Shift	\$1,376,996	1,376,996	-	-	-
<b>VII. Amortization Equalization Disbursement (AED)</b>					
Revised Salary Basis * 5.00%	\$68,850	68,850	-	-	-
<b>VIII. Supplemental AED (SAED)</b>					
Revised Salary Basis * 5.00%	\$68,850	68,850	-	-	-
<b>IX. Short-term Disability</b>					
Revised Salary Basis * 0.17%	\$2,341	2,341	-	-	-
<b>X. Health, Life, and Dental</b>					
Funding Request	\$165,682	165,682	-	-	-

Office of Respondent Parents' Counsel FY 2020-21  
Salary Pots Summary

Common Policy Line Item	FY 2019-20 Appropriation	GF	CF	RF	FF
Salary Survey	\$0	\$0			
Movement to Minimum	\$0				
Minimum Wage Adjustment	\$0				
ATB	\$0				
Merit Pay	\$34,215	\$34,215			
Shift	\$0	\$0			
AED	\$62,772	\$62,772			
SAED	\$62,772	\$62,772			
Short-term Disability	\$2,058	\$2,058			
Health, Life and Dental	\$159,549	\$159,549			
<b>TOTAL</b>	<b>\$321,366</b>	<b>\$321,366</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Common Policy Line Item	FY 2020-21 Total Request	GF	CF	RF	FF
Salary Survey	\$30,335	\$30,335	\$0	\$0	\$0
Movement to Minimum	\$0	\$0	\$0	\$0	\$0
Minimum Wage Adjustment	\$0	\$0	\$0	\$0	\$0
ATB	\$30,335	\$30,335	\$0	\$0	\$0
Merit Pay	\$0	\$0	\$0	\$0	\$0
Shift	\$0	\$0	\$0	\$0	\$0
AED	\$68,850	\$68,850	\$0	\$0	\$0
SAED	\$68,850	\$68,850	\$0	\$0	\$0
Short-term Disability	\$2,341	\$2,341	\$0	\$0	\$0
Health, Life and Dental	\$165,682	\$165,682	\$0	\$0	\$0
<b>TOTAL</b>	<b>\$336,058</b>	<b>\$336,058</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Common Policy Line Item	FY 2020-21 Incremental	GF	CF	RF	FF
Salary Survey	\$30,335	\$30,335	\$0	\$0	\$0
Movement to Minimum	\$0	\$0	\$0	\$0	\$0
Minimum Wage Adjustment	\$0	\$0	\$0	\$0	\$0
ATB	\$30,335	\$30,335	\$0	\$0	\$0
Merit Pay	\$0	\$0	\$0	\$0	\$0
Shift	\$0	\$0	\$0	\$0	\$0
AED	\$6,078	\$6,078	\$0	\$0	\$0
SAED	\$6,078	\$6,078	\$0	\$0	\$0
Short-term Disability	\$283	\$283	\$0	\$0	\$0
Health, Life and Dental	\$6,133	\$6,133	\$0	\$0	\$0
<b>TOTAL</b>	<b>\$48,907</b>	<b>\$48,907</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>



## OFFICE OF RESPONDENT PARENTS' COUNSEL

Protecting the Fundamental Right to Parent

### OUR MISSION

The ORPC's mission is to protect the fundamental right to parent by providing effective legal advocates for indigent parents in child welfare proceedings. This right is protected when a parent has a dedicated advocate knowledgeable about child welfare laws and willing to hold the state to its burden. The office's duties are to provide accountability, training, and resources, develop practice standards, and advocate for systemic and legislative changes in Colorado.

### OUR VISION

**Advocacy** – To contract with experienced, high quality family defense lawyers & support interdisciplinary teams through training & litigation resources to ensure parents' constitutional rights are protected.

**Accountability** – To be an effective steward of taxpayer dollars by ensuring family defenders are accountable for ORPC practice standards & billing policies.

**Access** – To ensure that all indigent parents have a voice through access to high quality representation in child welfare cases.

### OUR LONG RANGE GOALS

#### ► Systems are Fair and Followed

Parents access excellent interdisciplinary teams who have resources necessary to give dignity & fairness to families & ensure procedures are followed.

#### ► Family Voice to Leads

Parents are engaged & present at every stage of their case, supported by their family defense team, so they may be heard by the system & play an active role in case planning.

#### ► Decrease Trauma to Children

Caregivers are provided with preventative or in-home supports to keep children with their family of origin, unnecessary removals are rare, & children can safely stay with their family.

#### ► Family Defenders Have a Strong Community

Better representation comes with a strong community of family defenders who have access to training, support, & who are celebrated for their parent advocacy.

#### ► ORPC is Recognized, Respected, Productive & Staff is Strong

ORPC achieves its statutory mandate when its reputation, performance, staff strength, & adherence to its values have a positive impact on the child welfare system.

Page intentionally left blank.

**Office of the Respondent Parents' Counsel FY 2020-21  
 Long-Range Financial Plan - Financial Structure**

**Funding Source History**

**Long Bill Section: Office of the Respondent Parents' Counsel**

Funding Year	General Fund	General Fund Exempt	Cash Funds	Reappropriated Funds	Federal Funds	Total
FY 15-16	950,493	-	7,500	-	-	957,993
FY 16-17	15,191,473	-	30,000	23,755	-	15,245,228
FY 17-18	16,169,328	-	30,000	31,095	-	16,230,423
FY 18-19	20,449,078	-	30,000	31,095	-	20,510,173
FY 19-20	20,808,181	-	30,000	31,095	-	20,869,276

**Programs Aligned with this section of the Long Bill: *All***

**Capital Construction Information: None**

**Ongoing Debt Obligations: None**

**Office of the Respondent Parents' Counsel FY 2020-21  
Long-Range Financial Plan - Financial Forecast**

<b>FY 2019-20 Long Bill</b>	<b>FTE</b>	<b>Total Funds</b>	<b>General</b>	<b>Cash</b>	<b>Reappropriated</b>
Personal Services	13.0	1,485,089	1,485,089	-	-
HLD		159,549	159,549	-	-
STD		2,058	2,058	-	-
AED		62,772	62,772	-	-
SAED		62,772	62,772	-	-
Merit Pay		34,215	34,215	-	-
Salary Survey		-	-	-	-
Operating Expenses		104,899	104,899	-	-
Training		60,000	30,000	30,000	-
Court-appointed Counsel		17,576,705	17,576,705	-	-
Mandated Costs		1,290,122	1,290,122	-	-
IV-E Legal Representation		-	-	-	-
Grants		31,095	-	-	31,095
<b>FY 2019-20 Department Total</b>	<b>13.0</b>	<b>20,869,276</b>	<b>20,808,181</b>	<b>30,000</b>	<b>31,095</b>

