

## ANALYSIS

### Item 4: Judicial Department Family Treatment Court Program Expansion

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**Analyst:** John Borden and Gregory Jolivette

**Request:** Allocate \$1.6 million General Fund from the special purpose appropriation made to the Emergency Board for family treatment court programs and authorize the establishment of eight permanent full-time positions (3.13 FTE).

**Analysis:** The Oregon Judicial Department (OJD), Public Defense Services Commission (PDSC), Department of Justice (DOJ) and the Oregon Department of Human Services (ODHS) have requested jointly the allocation of \$1.6 million General Fund from the special purpose appropriation (SPA) made to the Emergency Board for family treatment court programs and authorization for the establishment of eight permanent full-time positions (3.13 FTE) for the continued expansion of the Family Treatment Court Program (FTC). The request generally assumes an operative date of October 1, 2022. The 2023-25 biennial cost equals \$3.8 million General Fund and eight positions (8.00 FTE). The request, if approved, would reduce the current special purpose appropriation balance from \$7.9 million to \$6.3 million General Fund. The SPA balance will remain dedicated to FTC expansion until December 2022.

Of the request, OJD would receive \$973,016 General Fund and six Program Coordinator 3 positions or one each for the requested FTC expansion counties (2.25 FTE) as well as funding for Pro-Tem judges (\$101,816). PDSC would receive \$137,859 General Fund for provider contract services for Clackamas and Josephine counties only. DOJ would receive \$152,496 General as Other Funds and one Senior Assistant Attorney General position (0.38 FTE), which would provide statewide coverage. ODHS would receive \$452,840 General Fund and one Operations and Policy Analyst 3 position (0.50 FTE), which would provide statewide coverage and related FTC participant costs (\$157,500). Participant costs include such items as housing deposits, vocational training, child safety seats, cribs, tutoring for children, healthcare/treatment expenses not covered by the Oregon Health Plan, emergency grocery assistance, bus passes and other transportation assistance, childcare, winter clothing needs, telephone minutes, and utility assistance.

#### Background

A Family Treatment Court is defined as a specialized juvenile court (i.e. “specialty court”) docket that hears child welfare (dependency) cases where parental substance use and possibly mental and behavioral health is a contributing factor to court involvement and/or out-of-home placement. FTCs are resource-intensive investments.

The 2021 Legislature expressed a desire to expand FTC; however, such an expansion was forestalled by what the legislature found as uncoordinated investments between OJD FTCs, PDSC’s Parent Child Representation Program (PCRP), DOJ’s Child Advocacy Section (CHAS) for juvenile dependency representation, and ODHS - Child Welfare Programs. Of these programs, only DOJ and DHS operate on a statewide basis. PCRP currently serves Benton, Clatsop, Columbia, Coos, Douglas, Lincoln, Linn, Multnomah, Polk, and Yamhill counties. Currently, there are nine FTCs in fourteen counties: Clatsop, Columbia, Coos, Grant/Harney, Klamath, Linn, Lincoln, Marion, and Wasco counties. Of note is that the Wasco County FTC also serves participants from the Seventh Judicial District

(Sherman/Wheeler/Wasco/Hood River/Gilliam). Klamath and Wasco Counties, however, are the only two that operate without dedicated funding. The Criminal Justice Commission provided grant funding for three of the existing FTCs beginning in 2022 (Coos, Grant/Harney, and Lincoln counties). The remaining 22 counties do not have FTCs.

The 2021 Legislature adopted a budget note (HB 5006) seeking to have agencies normalize or coordinate their investments in FTC to maximize their effect on dependency cases and included a special purpose appropriation to the Emergency Board for \$10 million General Fund to potentially fund additional FTC.

During the 2022 Legislative Session, the Joint Committee on Ways and Means acknowledged receipt of the FTC budget note report, which provided for a three-part strategic approach that would: (a) establish a statewide multi-disciplinary coordinating governance committee; (b) invest in existing FTCs to meet model FTC standards; and (c) expand FTC into five judicial districts/six counties. The report proposes statewide objectives and standards for FTCs while defining key components and participants. The report also provides a list of criteria for the establishment of model FTCs.

The 2022 Legislature allocated \$2.2 million General Fund from the special purpose appropriation and authorized the establishment of seven permanent full-time positions (3.50 FTE) across OJD, PDSC, DOJ, and ODHS to fund a statewide multi-disciplinary coordinating governance committee for FTC and to bring FTCs in Clatsop and Columbia counties up to model standards. The Legislature deferred further investments until a more considered plan was developed that focused primarily on; investing first in existing PCRPs counties; making investments within the confine of existing statutory judgeships for circuit courts; and shoring up investments in pre-existing FTCs.

This Emergency Board request, if approved, would add FTCs to Benton (10 participants annually) and Polk (15 participants annually), both of which are existing PCRPs counties; establish a new FTC in Clackamas (40 participants annually) and Josephine counties (25 participants annually), both of which are not FTC or PCRPs counties; and add funding to stabilize existing FTCs in Klamath (12 participants annually) and across the five counties that comprise the Seventh Judicial District (Sherman/Wheeler/Wasco/Hood River/Gilliam)(5 participants annually). Neither Klamath or counties in the Seventh Judicial District are currently served by PCRPs.

The FTC Steering Committee's recommendations, while acknowledging the direction of the legislature, found that FTC expansion to the PCRPs counties of Multnomah, Douglas, and Yamhill counties unfeasible at this time due to either insufficient judicial and court staff capacities to devoted to FTCs or the lack of judicial resources. This led the FTC Steering Committee to propose Clackamas, Josephine, Klamath Falls, and the combined Sherman/Wheeler/Wasco/Hood River/Gilliam counties as alternate courts for FTCs.