<b>FY 2020-21 Budget Request</b>	<b>FTE</b>	<b>Total Funds</b>	<b>General</b>	<b>Cash</b>	<b>Reappropriated</b>
Personal Services	15.0	1,903,784	1,903,784	-	-
HLD		191,026	191,026	-	-
STD		2,936	2,936	-	-
AED		85,123	85,123	-	-
SAED		85,123	85,123	-	-
Merit Pay		-	-	-	-
Salary Survey		30,335	30,335	-	-
Operating Expenses		143,843	143,843	-	-
Training		106,000	58,000	48,000	-
Court-appointed Counsel		20,418,699	20,418,699	-	-
Mandated Costs		1,801,891	1,801,891	-	-
IV-E Legal Representation		4,528,038	-	-	4,528,038
Grants		31,095	-	-	31,095
<b>FY 2020-21 Budget Request</b>	<b>15.0</b>	<b>29,327,893</b>	<b>24,720,760</b>	<b>48,000</b>	<b>4,559,133</b>

<b>FY 2021-22 Budget Projection</b>	<b>FTE</b>	<b>Total Funds</b>	<b>General</b>	<b>Cash</b>	<b>Reappropriated</b>
Personal Services	15.0	1,934,119	1,934,119	-	-
HLD		203,761	191,026	-	12,735
STD		3,132	2,936	-	196
AED		90,798	85,123	-	5,675
SAED		90,798	85,123	-	5,675
Merit Pay		-	-	-	-
Salary Survey		-	-	-	-
Operating Expenses		131,403	131,403	-	-
Training		106,000	58,000	48,000	-
Court-appointed Counsel		22,460,569	22,460,569	-	-
Mandated Costs		2,252,364	2,252,364	-	-
IV-E Legal Representation	1.0	5,961,819	-	-	5,961,819
Grants		31,095	-	-	31,095
<b>FY 2021-22 Department Total</b>	<b>16.0</b>	<b>33,265,858</b>	<b>27,200,663</b>	<b>48,000</b>	<b>6,017,195</b>

<b>FY 2022-23 Budget Projection</b>	<b>FTE</b>	<b>Total Funds</b>	<b>General</b>	<b>Cash</b>	<b>Reappropriated</b>
Personal Services	15.0	1,934,119	1,934,119	-	-
HLD		216,496	191,026	-	25,470
STD		3,327	2,936	-	391
AED		96,473	85,123	-	11,350
SAED		96,473	85,123	-	11,350
Merit Pay		-	-	-	-
Salary Survey		-	-	-	-
Operating Expenses		131,403	131,403	-	-
Training		106,000	58,000	48,000	-
Court-appointed Counsel		24,257,414	24,257,414	-	-
Mandated Costs		2,702,837	2,702,837	-	-
IV-E Legal Representation	2.0	6,503,853	-	-	6,503,853
Grants		31,095	-	-	31,095
<b>FY 2022-23 Department Total</b>	<b>17.0</b>	<b>36,079,490</b>	<b>29,447,981</b>	<b>48,000</b>	<b>6,583,509</b>

<b>FY 2023-24 Budget Projection</b>	<b>FTE</b>	<b>Total Funds</b>	<b>General</b>	<b>Cash</b>	<b>Reappropriated</b>
Personal Services	15.0	1,934,119	1,934,119	-	-
HLD		216,496	191,026	-	25,470
STD		3,327	2,936	-	391
AED		96,473	85,123	-	11,350
SAED		96,473	85,123	-	11,350
Merit Pay		-	-	-	-
Salary Survey		-	-	-	-
Operating Expenses		131,403	131,403	-	-
Training		106,000	58,000	48,000	-
Court-appointed Counsel		25,712,859	25,712,859	-	-
Mandated Costs		3,243,404	3,243,404	-	-
IV-E Legal Representation	2.0	6,985,208	-	-	6,985,208
Grants		31,095	-	-	31,095
<b>FY 2023-24 Department Total</b>	<b>17.0</b>	<b>38,556,857</b>	<b>31,443,993</b>	<b>48,000</b>	<b>7,064,864</b>

## Long-Range Financial Plan - Assumptions for Financial Forecasts

### Personal Services & Benefits

The ORPC will request benefits and salary survey/merit amounts as prescribed by common policy.

Increases in workload due to the Family First Prevention Services Act and the enhancement and expansion of legal services due to reinterpretation of the U.S. Dept. of Health and Human Services Children's Bureau Child Welfare Policy Manual will result in the need for additional staff. Reappropriated funds will be used for the increases.

### Operating Expenses

Annualizations in FY 2021-22 will include furniture, computers and equipment for the 2 FTE requested in FY 2020-21.

The ORPC will request increases for known Westlaw contract increases.

### Training

Training expenses will remain constant.

### Court-appointed Counsel and Mandated Costs

Based on percentage increases in prior years and the increase in the use of interdisciplinary teams, which will increase Mandated Costs expense in relatively greater percentages than CAC expense, the ORPC projects that CAC and Mandated Costs expenses will increase by the percentages shown below:

Projected Increases in CAC & Mandated Costs				
FY	CAC		Mandated	
	Expense/ Estimate	Increase over PY	Expense/ Estimate	Increase over PY
2016-17	11,794,424	-	553,773	-
2017-18	13,523,625	14.7%	1,091,235	97.1%
2018-19	17,379,370	28.5%	1,518,433	39.1%
2019-20	20,528,088	18.1%	1,808,013	19.1%
2020-21	20,418,699	0%	1,801,891	0%
2021-22	22,460,569	10%	2,252,364	25%
2022-23	24,257,414	8%	2,702,837	20%
2023-24	25,712,859	6%	3,243,404	20%

### IV-E Legal Representation

IV-E Legal Representation will continue to be calculated on the sum of the CAC and Mandated Costs expenses incurred.

The penetration rate will remain at 48% and the IV-E reimbursement rate will remain at 50%. The penetration rate is provided by CDHS and could change over time.

### Grants

The Grants appropriation will remain constant and will continue to have an (I) notation



# A Program Evaluation of the Colorado Office of Respondent Parents' Counsel Social Work Pilot Program

---

Metropolitan State University of Denver  
Department of Social Work

---



**Lori Darnel, JD, MSW**

[ldarnel@msudenver.edu](mailto:ldarnel@msudenver.edu)

**Dawn Matera Bassett, PhD, LCSW**

[dmatera@msudenver.edu](mailto:dmatera@msudenver.edu)

## Executive Summary

In dependency and neglect cases (also known as “child welfare” or “child protection” cases), the Respondent Parents’ Counsel (RPC) plays a critical role in protecting the constitutional and other legal rights of parents. Pursuant to statutory guidelines in C.R.S. § 13-92-101(1)(a), the RPC helps to achieve the best outcomes for children by providing effective legal representation for parents which includes protecting due process, presenting balanced information to the judge and promoting the preservation of family relationships. In recognition of this critical role, the Colorado Children’s Code, under authority pursuant to C.R.S. § 19-3-202(1), affords parents who are respondents in a dependency and neglect case the right to counsel. The Office of Respondent Parents’ Counsel (ORPC) is an independent governmental agency within the State of Colorado Judicial Branch and has been vested with the oversight and administration of Respondent Parents’ Counsel representation in Colorado since July 1, 2016. Lawyers for parents are provided via an independent contractor model, which operates by providing courts with lists of lawyers from which they must appoint. Lawyers bill the ORPC for their work and also request other resources from the ORPC, such as social workers, investigators, and experts. The ORPC’s mission is to protect the fundamental right to parent by providing effective legal advocates for indigent parents in child welfare proceedings. This right is protected when a parent has a dedicated advocate knowledgeable about child welfare laws and willing to hold the state to its burden. The office’s duties are to provide accountability, training, and resources; develop practice standards; and advocate for systemic and legislative changes in Colorado.

Nationwide, social workers are becoming an important part of high-quality, interdisciplinary legal defense teams. This practice is reflected in the social science research and in the 2006 American Bar Association (ABA) Standards of Practice for Attorneys Representing Parents in Abuse and Neglect Cases. In July 2017, the ORPC undertook the Social Work Pilot Program (SWPP) to implement a multidisciplinary legal representation model for Colorado, which combines lawyers and social workers to provide legal representation to a parent involved in a child welfare case. Based on models from other states, the SWPP believes a family’s chance of success improves dramatically when providing an attorney with a multidisciplinary approach that includes an appropriate clinical assessment, timely and effective services, and strong advocacy within the child welfare system by the inclusion of a parent’s social worker. Preliminary data analysis for the SWPP from July 2017 through August 2019 indicates the pilot program is obtaining results consistent with other successful programs across the country, such as improving permanency outcomes (children returning home to their parents more often and sooner than without a multidisciplinary team or remaining with families of origin) and shortening length of stay in out-of-home placement (i.e., foster care and group homes).

The mission of the SWPP is to empower and advocate for families by providing high-quality, strengths-based, compassionate, and comprehensive social work services to parents in

dependency and neglect (D&N) cases. The ORPC initiated the SWPP in three (3) Colorado Judicial Districts that include Adams, Broomfield, El Paso, Teller, and Mesa Counties. The SWPP Coordinator contracted with social workers in the identified districts. Three independent contract social workers, and one comparable professional, have been intentionally partnered with attorneys for Expedited Permanency Planning (EPP) cases, which involve young children (age six and under). The social worker provides an independent assessment of the parent and family needs, makes recommendations toward the court-ordered treatment plan, and provides clinical case management support and advocacy to the parent throughout the D&N case process.

Cases are assigned via a triage system. Respondent parent counsel provide an intake form for each D&N case assigned and the SWPP coordinator appoints an independent contract social worker. Cases must be EPP, which by statutory authority are required to reach permanency for the minor children within one (1) year of their removal from the home unless good cause is shown to extend such time. Independent contract social workers receive clinical supervision from the SWPP coordinator in order to support consistency of services and further best practices.

Control data was provided by Colorado Department of Human Services for preliminary analysis. Specifically, the data show definitive trends in all data sets for the analyzed counties in three judicial districts. Namely, data indicated that ORPC cases across the jurisdictions had higher rates of permanency with least restrictive outcomes (reunification with parents or relatives) and a significant decrease in days spent in out-of-home care, leading to savings in out-of-home care costs compared to similar cases without the social work intervention.

## Introduction

Dependency and neglect proceedings in child welfare are extremely serious, holding the gravity of parents possibly losing all custody and contact with their children. Since termination of parental rights and removal of children permanently from their family of origin are intense and traumatic matters, child welfare proceedings should be handled thoughtfully and with respect for the rights of children and parents. Emerging research and program evaluations show that high-quality legal representation for parents in child welfare cases that includes a multidisciplinary team leads to better outcomes for children and parents.

## Increased Parent Engagement Through Case Management

---

It can be difficult for parents to trust the system or state agencies. The child welfare system can be overwhelming and confusing, with multiple professionals, laws, high-stakes procedures in court, and strict timelines. This mistrust is furthered by parents' lack of understanding of parental legal rights or relevant child welfare statutes. Research demonstrates that lack of trust and understanding contributes to barriers with engagement (Administration on Children, Youth, and Families, 2017). When parents do not engage in the child welfare process, every facet of case planning and service delivery that will assist in family reunification can be impeded (Administration on Children, Youth, and Families, 2017). Alternatively, when respondent parents experience a sense of fairness in the process and trust in the system, they are more likely to comply with court orders, be present for hearings, and be engaged in the process (Administration on Children, Youth, and Families, 2017).