The Legislative Fiscal Office (LFO) notes that standard period associated with the authorization of new positions is three months, which represents the average period to recruit and hire a new employee. The recommendation is to modify the request to assume a January 1, 2023 start date. In addition, funding for DOJ must be Other Funds (legal services billings) with the revenue coming from a a General Fund appropriation to ODHS. Therefore, LFO would recommend modifying the request to be \$1.1 million General Fund, \$104,363 Other Funds, and eight positions (2.00).

LFO would note that the 2021-23 legislatively approved budget for FTC is difficult to ascertain given funding across multiple agencies, programs within agencies, Criminal Justice Commission grants, and federal grants. Given the significant financial investment(s) made by the legislature in FTCs, participating

agencies should be prepared in the future to identify their FTC budgets, actual expenditures, outcomes, as well as the level of coordination that is occurring between agencies to maximize the state's investment in FTC.

**Recommendation:** The Legislative Fiscal Office recommends that the Emergency Board allocate from the special purpose appropriation made to the Emergency Fund for family treatment court to the Oregon Judicial Department, \$682,616 General Fund and authorize the establishment of six positions (1.50 FTE), allocate to the Department of Human Services \$335,979 General Fund and authorize the establishment of one position (0.25 FTE), allocate to the Public Defense Services Commission \$91,907 General Fund, and increase the Other Funds expenditure limitation for the Department of Justice by \$104,363 and authorize the establishment of one position (0.25 FTE), for the Family Treatment Court program.

Oregon Justice Department, Department of Justice, Public Defense  
Services Commission, Oregon Department of Human Services  
Gibson

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**Request:** Allocate \$1.6 million General Fund from the Special Purpose Appropriation made to the Emergency Board for family treatment court programs and the establishment of eight permanent, full-time positions (3.00 FTE).

**Recommendation:** The Oregon Judicial Department and Public Defense Services Commission are not under Executive Branch budgetary authority.

Approve the request for the Department of Justice and Oregon Department of Human Services with the following modification(s): Allocate \$0.3 million General Fund from the Special Purpose Appropriation made to the Emergency Board for family treatment court programs for the Oregon Department of Human Services and establish one permanent (0.25 FTE), full-time position; increase Other Funds expenditure limitation for Department of Justice by \$0.1 million for family treatment court programs and establish one permanent, full-time position (0.25 FTE).

**Discussion:** House Bill 5006 (2021) established a \$10.0 million Special Purpose Appropriation (SPA) for the expansion of existing Family Treatment Court (FTC) programs within state agencies. Just over \$2.0 million of the SPA was released in the 2022 Legislative Session to support statewide coordination of Oregon’s FTC programs, the establishment of a new FTC in Clatsop County, and additional resources to an existing FTC in Columbia County. The Oregon Judicial Department (OJD), Department of Justice (DOJ), Public Defense Services Commission (PDSC) and Oregon Department of Human Services (ODHS) are jointly requesting an additional \$1.6 million be released to expand FTC programs to new counties and provide additional support for current FTCs.

FTCs are designed specifically for child-welfare-involved families where parental substance abuse is a primary factor contributing to the abuse or neglect of a child. This multidisciplinary approach is an evidence-based, problem-solving model involving child welfare, courts, substance abuse providers, and mental health providers working together to produce better outcomes for families and children.

Oregon currently has nine FTCs serving families in the following 14 counties:

CURRENT FTCs	FUNDING PROCESS
Clatsop County	Legislatively funded with Feb. 2022 SPA release
Columbia County	Criminal Justice Commission (CJC) ongoing Specialty Court Grant Program
Coos County	CJC Implementation Grant Program
Grant/Harney Counties	CJC Implementation Grant Program
Klamath County	Operating without funding; currently on hiatus
Lincoln County	CJC Implementation Grant Program
Linn County	CJC Implementation Grant Program
Marion County	CJC ongoing Specialty Court Grant Program
7th Judicial District (Wasco, Hood River, Gilliam, Sherman, and Wheeler Counties)	Operating without funding

OJD, DOJ, PDSC and ODHS have jointly designed an expansion plan based on the following priorities.

**PRIORITY 1: Ensure stability for existing FTCs.**

The Klamath County FTC and the 7th Judicial District FTC have operated without dedicated coordinators. The requesting agencies believe adding a dedicated coordinator will increase the program's effectiveness by maintaining model fidelity.

FTC	BIENNIUM	FUNDING REQUESTED					TOTAL
		OJD	DOJ	PDSC	ODHS		
					Coord.	Program**	
Statewide Position	2021-23	--	152,496	--	142,844	--	295,340
Klamath County	2021-23	110,500	Utilize Statewide Position	--	Utilize Statewide Position	--	110,500
7 <sup>th</sup> Judicial District*	2021-23	110,500		--		--	110,500

Statewide Position	2023-25	--	414,292	--	256,213	--	670,505
Klamath County	2023-25	260,425	Utilize Statewide Position	--	Utilize Statewide Position	--	260,425
7 <sup>th</sup> Judicial District*	2023-25	260,425		--		--	260,425

The estimates are based on the targeted enrollment of 10 parents annually.

\* 7<sup>th</sup> Judicial Court includes Wasco, Hood River, Gilliam, Sherman, and Wheeler Counties.

\*\*ODHS program costs include participant supports and non-covered treatment costs.

**PRIORITY 2: Consider expansion for FTCs in counties where the PDSC Parent Child**

**Representation Program (PCRP) exists.**

Starting a new FTC requires funding to support licensing fees, treatment costs, annual travel and training budgets, and a program coordinator. ODHS and DOJ can support coordination activities through a statewide position supplemented with current internal resources. OJD and PDSC need additional resources specific to the FTCs.

FTC	BIENNIUM	FUNDING REQUESTED					TOTAL
		OJD	DOJ	PDSC	ODHS		
					Coord.	Program**	
Benton County	2021-23	181,062	Utilize Statewide Position	--	Utilize Statewide Position	17,500	198,562
Polk County	2021-23	181,062		--		26,250	207,312

Benton County	2023-25	356,473	Utilize Statewide Position	--	Utilize Statewide Position	70,000	426,473
Polk County	2023-25	356,473		--		105,000	461,473

The estimates are based on the targeted enrollment of 10 parents annually.

\* 7<sup>th</sup> Judicial Court includes Wasco, Hood River, Gilliam, Sherman, and Wheeler Counties.

\*\*ODHS program costs include participant supports and non-covered treatment costs.

**PRIORITY 3:** Identify opportunities to expand in high-need counties where the PCRCP program doesn't exist.

FTC	BIENNIUM	FUNDING REQUESTED					TOTAL
		OJD	DOJ	PDSC	ODHS		
					Coord.	Program**	
Clackamas County	2021-23	208,830	Utilize Statewide Position	81,094	Utilize Statewide Position	70,000	359,924
Josephine County	2021-23	181,062		56,765		43,750	281,577

Clackamas County	2023-25	467,545	Utilize Statewide Position	235,280	Utilize Statewide Position	280,000	982,825
Josephine County	2023-25	356,473		164,695		175,000	696,168

The estimates are based on the targeted enrollment of 10 parents annually.

\*\*ODHS program costs include participant supports and non-covered treatment costs.

**Funding Request Summary**

The combined priority 1, priority 2, and priority 3 efforts total \$1,563,715 General Fund and \$152,496 Other Funds. The agencies jointly request permanent, full-time position authority with costs rolling into their respective 2023-25 budgets to sustain efforts for FTCs. The estimated 2023-25 total for this investment is \$3,758,294 and \$414,292 Other Funds. The request letter erroneously listed the associated position count and FTE; the following chart lists the corrected counts. Additionally, DOJ will need a corresponding Other Funds expenditure limitation increase to support billing ODHS at the Attorney General Rate for their position authority expenses.

2021-23	Positions	FTE	General Fund	Other Funds	Est. Start Date
OJD	6	2.25	973,016	--	10/1/2022
DOJ	1	0.38	--	152,496	10/1/2022
PDSC****	--	--	137,859	--	10/1/2022
ODHS***	1	0.50	452,840	--	7/1/2022
<b>Total Request</b>	<b>8</b>	<b>3.13</b>	<b>1,563,715</b>	<b>152,496</b>	

2023-25	Positions	FTE	General Fund	Other Funds
OJD	6	6.00	2,057,814	--
DOJ	1	1.00	--	414,292
PDSC****	--	--	399,975	--
ODHS***	1	1.00	1,300,505	--
<b>Total Request</b>	<b>8</b>	<b>8.00</b>	<b>3,758,294</b>	<b>414,292</b>

\*\*\*ODHS funding includes program costs which include participant supports and non-covered treatment costs in addition to position authority. The funding also includes the General Fund portion for the DOJ position authority. DOJ will bill ODHS at the Attorney General Rate to receive position authority funding.

\*\*\*\*PDSC requesting funding for contracted services instead of position authority.

The 2021-23 position and contracted services funding request assumes an October 1, 2022 start date for OJD, DOJ, and PDSC. The start date for the ODHS position is July 1, 2022. Given the time it takes to recruit and hire positions, the recommendation assumes a start date for ODHS and DOJ positions of January 1, 2023.

**Legal Reference:** Allocation of \$973,016 from the Special Purpose Appropriation made to the Emergency Board by chapter 669, section 34(1), Oregon Laws 2021, to supplement the appropriation made by chapter 557, section 1(2), Oregon Laws 2021, for the Oregon Judicial Department, Operations for the 2021-23 biennium.

Increase the Other Funds expenditure limitation established by chapter 427, section 2(3), Oregon Laws 2021, for the Department of Justice, Civil Enforcement Division, by \$104,363 for the 2021-23 biennium.

Allocation of \$137,859 from the Special Purpose Appropriation made to the Emergency Board by chapter 669, section 34(1), Oregon Laws 2021, to supplement the appropriation made by chapter 444, section 1(7), Oregon Laws 2021, for the Public Defense Services Commission, Juvenile Division for the 2021-23 biennium.

Allocation of \$333,285 from the Special Purpose Appropriation made to the Emergency Board by chapter 669, section 34(1), Oregon Laws 2021, to supplement the appropriation made by chapter 606, section 1(5), Oregon Laws 2021, for the Oregon Department of Human Services, Child Welfare Programs for the 2021-23 biennium.



OREGON JUDICIAL DEPARTMENT  
Office of the State Court Administrator

August 22, 2022  
**(SENT BY EMAIL)**

The Honorable Senator Peter Courtney, Co-Chair  
The Honorable Representative Dan Rayfield, Co-Chair  
Joint Emergency Board  
900 Court Street NE  
H-178 State Capitol  
Salem, OR 97301-4048

Re: Request for release of Family Treatment Court SPA funding

Dear Co-Chairpersons:

**Nature of Request**

Oregon Judicial Department (OJD), Oregon Department of Justice (DOJ), Oregon Department of Human Services (ODHS), the Public Defense Services Commission (PDSC), and the Criminal Justice Commission (CJC) are requesting a release of funds pursuant to the Special Purpose Appropriation (SPA) created during the 2021 legislative session under HB 5006. The SPA was created specifically for the expansion of Family Treatment Courts (FTCs).