Multidisciplinary teams benefit from the addition of social workers who are dedicated to parent engagement. As part of the multidisciplinary team, social workers can help address collateral issues in a family that contribute to a family's vulnerability to involvement in the child welfare system (Administration on Children, Youth, and Families, 2017). These issues can include access to assistance in mental health, substance abuse, housing, employment, domestic violence counseling, health care, and public benefits (Administration on Children, Youth, and Families, 2017; Oregon Task Force on Dependency Representation, 2016). While agency caseworkers are tasked with minimal requirements to make assessment and service referrals for parents, social workers on interdisciplinary teams may have more capacity to recommend the community service providers that are better able to address a parent's specific needs, and address the barriers parents incur in accessing and participating in those services. Social workers also work closely with the parents, the attorney, and other members of the system to ensure the parent's voice is heard (Sankaran, Rideout, & Raimon, 2015; Cohen & Cortese, 2009). Social workers help promote parent engagement and understanding of the child welfare process, and parent engagement is shown as a vital factor in successful reunification (Sankaran, Rideout, & Raimon, 2015; Cohen & Cortese, 2009; Administration on Children, Youth, and Families, 2017). When parents receive (1) access to client-centered services, (2) support in case planning, (3) more frequent and meaningful family visitation, (4) a voice in decision-making meetings, and (5) an attorney that is well-trained and has a manageable caseload, research shows families are reunified more quickly, children do not have to be separated from their families for longer than necessary, and parents receive the help they need to achieve child safety and overall stability in the home (Child Welfare Information Gateway, 2011; Administration on Children, Youth, and Families, 2017; Cohen & Cortese, 2009; Sankaran, Rideout, & Raimon, 2015; ABA Center on Children and the Law, n.d.).

## Quality Representation of Respondent Parents Through Multidisciplinary Models

Research shows that high-quality legal representation of respondent parents helps contribute to numerous improved outcomes, including (Administration on Children, Youth, and Families, 2017):

- Increased engagement in case planning, services, and court hearings
- Increased visitation for families
- Case plans and services that are best fits for the parents
- Accelerated permanency
- Cost savings for the state government due to reduced foster care utilization

There is both an economic and social justice impetus to provide families with multidisciplinary legal representation. Models of family representation that include well-trained and high-quality counsel and a social worker demonstrate markedly decreased foster care usage and family separation (Administration on Children, Youth, and Families, 2017; Cohen & Cortese, 2009; Washington State Office of Public Defense, 2002; Oregon Task Force on Dependency Representation, 2016; Sankaran, Rideout, & Raimon, 2015). This leads to substantial foster care cost savings and the reduction of traumatic childhood experiences. Foster care, besides being expensive for the state, is traumatizing for children, and is associated with homelessness, poverty, and increased involvement with the criminal justice system. In addition, foster care is associated with increased teen pregnancy, and decreased access to education and good employment (Thornton & Gwin, 2012).

Preliminary research shows that multidisciplinary teams for respondent parents are associated with a significant decrease in foster care stays for children in care (Gerber et al., 2019). Additionally, parents that receive services from a multidisciplinary team reach permanency and reunification at a much faster rate (Gerber et. al., 2019). Research and program evaluations indicate that multidisciplinary approaches are an efficacious intervention to accelerate permanency for children in foster care. For every child who can remain home safely, or whose length of foster care stay is shortened, the government saves thousands of dollars in out of home (foster care) costs (Sankaran, Rideout, & Raimon, 2015; Thornton & Gwin, 2012; Oregon Task Force on Dependency Representation, 2016).

Several agencies in different states, including the Center for Family Representation, Bronx Defenders and Brooklyn Defenders in New York, the Washington State Parent Representation program through the Washington State Office of Public Defense, and the Detroit Center for Family Advocacy in Michigan, have experienced an array of success with multidisciplinary approaches. The Center for Family Representation in New York has saved the government \$30 million since 2007 (Sankaran, Rideout, & Raimon, 2015), and the Washington State Office of Public Defense program has shown an 11% increase in reunification rates, reduced the number

of children in foster care, and drastically increased family reunification rates (ABA Center on Children and the Law, n.d.).

## Model Programs

---

There have been several pilot programs that have initiated multidisciplinary teams on D & N cases, and evaluation of these programs have given important lessons and shown impressive results. For example, evaluation of a pilot program through the Washington State Office of Public Defense provided several recommendations for both attorneys and social workers on multidisciplinary teams. Best practices for attorneys include reducing continuances, capping caseloads, implementing standards and training, communicating frequently with parents, and staffing social workers to work alongside the attorney (Washington State Office of Public Defense, 2002). In Washington's model, social workers help prepare cases, help parents access resources and services, and serve as effective liaisons between attorneys and parents, increasing advocacy and communication flow (Washington State Office of Public Defense, 2002).

Another multidisciplinary model that has shown promise is New York's Center for Family Representation's practice of assigning an attorney, social worker, and parent advocate (a parent who has personally navigated the child welfare system) to a parent's case. The team devotes intensive and focused advocacy during the first 60 days of a case (Cohen & Cortese, 2009). Their advocacy efforts focus on frequent and family-oriented visits between children and families, child placements that help foster the child's connection to their parents, client-centered services that are focused on the specific needs of the parents, and the inclusion of parents in decision-making meetings and case planning (Cohen & Cortese, 2009). As a result of this approach, 55% of the center's clients' children are not in foster care, and those that are have significantly reduced lengths of stay (Cohen & Cortese, 2009). This model helps maintain family attachments and reduce trauma as much as possible. Social workers are a key component in this model as they are crucial in ensuring that services for parents are tailored to the root problem of the D & N case, with the intent of creating future sustainability and family stability that will keep the family out of the child welfare system (Cohen & Cortese, 2009).

In April 2019, independent researchers published a comprehensive evaluation of three New York City interdisciplinary law offices, using administrative child welfare data to assess the foster care and safety outcomes of 9,582 families and their 18,288 children in neglect and abuse cases filed in court between 2007–2014. This study found that multidisciplinary representation decreased the length of stay in foster care by nearly four months (118 days) (Gerber et al., 2019).

A 2016 pilot program in Oregon shows that reduced caseloads, increased attorney training and accountability, and implementation of multidisciplinary teams has reduced the rate of foster

care utilization and increased the reunification rate (Oregon Task Force on Dependency Representation, 2016).

As these examples show, multidisciplinary teams help to ensure that every respondent parent gets a team that works together to problem solve; to identify resources, strengths, and needs; and to advocate on behalf of the parent (Washington State Office of Public Defense, 2002; Sankaran, Rideout, & Raimon, 2015). When litigation in the courtroom is combined with social work referrals, service planning, parent mentoring and support, and case management, outcomes for families dramatically improve and family reunification is often the result, meaning that children can spend less time in out-of-home placements in the foster care system (Washington State Office of Public Defense, 2002; Sankaran, Rideout, & Raimon, 2015; Cohen & Cortese, 2009; ABA Center on Children and the Law, n.d.).

Child welfare is a nexus of social work and law. The central issue in D & N cases is whether and when a child can be reunified safely with their parents. Representation of children and families in D & N hearings benefits from a collaboration between attorneys and social workers, as shown by the models and pilot programs discussed. The literature indicates that the creation of multidisciplinary teams for respondent parents, combining both legal and social work, is an effective method for achieving family reunification and avoiding foster care for children.

## Social Work Pilot Program

Starting in July 2017, the ORPC Social Work Pilot Program (SWPP) rolled out in three judicial districts that include Adams, Broomfield, El Paso, Teller, and Mesa Counties. The SWPP currently has a licensed clinical social worker (LCSW) in the coordinator position. The SWPP coordinator is able to provide supervision to the three contracted social workers, and one comparable professional, in each judicial district. ORPC staff provided information and training to the stakeholders in each judicial district to include court personnel, local county department of human services, and RPCs. RPCs were required to fill out and submit a form titled the Social Worker Assessment/Intake form in the Respondent Parent Payment System (RPPS), the ORPC's database. The form asked for information related to the safety and risk factors of each parent. The form was required for all EPP cases entered into RPPS. The SWPP coordinator assigned the individual cases to the contract social worker. Only one parent within each case qualified for the SWPP. The social worker collaborated with the RPC and the parent to establish recommendations for the court-ordered treatment plan, provide case management support, attend court-dates and DHS-facilitated parent engagement meetings, make referrals to resources, and advocate for kinship placements for the minor children.

While frequently overlooked in practice, the right to maintain a relationship with one's parents is fundamental to a child's best interest. Research clearly indicates that children thrive when provided consistent, nurturing, and healthy relationships in their home environment. The SWPP process is congruent with the literature in that the pilot strives to reduce the length of time in out-of-home care and foster permanency, factors long associated with positive psycho-social outcomes for children. The ABA standards of practice for attorneys representing parents in abuse and neglect cases clearly state that "whenever possible, the parent's attorney should engage or involve a social worker as part of the parent's team" to promote use of appropriate case planning and advocacy. Given emerging practice models of multidisciplinary legal representation, RPC wanted to investigate using multidisciplinary teams. The following study explores pilot data on the SWPP as collected from the Colorado Department of Human Services (CDHS) TRAILS and the ORPC Respondent Parent Payment System (RPPS).

## Method

In 2018 ORPC entered into an agreement with Ms. Lori Darnel, MSW, JD, Assistant Professor at the Department of Social Work at Metropolitan State University of Denver, to explore the relationships between the ORPC SWPP and out-of-home placement experiences, permanency outcomes, and costs. Qualitative data were collected from the Colorado Department of Human Services TRAILS database and compared to records from the ORPC database, the RPPS. The ORPC provided data for SWPP closed client cases. In addition, MSU conducted initial interviews with previous client participants in the SWPP program. Parent interviews explored clients' perceived experience of their cases and the social worker on the case.

Three quantitative hypotheses were explored:

- (1) A social worker's involvement with an RPC case will reduce the number of days in out-of-home care.
- (2) A social worker's involvement with an RPC case will increase permanency in less restrictive placements.
- (3) Given less restrictive placements are also less expensive, a social worker's involvement with an RPC case will decrease cost associated to out-of-home placement.

## Measures

---

### **TRAILS Database**

TRAILS is the Colorado Statewide Automated Child Welfare Information System (SACWIS) adopted in 2001, mandated by the Children's Bureau, and specifically designed as a database to



case manage foster care and adoption throughout the state of Colorado. Along with individual counties, the State of Colorado recognizes the accuracy of the information obtained through the TRAILS system for reliable data. This evaluation used the TRAILS data as a comparison to evaluate the ORPC SWPP.

Measures used from TRAILS for this report:

- Days in out-of-home placement (number of days)
- Costs for out-of-home placement (average daily rate)
- Permanency outcomes (reunification, living with kin, adoption)

### **RPPS Database**

RPPS is the ORPC's proprietary database system created specifically to obtain data from RPC and their legal teams to maintain specific case information from appointed D & N cases. RPPS functions as the payment system for RPCs, requiring accuracy in case entries.

Measures used from RPPS for this report:

- Days in out-of-home placement (number of days)
- Permanency outcomes (reunification, living with kin, adoption)

### **Parent Interviews**

In order to add more depth to the understanding of our exploratory evaluation of the SWPP, researchers interviewed parents who worked with an assigned social worker through the pilot program.

## **Data Collection**

---

### **Quantitative**

Quantitative data of closed cases from July 1, 2017, through September 1, 2019, were collected through the two sources: CDHS TRAILS and ORPC RPPS records. However, only 2017 and 2018 data were included, as not enough cases opened and closed in 2019 to be representative. In addition, Broomfield and Teller Counties were not included in the analysis this year, as the sample of cases were too small. CDHS data were provided in the aggregate and on two levels: statewide data and county-level data for Adams, El Paso, and Mesa Counties (three counties involved and analyzed in the SWPP). Data from RPPS records were compiled and provided to researchers in an electronic Excel worksheet. All data were secured on password protected, State-owned and

-operated servers and computers. It is important to note that because the data was reported from the state system to the evaluators in aggregate, the options for types of statistical testing were limited. This limitation is important to consider when reading the remainder of the report. Ideally, case specific data would strengthen future evaluation efforts and insight to the program.

### **Qualitative / Parent Interviews**

Previous clients whose cases were completed and closed were identified from ORPC records. Clients were invited to participate in face-to-face or telephone meetings. The ORPC invited participants to engage in interviews. Seventeen participants responded that they were willing to participate over the phone or via Zoom Video Conferencing. Of the 17 participants, 11 interviews were scheduled; however, a number of participants requested the ability to reschedule or were no longer available to interview despite rescheduling. Ultimately, data were collected from three participants. All interviews were conducted via Zoom Video Conferencing and were concluded within 45 minutes. Two researchers interviewed each of the participants. Themes were collected from the following questions:

**Engagement:** Did you have a social worker assigned to your case? What was their role?

**Reunification:** How did your case end / work out? Do you feel like the process was faster/slower than you expected? Were there barriers to reunifying earlier? Did the social worker help? Did you have a say in the plan?

**General:** Looking back on it, would you do anything different? Would you like the social worker to do anything different?

## **Findings**

SWPP data were provided at the case/individual level. CDHS county and state data were provided in the aggregate. As a result, options for analysis were limited to descriptive trends rather than significance testing.