At the close of the 2022 legislative session, the legislature released \$2,065,430 of the SPA funds, allocated among the Oregon Judicial Department, the Oregon Department of Justice, Oregon Department of Human Services, and the Public Defense Services Commission. The release of that funding was intended to support statewide coordination of Oregon's FTCs, as well as to establish one new FTC in Clatsop County and provide necessary personnel and other resources to the existing FTC in Columbia County.

OJD, DOJ, PDSC, and ODHS jointly request that an additional \$1,563,715 be released from the SPA at this time to expand FTCs to additional counties and support ongoing needs for existing FTCs for the remainder of the 2021-23 biennium. A total of \$3,758,294 will be required to fund the entirety of the '23-'25 biennium. Each agency is also requesting that the '23-25 biennium costs be built into each agency's base budget:

OJD:	\$2,057,814
DOJ:	\$414,292
PDSC:	\$399,975
ODHS:	\$886,213

This distribution would ensure stability for the existing FTCs in Klamath County and in the 7<sup>th</sup> Judicial District (Sherman, Wheeler, Wasco, Hood River, and Gilliam counties) and enable the implementation of new FTCs in Benton, Polk, Clackamas, and Josephine counties. The detailed justification for this request is set forth in the attached report. In summary, the budget request is as follows:

<b>Family Treatment Courts Support and Expansion</b>						
<b>Remainder of 21-23 Biennium (10/1/22-6/30/23):</b>						
	<b>OJD</b>	<b>DOJ</b>	<b>PDSC</b>	<b>ODHS</b>	<b>Participant Supports and Non-Covered Treatment Costs (through DHS)</b>	<b>TOTAL</b>
Benton	\$181,062	Statewide Position Requested	\$0	Statewide Position Requested	\$17,500	\$198,562
Polk	\$181,062		\$0		\$26,250	\$207,312
Clackamas	\$208,830		\$81,094		\$70,000	\$359,924
Josephine	\$181,062		\$56,765		\$43,750	\$281,577
Klamath	\$110,500		\$0		\$0	\$110,500
7th Judicial Dist.	\$110,500		\$0		\$0	\$110,500
Statewide	\$0	\$152,496	\$0	\$142,844	\$0	\$295,340
<b>Combined Cost for All Counties 21-23 biennium</b>	<b>\$973,016</b>	<b>\$152,496</b>	<b>\$137,859</b>	<b>\$142,844</b>	<b>\$157,500</b>	<b>\$1,563,715</b>
<b>23-25 Biennium:</b>						
	<b>OJD</b>	<b>DOJ</b>	<b>PDSC</b>	<b>ODHS</b>	<b>Participant Supports and Non-Covered Treatment Costs (through DHS)</b>	<b>TOTAL</b>
Benton	\$356,473	Statewide Position Requested	\$0	Statewide Position Requested	\$70,000	\$426,473
Polk	\$356,473		\$0		\$105,000	\$461,473
Clackamas	\$467,545		\$235,280		\$280,000	\$982,825
Josephine	\$356,473		\$164,695		\$175,000	\$696,168
Klamath	\$260,425		\$0		\$0	\$260,425
7th Judicial Dist.	\$260,425		\$0		\$0	\$260,425
Statewide	\$0	\$414,292	\$0	\$256,213	\$0	\$670,505
<b>Combined Cost for All Counties 23-25 biennium</b>	<b>\$2,057,814</b>	<b>\$414,292</b>	<b>\$399,975</b>	<b>\$256,213</b>	<b>\$630,000</b>	<b>\$3,758,294</b>
<b>Combined Cost: Remainder of 21-23 and 23-25 biennia (Total requested distribution)</b>	<b>\$3,030,830</b>	<b>\$566,788</b>	<b>\$537,834</b>	<b>\$399,057</b>	<b>\$787,500</b>	<b>\$5,322,009</b>

**Legislation Affected**

\$10 million allocation established under HB 5006 (Oregon Laws 2021, chapter 669, section 60).

**SUMMARY**

The undersigned request that an additional \$1,563,715 be released from the SPA to fund FTCs in existing and expansion counties for the remainder of the '21-'23 biennium, along with 8 positions (3.0 FTE). \$3,758,294 and 10 positions (9.75 FTE) will be required to fund the entirety of the '23-'25 biennium. It is also requested that the amounts distributed for the '23-25 biennium be built into each agency's base budget so that each may continue offering these critical services to families and children.

Sincerely,



/s Nancy J. Cozine  
State Court Administrator, Oregon Judicial Department

/s Lisa Upland  
Deputy Attorney General, Oregon Department of Justice

/s Fariborz Pakseresht  
Director, Oregon Department of Human Services

/s Ken Sanchagrin  
Criminal Justice Commission

/s Shannon Flowers  
Chief Juvenile Trial Counsel and Acting Co-Director, Office of Public Defense Services

ec: Chief Justice Martha L. Walters  
John Borden, Legislative Fiscal Officer, LFO  
Phillip Lemman, Deputy SCA, OJD  
David Moon, Director of BFSD, OJD

Exhibit: Addendum Report: Oregon Family Treatment Court Model Program



# **OREGON FAMILY TREATMENT COURT MODEL PROGRAM**

A Joint Report from the Oregon Judicial Department, Public Defense Services Commission, Department of Justice, Department of Human Services, Criminal Justice Commission, and the Housing and Community Services Department