### **Days in Care**

County averages for number of days in care and costs for that care were provided for the 18-month period of July 1, 2017 – December 31, 2018. Average calculations were based on the total number of cases (including SWPP cases) and total costs for the state and counties, respectively. While there was variability in the number of days in care across the 18-month period, costs per day in care, as determined by the State, increased over time. The increase in costs occurred across the state and all three counties.

Table 1. Average Number of Days in Out-of-Home Care for EPP Cases

	2017 (July 1–Dec 31)		2018 (Jan 1–Dec 31)		2019 (Jan 1–Sept 1)	
	Average number of days in out-of-home care	Cost per Individual Child per Day	Average number of days in out-of-home care	Cost per Individual Child per Day	Average number of days in out-of-home care	Cost per Individual Child per Day
<b>State Average</b>	124	\$29	181	\$34	150	\$36
<b>Counties</b>						
<b>Adams</b>	111	\$31	166	\$35	142	\$37
<b>El Paso</b>	111	\$28	153	\$37	136	\$46
<b>Mesa</b>	138	\$46	198	\$49	156	\$44

**Descriptor of data** Table 1 demonstrates the average number of days in placement in out of home care for EPP cases. The first row provides information on EPP cases for the state as a whole. The subsequent rows provide information of analyzed counties within the judicial districts. Columns are designated by calendar years, average number of days in out-of-home care, and average cost per day in care.

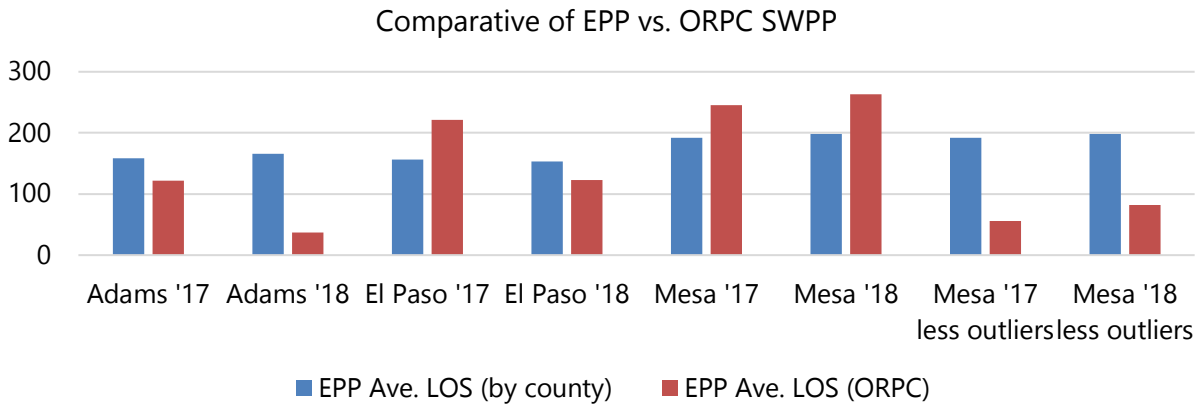
Data on the Length of Stay (LOS) in out-of-home care for *standard Expedited Permanency Planning* (EPP) cases and EPP cases *with a social worker assigned* by the SWPP coordinator were collected at the county level. Adams and El Paso Counties demonstrated a trend in decreased LOS. Data for Mesa County were more complex to analyze. Data were skewed as three of the twenty-nine cases reported extended time in care (extended time in care defined as any case beyond 365 days in care). When researchers remove the 3 statistical outliers to length of days in care, Mesa County averages 44 days in care for 2017 and 82 days in care for 2018. Data indicated that clients who participate in the ORPC SWPP spend fewer days in out-of-home care than clients who do not receive the extra support of a social worker as part of the RPC team.

Table 2. Comparison of EPP and ORPC SWPP

	<b>Total SWPP Cases</b>	<b>EPP Average LOS (by county)</b>	<b>EPP Average LOS (SWPP)</b>
<b>Database System</b>	RPPS	TRAILS	RPPS
<b>Adams SWPP</b>			
<b>2017</b>	35	158	122
<b>2018</b>	21	166	37
<b>El Paso SWPP</b>			
<b>2017</b>	53	156	221
<b>2018</b>	39	153	123
<b>Mesa SWPP</b>			
<b>2017</b>	23	192	245
<b>2018</b>	6	198	263
<b>2017 less 2 outliers</b>	21	192	56
<b>2018 less1 outlier</b>	5	198	82

**Descriptor of data** Table 2 demonstrates the EPP case comparison regarding length of stay. The rows reflect county-level data by year. The second column represents the total number of SWPP EPP cases for the county. The third column represents the average length of stay in out-of-home care by county/year. The fourth column represents the average length of stay in out-of-home care for cases involved with ORPC and assigned social workers.

Figure 1. Length of Stay Compared for County EPP and SWPP Cases



**Descriptor of data** Figure 1 visually represents a comparison of all EPP cases for the county (blue) and their lengths of stay across 2017–2018. These are compared to the ORPC EPP cases (red) who were assigned social workers. It is important to note that in Mesa County, SWPP case assignments did not begin until August 23, 2017. Interpretation of data needs to take this into account. Mesa County data were impacted by a delay in participation in the SWPP due to protracted time in hiring a qualified professional.

### Costs and Savings

Data on the Length of Stay (LOS) in out-of-home care for *Expedited Permanency Planning* (EPP) cases for the county and EPP in the ORPC SWPP were used to calculate potential estimated savings at the case, county, and project level. During the years 2017 and 2018, Adams County ORPC SWPP saved \$56,140 and \$94,815, for all cases respectively. During the 2017 start-up year, the El Paso County ORPC SWPP cases cost an additional \$84,747. During the 2018 year, the ORPC SWPP in El Paso County reversed this trend and had a savings of \$43,290. As previously stated, there were outliers in the Mesa County data. An outlier occurs when data reflects an event outside the normal range of experiences. When we removed the outliers, we found a savings of \$105,037 and \$166,525 for 2017 and 2018, respectively. Total projected savings across all three counties are \$271,562. In future years, case specific data will enable a greater level of specificity with case costs and savings.

Table 3. Comparison of SWPP Costs vs. County Costs

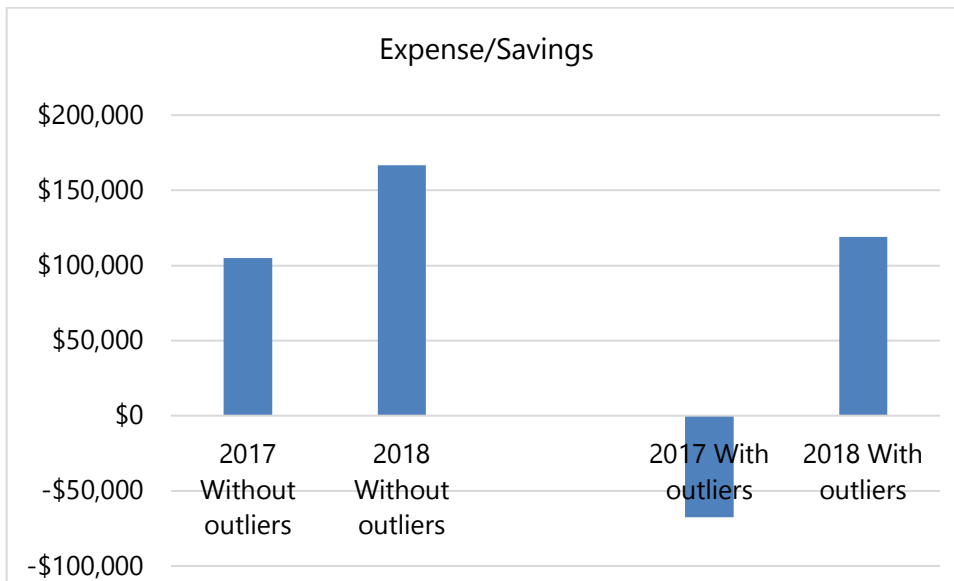
	<b>Average SWPP Out-of-Home Care Cost per Child</b>	<b>Average County Out-of-Home Care Cost per Child</b>	<b>Variance</b>
<b>2017 Adams</b>	\$3,294	\$4,898	\$1,604
<b>2018 Adams</b>	\$1,295	\$5,810	\$4,515
<b>2017 El Paso</b>	\$5,967	\$4,368	(\$1,599)
<b>2018 El Paso</b>	\$4,551	\$5,661	\$1,110
<b>2017 Mesa</b>	\$10,535	\$8,832	(\$1,703)
<b>2018 Mesa</b>	\$12,887	\$9,702	(\$3,185)
<b>2017 Mesa w/o outliers</b>	\$1,892	\$8,256	\$6,364
<b>2018 Mesa w/o outliers</b>	\$4,018	\$9,702	\$5,684

**Descriptor of data** Table 3 reflects the cost variance between the average SWPP out-of-home care cost per child compared to the average county out-of-home care cost per child. The third column provides the cost variance, whereby the variance listed in black reflects savings while red within () indicates the SWPP cost was higher for that year.

Table 4. Projected Costs or Savings with SWPP vs. EPP Standard Case

<b>Projected Variance</b>	<b>Expense/Savings</b>
2017 Without outliers	\$105,037
2018 Without outliers	\$166,525
2017 With outliers	-\$67,776
2018 With outliers	\$118,995

Figure 2. Projected Costs or Savings with SWPP vs. EPP Standard Case



**Descriptor of data** Table 4 and Figure 2 provide a summary of costs associated with days in care for SWPP cases. The savings or expense is compared to standard county experiences for EPP cases. Outliers are removed in the first two rows as these are not within the normal scope of the SWPP and county EPP experience. Outliers are included in the last two rows.

### Permanency Outcomes

The second hypothesis explored permanency outcomes. Data indicated that all ORPC cases across Adams, El Paso, and Mesa Counties showed increased permanency outcomes in less restrictive settings or increased rates of reunification and kinship placements. The one exception was the first year of the ORPC program (2017) in Mesa County, which had 47.8% non-kin adoptions as compared to the state average of 25%. Note: Mesa County data were impacted by a delay in participation in the SWPP due to protracted time in hiring qualified personnel. Therefore, Mesa SWPP cases reflect services from the third week of August until the end of December.

Table 5. Comparison of Permanency Outcomes across State and Counties

	Reunification		Living with Kin		Adoption	
	SWPP	All EPP	SWPP	All EPP	SWPP	All EPP
<b>State</b>						
<b>2017</b>		36.20%		38.90%		25%
<b>2018</b>		37.10%		38.50%		24.50%
<b>2019</b>		36.60%		24.50%		29.10%
<b>Adams</b>						
<b>2017</b>	65.50%	14.90%	17.20%	54.70%	13.80%	30.40%
<b>2018</b>	40%	22.50%	45%	58%	15%	19.40%
<b>2019</b>		28.90%		43.40%		27.70%
<b>NOTE:</b> One case was no longer represented by ORPC pilot program prior to permanency being established						
<b>El Paso</b>						
<b>2017</b>	77.50%	40.80%	16.40%	47.20%	6.10%	12.10%
<b>2018</b>	79.50%	32%	20.50%	46.90%	0%	20.90%
<b>2019</b>		35.30%		41.70%		23.10%
<b>Mesa</b>						
<b>2017</b>	43.40%	39.70%	8.70%	20.70%	47.80%	39.60%
<b>2018</b>	50%	50.40%	33.30%	9.70%	16%	39.90%
<b>2019</b>		59.40%		2.90%		36.20%

**Descriptor of data** Table 5 demonstrates the EPP case comparison regarding permanency outcomes. The rows reflect state- and county-level data by year. The second, fourth, and sixth columns represent the percentage and type of permanency outcomes for ORPC SWPP cases. The third, fifth, and seventh columns provide the comparison groups for the state and county as a whole, respectively.



## Parent Interviews

Themes were identified on the client's perception of the ORPC SWPP social worker's engagement and case outcomes. Even though each of the participants were from separate cases, themes of advocacy, engagement, responsiveness, and trust/rapport emerged across all the interviews. The theme of advocacy focused on a feeling that the parent was not only supported, but they also had an opportunity to voice a position and concerns and felt as if they were heard. Engagement was identified as the ability to fully understand the process, be able to recognize the necessity of resources and community referrals and have clear directions and goals for participation in the treatment plan. Responsiveness addressed the availability of the respondent parent counsel team when a parent was in need of assistance from communication of an urgent concern. Trust and Rapport was the most amorphous but profound information, whereby a client felt safe to be vulnerable about their parenting issues, able to work to improve, and protected in that process. Participants reported that they believed their case outcome was positive due to the social worker's activities. All qualitative participants reported that their case resulted in their children returning home as the case outcome.