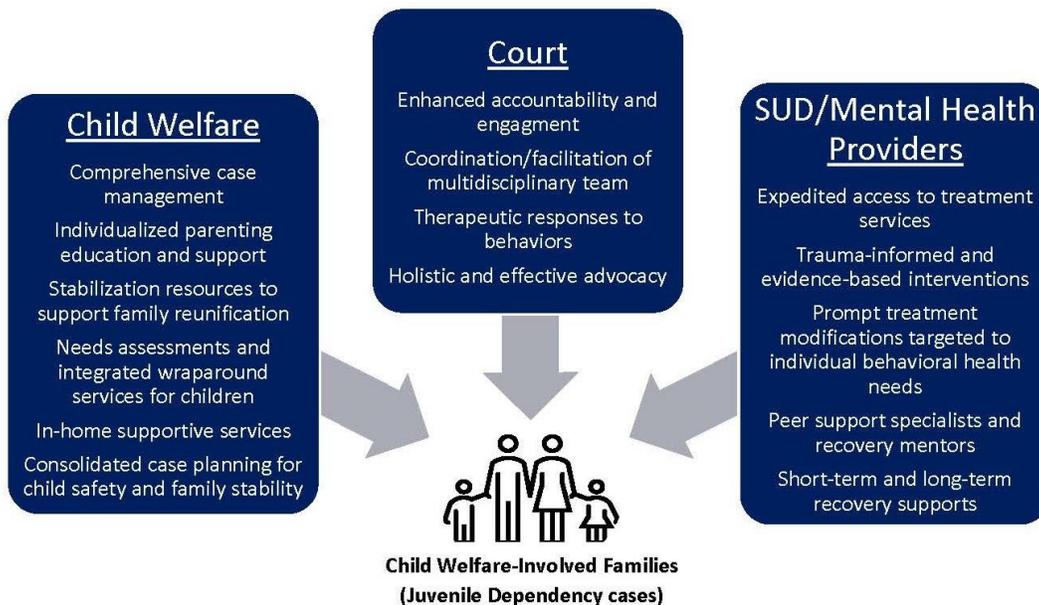
## **ADDENDUM REPORT**

**August 22, 2022**

## Executive Summary

More than 2,300 children entered Oregon’s foster care system in 2021, and nearly two out of every three juvenile dependency (child welfare) cases in Oregon involve safety concerns related to parental substance use. At the same time, parents with substance use disorder are significantly less likely to successfully reunify with their children than those who present with other concerns. Commonly, families impacted by substance use disorder also experience co-occurring challenges such as mental illness, poverty, and housing instability. These challenges further reduce the likelihood of successful family reunification. As a result, children impacted by parental substance use disorders spend longer time in the foster care system<sup>1</sup> and parents are much more likely to have their parental rights terminated.<sup>2</sup>

*Family Treatment Court (FTC) is a multidisciplinary, evidence-based, problem-solving model serving **child-welfare involved families** where **parental substance use** is a factor contributing to abuse or neglect.* To improve the likelihood of successful family reunification among this population, participants are supported by child welfare agencies, behavioral health treatment professionals, and the dependency court system. Comprehensive case management, increased judicial oversight, and frequent stakeholder collaboration occur in a non-adversarial setting that emphasizes sustainable recovery and the development of effective parenting skills.



Family Treatment Court teams typically consist of the Judge, OJD Program Coordinator, ODHS Child Welfare and Addiction Recovery Team workers, treatment providers, and legal

<sup>1</sup> Lloyd, M. H., & Akin, B. A. (2014). *The Disparate Impact of Alcohol, Methamphetamine, and Other Drugs on Family Reunification*. Children and Youth Services Review, 44, 72-81.  
<https://doi.org/10.1016/j.childyouth.2014.05.013>

<sup>2</sup> Harris-McKoy, DeAnna & Meyer, Andrea & Mcwey, Lenore & Henderson, Tammy. (2013). *Substance Use, Policy, and Foster Care*. Journal of Family Issues, 35, 1298-1321.  
<https://journals.sagepub.com/doi/10.1177/0192513X13481439>

counsel representing the agency, parents, and children. Family Treatment Courts provide a framework and structure to synthesize and coordinate the efforts of these stakeholders, resulting in better outcomes for children and families.<sup>3</sup> A more detailed overview of the model can be found in this workgroup’s initial report [“Oregon Family Treatment Court Model Program”](#) dated January 14, 2022.

Oregon currently has nine Family Treatment Courts that serve parents and families in fourteen counties across the state.<sup>4</sup> As discussed herein, this workgroup recommends that funding be released to support statewide coordination, appropriately resource our existing FTCs, and expand FTC programs to additional jurisdictions. *This distribution would ensure stability for existing FTCs in Klamath County and in the 7<sup>th</sup> Judicial District (Sherman, Wheeler, Wasco, Hood River, and Gilliam counties) and enable the implementation of new FTCs in Benton, Polk, Clackamas, and Josephine counties.*

### **Special Purpose Appropriation**

In the 2019 and 2021 legislative sessions, bills were introduced to expand FTC programs to additional locations throughout the state and formalize statewide coordination. While the bills were unsuccessful, at the close of the 2021 Legislative Session, a ten-million-dollar Special Purpose Appropriation (SPA) was made for the expansion of Family Treatment Courts (FTCs). Accompanying that SPA was a budget note requesting that the Oregon Judicial Department (OJD), in collaboration with the Public Defense Services Commission (PDSC), the Oregon Department of Justice (DOJ), Department of Human Services (ODHS), Criminal Justice Commission (CJC), and the Housing and Community Services Department (OHCS), release a joint report describing the criteria and need for the establishment of a statewide FTC program.<sup>5</sup> As a result, in August 2021, the Oregon Judicial Department convened a workgroup to address several objectives outlined in the budget note, including a proposed structure for statewide coordination and the identification of counties that could serve as model programs for FTC expansion.

On February 9, 2022, the joint report was presented to the Public Safety Subcommittee of the Joint Ways & Means Committee. The report contained funding requests for statewide FTC coordination, expansion to five additional judicial districts,<sup>6</sup> and support for existing FTCs. Parents with lived experience, service providers, judges, and additional stakeholders presented more than 25 letters of support to the committee, advocating for resources to strengthen and grow Family Treatment Courts in Oregon.

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<sup>3</sup> Zhang S, Huang H, Wu Q, Li Y, Liu M. (2019). *The Impacts of Family Treatment Drug Court on Child Welfare Core Outcomes: A Meta-analysis*. Child Abuse and Neglect, 88, 1–14. <https://doi.org/10.1016/j.chiabu.2018.10.014>

<sup>4</sup> Oregon’s nine existing FTCs operate in Clatsop, Columbia, Coos, Grant/Harney, Klamath, Lincoln, Linn, Marion, and Wasco counties.

<sup>5</sup> See HB 5006 (2021) Budget Note #1

<https://olis.oregonlegislature.gov/liz/2021R1/Downloads/CommitteeMeetingDocument/246330>

<sup>6</sup> The proposed expansion jurisdictions included Clackamas, Clatsop, Josephine, Lane, and Umatilla/Morrow counties.

At the close of the 2022 session, the legislature released \$2,065,430 of the SPA funds, allocated among OJD, ODHS, PDSC, and DOJ. The distribution was intended to fund statewide coordination and support, establish a new FTC in Clatsop County, augment staffing to Columbia County, and provide participant supports (for example, housing assistance, childcare, and peer mentors) in Clatsop and Columbia Counties. The remaining balance in the SPA is \$7,934,570.

As set forth more fully below, it is requested that an additional \$5,322,009 be released from the SPA at this time. This amount includes \$1,563,715 to fund FTCs in existing and expansion counties for the remainder of the '21-'23 biennium and \$3,758,294 to fund the entirety of the '23-'25 biennium. The budget figures set forth herein contemplate that recruitment for essential staff would begin immediately upon release of the funds so that planning and implementation activities could commence October 1, 2022. With a three-to-six-month planning and implementation period, it is anticipated that all local sites would begin accepting participants during the first quarter of 2023.

### **Progress Since Initial Release of Funds in February 2022**

**New FTC in Clatsop County:** Since the initial SPA release, Clatsop County has completed its FTC planning work and assembled a treatment court team. Judge Dawn McIntosh is presiding over the FTC docket, which already has three participants. A Program Coordinator was hired and has been working with the OJD's Family Treatment Court Analyst to draft program documents and onboard their new team members. Additionally, as OJD is currently the recipient of a federal Family Treatment Court Improvement Grant through the Office of Juvenile Justice and Delinquency Prevention (OJJDP), the Clatsop FTC team has the benefit of training and technical assistance from Children and Family Futures, nationally recognized experts in the FTC model. Using the designated participant supports funding, ODHS is working toward an agreement with Iron Tribe to provide supported recovery housing, with the intent of mirroring the successful model that exists in Columbia County.

**Augmented staffing to Columbia County:** Columbia County's FTC (Oregon's largest) received funds for a Case Manager to assist their Program Coordinator, performing data entry and other administrative functions. The Case Manager position was previously funded through Columbia's CJC grant but was eliminated last biennium due to budget limitations. OJD (Columbia Circuit Court) recently completed a successful recruitment for this position.

**Statewide coordination and support:** Each of the agencies who received funding for positions to support statewide coordination has made progress toward recruiting and onboarding the necessary personnel. OJD has utilized their funding to hire a dedicated Analyst to oversee the programmatic aspects of the Statewide Specialty Court Case Management System (SCMS). SCMS is a web-based case management system designed to facilitate information-sharing among specialty court team members and provide statewide data to guide program evaluation and improvement. Although SCMS is used by all specialty court types, the SCMS Analyst's work will primarily focus on the Family Treatment Courts. Five new FTCs were launched over the past year, with some still in the training and onboarding process for SCMS. The Analyst will

oversee the design and build-out of enhancements to the current system to collect and analyze data needed to track child welfare outcomes and engage in Continuous Quality Improvement. The Analyst will also work directly with local sites to ensure that data, including demographic information and treatment progress, is entered consistently and correctly. This position meets a critical need in ensuring model fidelity, promoting adherence to best practices, and creating consistency within our statewide FTC program.

PDSC (through OPDS) successfully utilized its funding to hire a Deputy Juvenile Defense Counsel, who will serve on the Statewide Family Treatment Court Advisory Committee. This position will also provide centralized support for FTC defense attorneys, including trainings and information to ensure defense attorneys understand the model and how to best support their client's success. The Deputy Counsel will also gather information from defense attorneys and work to develop best practice standards, supporting the Advisory Committee in developing standards and consistency amongst Oregon FTCs. The additional funding will also allow the Deputy Counsel to work with FTC counties to ensure they can appropriately staff FTC cases.

DOJ is currently recruiting for positions to support ODHS in the new FTC in Clatsop County and the existing FTC in Columbia County, as well as to provide support as part of a statewide FTC advisory committee, including multi-agency cross-collaboration work to identify best practices and engage in statewide coordination. In the meantime, within their current capacity, DOJ attorneys serve as active team participants in existing FTCs statewide and are engaged in planning and preparation for new FTC jurisdictions.

### **Statewide Family Treatment Court Advisory Committee<sup>7</sup>**

As discussed in the February 2022 report, Oregon's FTCs have historically operated independently and with varying amounts of funding, resources, and support. These challenges have led to inconsistency in model fidelity and best practice adherence. A primary goal of establishing a statewide program is to utilize statewide coordination among all stakeholder agencies to address these disparities and ensure quality programs at each local site.