Table 6. Parent Interviews

Theme Label	Theme Description
Advocacy	<p>Quotes that indicated active support for completion of treatment and not feeling alone in the process. Participant 1 reported: "<i>Really important for anyone with CPS case to have social worker with them. Never felt alone, someone on my side.</i>"</p> <p>Participant 3 stated: "So hard to understand what is said in court but felt defended. Tried to step up and say things, but when [social worker] spoke up, she was heard."</p>
Engagement	<p>Quotes that reference an understanding of the process, the resources, and action steps necessary to be successful in the treatment plan. Participant 2 indicated: "<i>tried to look things up online but internet did not give a good understanding. [Social worker] knew what to do.</i>"</p>
Responsiveness	<p>Quotes that indicate a more comprehensive understanding of the resources and that referrals were made much faster. Also indicated that answers to questions and support provided quickly. Participant 3 indicated: "<i>Availability of [social worker] important, [social worker] would answer immediately when lawyer would not get back right away.</i>"</p>
Trust and Rapport	<p>Quotes reference expressing feelings of concern with ability to talk to the social worker when not trusting anyone else. Respected the confidential</p>

---

nature of help. Participant 3 stated: "*Felt like I could talk to [social worker] when I couldn't talk to anyone else. Felt like CPS was hard and judgmental, but able to tell [social worker] about struggles. Best thing was to have 'that person' to talk to and ask questions without needing to talk to CPS.*"

---

## Limitations and Implications

Quantitative data (days in out-of-home placement, cost of placement, types of placement, and permanency outcomes) were collected from the CDHS TRAILS system. County and State data were only available in the aggregate, meaning that the evaluators had no way of extracting the cases that received the pilot program services from the averages. As a result, this report is limited to stating only county-wide trends, and the results are confounded. The ORPC plans to enter into a data sharing agreement with the necessary state entities to reduce this barrier. It is recommended that case-level data be explored, which compares:

- State- and county-wide data on adoptions;
- Number of placement open days (LOS) for adoption cases; and
- Costs for out-of-home care by type of case and case specifiers.

The evaluators recommend expanding the qualitative interviews to include additional child welfare system stakeholders such as judicial officers, county attorneys, GALs, and respondent parent counsel, in order to form a comprehensive view of how the program affects the life of cases where a social worker is assigned. Finally, receiving the Department of Human Services case-level data early in the analysis period will provide time for a robust analysis of case-specific data.

## Conclusion

This initial report reflects early evaluation outcomes of the Social Work Pilot Program (SWPP) and indicates that having a trained social worker can decrease time that children spend in out-of-home care and improve case outcomes (return home faster or placement with kin). While evaluation outcomes indicate reductions in out-of-home care, it is incumbent on programs to provide high-quality legal representation of parents through the use of interdisciplinary teams. This is even more imperative in Expedited Permanency Planning cases, which are, by definition, the most vulnerable of cases. The Office of Respondent Parents' Counsel's pilot program utilized ABA and best practice standards in providing counsel to parents. To explore the relationship between case outcomes, permanency, and the associated costs, quantitative data were collected from TRAILS and RPPS, and preliminary qualitative data were collected through parent interviews from a client list of closed cases. Data explored lengths of stay in out-of-home care, associated costs for LOS, permanency outcomes, and client's perceptions of the SWPP. Congruent with other practice models, SWPP data reflected that on average SWPP cases spend less days in care, cost less per average case, and have permanency outcomes that are least restrictive (returning home or being permanency placed with kin). Participants in the interviews stated that they perceived their ORPC contract social worker favorably and their overall experience was positive. The findings from the data suggest that clients who engage with the SWPP have less time in out-of-home care and have better permanency outcomes.

Subsequent research reports will explore case specific data (as associated costs) and explore outcomes with comparable counties that do not participate in the SWPP. These findings are consistent with the models reviewed for research, providing similar results regarding lengths of stay in foster care, improved permanency outcomes, and reduced costs for out-of-home placements. Given the importance of permanency on the welfare of children, models like the ORPC pilot program are an important component of responsible legal representation.



## References

ABA Center on Children and the Law. (n.d.). ABA national project to improve representation for parents. Retrieved from [https://www.americanbar.org/content/dam/aba/administrative/child\\_law/ParentRep/At-a-glance%20final.authcheckdam.pdf](https://www.americanbar.org/content/dam/aba/administrative/child_law/ParentRep/At-a-glance%20final.authcheckdam.pdf)

ABA Standards of Practice for Attorneys Representing Parents in Abuse and Neglect Cases. Retrieved from [https://www.americanbar.org/content/dam/aba/administrative/child\\_law/aba-parent-rep-stds.pdf](https://www.americanbar.org/content/dam/aba/administrative/child_law/aba-parent-rep-stds.pdf)

Administration on Children, Youth, and Families. (2017). *High quality legal representation for all parties in child welfare proceedings* (ACYF-CB-IM-17-02). Washington, DC: US Department of Health and Human Services.

Child Welfare Information Gateway. (2011). *Family reunification: What the evidence shows*. Washington, DC: U.S. Department of Health and Human Services, Children's Bureau.

Cohen, J., & Cortese, M. (2009). Cornerstone Advocacy in the first 60 days: Achieving safe and lasting reunification for families. *ABA Child Law Practice*, 28(3).

Gerber, L. A., Pang, Y. C., Ross, T., Guggenheim, M., Pecora, P. J., & Miller, J. (2019). Effects of an interdisciplinary approach to parental representation in child welfare. *Children and Youth Services Review*, 102(2019), 42–65.

Oregon Task Force on Dependency Representation. (2016). *Task force on dependency representation final report*. Salem, OR: Oregon Task Force Administration.

Redleaf, D. L. (2017). A hybrid model for family defense: Combining a public interest law firm, a legal services program, and a powerful pro bono network to forge cutting-edge legal advocacy for families in the child welfare system. *City University of New York Law Review*, 20(1), 53–67.

Sankaran, V. S., Rideout, P. L., & Raimon, M. L. (2015). Strange bedfellows: How child welfare agencies can benefit from investing in multidisciplinary parent representation. Ann Arbor, MI: Center for the Study of Social Policy.

Thornton, E., & Gwin, B. (2012). High-quality legal representation for parents in child welfare cases results in improved outcomes for families and potential cost savings. *Family Law Quarterly*, 46(1), 139–154.

Washington State Office of Public Defense. (2002). *Dependency and termination parents' representation pilot: Evaluation*. Olympia, WA: Washington State Office of Public Defense.