One tool to accomplish this goal is the formation of a Statewide FTC Advisory Committee. The Committee originally formed to support the statewide FTC improvement work being done under the current OJJDP grant and includes representatives from all major FTC stakeholder agencies and organizations, including OJD, ODHS (Child Welfare, Addiction Response Team, and Tribal Affairs), PDSC (through OPDS), DOJ, the Oregon Health Authority, the Governor's Advocacy Office Foster Care Ombudsman, the Alcohol and Drug Policy Commission, CASA of Oregon, Community Corrections, Community-based treatment providers, and individuals with lived experience.

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<sup>7</sup> In the prior report, this committee was referred to as a "Statewide Governance Committee." As its role has expanded to include problem-solving, guidance, and promoting adherence to best practices, the name has been updated.

The Committee has been meeting monthly and has established a structure to coordinate work and facilitate information-sharing and collaboration among the member agencies. To promote improvements in local program performance and participant outcomes, the Committee is identifying avenues to develop peer review and accreditation or certification of local programs. The Committee also serves as a forum to identify and resolve service gaps and barriers that exist at the local and statewide levels. This includes addressing issues that negatively impact equity and inclusion or perpetuate disproportionality among child-welfare involved families.

The Committee is also in the process of developing metrics to assess model fidelity, best practice implementation, program enrollment, participant outcomes and ensuring equity and equal access to justice. It is expected that local-site and aggregated data will be collected and presented, including (but not limited to):

- Number of parents served
- Number of children served
- Percentage of families reunified
- Length of time in out-of-home care
- Types of supportive services provided
- Rates of graduation/successful completion of FTC objectives
- Number of children who reentered out-of-home care
- Data regarding disproportionality or disparity in outcomes with regard to historically underserved or disadvantaged populations

### **Current FTCs and Funding Request Process**

Oregon currently has nine FTCs serving parents in fourteen counties:

- Clatsop: Legislatively funded through previous (2022) SPA release.
- Columbia: Funded through the Criminal Justice Commission (CJC) ongoing Specialty Court Grant Program.
- Coos: Funded through the CJC Implementation Grant Program.
- Grant/Harney: Funded through the CJC Implementation Grant Program.
- Klamath: Had been operating without funding and is currently on hiatus.
- Lincoln: Funded through the CJC Implementation Grant Program.
- Linn: Funded through the CJC Implementation Grant Program
- Marion: Funded through the CJC ongoing Specialty Grant program.
- 7<sup>th</sup> Judicial District (Wasco, Hood River, Gilliam, Sherman, Wheeler): Currently operates without funding.

Since the initial SPA disbursement, the workgroup has received guidance from the Legislative Fiscal Office (LFO) regarding potential requests for allocation of the remaining funding within the SPA. LFO provided the following guidance: first, ensure stability for existing FTCs, second, consider expansion for FTCs in counties where the PDSC Parent Child

Representation Program (PCRCP) is already in place and third, identify possible expansion counties where there is significant need, but no PCRCP program in place. We greatly appreciate the guidance provided by LFO and have structured the remainder of this report accordingly.

**Proposed Funding to Ensure Stability for Existing FTCs**

We anticipate that the CJC-funded FTCs will continue to utilize their biennial grant application process to secure funding through 2025. The two unfunded FTCs, Klamath and the 7<sup>th</sup> Judicial District, have not had the resources to apply for and manage CJC funding previously. Although both have been operational FTCs, they would qualify to apply for the Implementation round of funding. With added personnel resources, they would be able to do so. The grant solicitation is expected to be released in September 2023. Following is the cost to add Coordinator positions to both jurisdictions:

Klamath	October 2022-June 2023 23-25 Biennium	\$110,500 \$260,425
7 <sup>th</sup> Judicial District	October 2022-June 2023 23-25 Biennium	\$110,500 \$260,425

Both of these FTCs have operated without dedicated Coordinators, creating a substantial barrier to maintaining model fidelity and compliance with best practice recommendations. Adding these Coordinator positions will provide a resource necessary to the effective functioning of these FTCs.

**Proposed Family Treatment Court Expansion**

Since the initial SPA disbursement, the workgroup has received and considered additional guidance from the Legislative Fiscal Office (LFO) related to criteria for expansion jurisdictions. Specifically, the LFO requested that expansion efforts specifically target those counties that are already served by PDSC’s Parent Child Representation Program (PCRCP) and that judicial resources (beyond pro tem/hearing referee hours) should not be requested in this process.

The Parent Child Representation Program exists in ten Oregon counties, five of which already have Family Treatment Courts. The remaining five PCRCP counties without FTCs are **Benton, Douglas, Multnomah, Polk, and Yamhill.**<sup>8</sup> In determining whether to recommend expansion within the five PCRCP counties, the workgroup evaluated child welfare data points

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<sup>8</sup> Appendix A is a map which identifies which counties are currently served by the Parent Child Representation Program and by Family Treatment Courts.

(number of children in care due to allegations of parental substance use and the percentage of families reunified, among others) and assessed community interest.<sup>9</sup>

From the outset, **Multnomah County** has been firm in their assessment that they are unable to take on another program at this time and asked to be removed from consideration. In **Douglas County** and **Yamhill County**, though data metrics and high interest among participating agencies suggest an FTC court would be beneficial, the population and caseload increases have outstripped judicial and court staff capacities. Even with pro tem support, the lack of judicial resources presents a significant barrier to effective implementation and maintenance of an FTC. *Consequently, although they are PCRCP counties, Multnomah, Douglas and Yamhill are not included in the request for SPA funding support. However, we do anticipate ongoing discussion regarding expansion to Douglas and Yamhill in preparation for the December Emergency Board or during the next biennium.* We are recommending expansion to the remaining two PCRCP counties (Benton and Polk), as well as two non-PCRCP counties (Clackamas, Josephine), as discussed below.

All stakeholder agencies have committed to commencing FTC planning and implementation efforts immediately upon release of the SPA funds. As a result, the budget projections contained herein cover the following periods:

'21-'23 Biennium: October 1, 2022 through June 30, 2023  
'23-'25 Biennium: July 1, 2023 through June 30, 2025

### ***Counties with PCRCP***

#### Benton County

##### *Description:*

Benton is considered an urban county by Oregon Health Authority (OHA) definitions and statistics, although areas outside the Corvallis/Philomath area are quite rural. It has 3.7/1000 children in care, while the statewide average is 6/1000; 47.8% are in care due to allegations of parental substance use disorder and African American/Black children are placed out of the home disproportionately at a rate of 2.5. The rates of Alcohol Use Disorder and Substance Use Disorder are 8.2% and 3.6%, respectively, compared to the statewide average rates of 7.5% and 3.5%. 9.6% of individuals with either disorder need treatment but are not receiving it.

##### *Resources Available to be Leveraged:*

- Benton is a PCRCP county and PDSC indicates that no additional budget resources are necessary to staff an FTC.

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<sup>9</sup> Appendix B summarizes the data used to evaluate each of the five jurisdictions discussed herein. Detailed citations are included on the attachment for ease of reference.

- The ODHS vacancy rate (percentage of unfilled caseworker positions) is currently 12.3%, slightly higher than the 10% cutoff that was used for feasibility assessment, although ODHS indicates they could meet the needs of the FTC through existing staff.
- The community has adequate available evidence-based in-home parenting skills and substance use disorder/mental health treatment programs, including residential treatment options that can accommodate parents with children.
- Culturally specific treatment and programming are scarce locally but can be accessed through neighboring counties or telehealth options.
- Public transportation is primarily through bus service, which is sufficient near Corvallis/Philomath but more challenging in the outlying areas of the county. Transportation assistance is available to parents with dependency cases through ODHS. Housing options include Milestones, three Oxford Houses, and Community Outreach, Incorporated. Low-income housing is administered through the Linn-Benton Housing Authority.
- All state agency partners in this community are interested in implementing a Family Treatment Court and are willing to follow statewide guidelines and evaluation requirements.
- The court has an existing Adult Drug Court program.

*Resources Needed to Implement an FTC:*

The court would require eight hours of pro tem or referee time per week and would request a one-time Specialty Court Case Management (SCMS) licensing fee of \$30,000 plus an annual travel/training budget of \$16,000. Lastly, the court would need an OJD Program Coordinator. At a target annual enrollment of 10 parents, the participant supports and non-covered treatment costs budget for this FTC would be \$35,000 per year. As ODHS and DOJ are statewide agencies and can maximize internal resources, each would each add one position statewide to meet the needs of all of the expansion courts proposed herein, as set forth more fully below.

*Budget:*

Biennium	OJD	DOJ	PDSC	ODHS	Participant Supports and Non-Covered Treatment Costs (through ODHS)	TOTAL
21-23	\$ 181,062	Statewide Position Requested	\$ -	Statewide Position Requested	\$ 17,500	\$ 198,562
23-25	\$ 356,473		\$ -		\$ 70,000	\$ 426,473

## Polk County

### Description:

Polk is considered a rural county by OHA definitions and statistics. It has 4.9/1000 children in care, compared to the statewide average of 6/1000. Parental Substance Use Disorder is a factor for 45.7% of removals and African American/Black children are placed in out-of-home care disproportionately at a rate of 1.62. The rates of Alcohol Use Disorder and Substance Use Disorder are 6.5% and 3.2%, respectively, below the statewide average rates of 7.5% and 3.5%. 9.6% of individuals with either disorder need treatment but are not receiving it.

### *Resources Available to Be Leveraged:*

- Polk is a PCRCP county and PDSC indicates that no additional budget resources are necessary to staff an FTC.
- The ODHS vacancy rate is currently 5.8%, translating to sufficient staffing levels to meet the additional demands of an FTC.
- Substance use disorder and mental health treatment are primarily delivered through Polk County Behavioral Health and ODHS is contracted with Options Counseling and Family Services for evidence-based in-home parenting skills training. No local facility offers residential treatment that can accommodate parents and children together, although resources in neighboring counties may be accessed.
- Culturally specific treatment and programming can also be accessed through neighboring counties or telehealth services.
- Public transportation and non-emergency medical transport are available.
- Recovery and transitional housing resources include River of Life, Jen's Place, Oxford Houses, Iron Tribe of West Salem, and Grand Ronde Transitional Housing.
- All state agency partners in this community are interested in implementing a Family Treatment Court and are willing to follow statewide guidelines and evaluation requirements.
- The court has an existing Adult Drug Court program.

### *Resources Needed to Implement an FTC:*

The court would require eight hours of pro tem or referee time per week and requests a one-time Specialty Court Case Management (SCMS) licensing fee of \$30,000, plus an annual travel/training budget of \$16,000. The court would need an OJD Program Coordinator. At a target annual enrollment of 15 parents, the budget for participant supports and non-covered treatment costs for this FTC would be \$52,500 per year. As ODHS and DOJ are statewide agencies and can maximize internal resources, each would each add one position statewide to meet the needs of all of the expansion courts proposed herein, as set forth more fully below.

*Budget:*

<b>Biennium</b>	<b>OJD</b>	<b>DOJ</b>	<b>PDSC</b>	<b>ODHS</b>	<b>Participant Supports and Non-Covered Treatment Costs (through ODHS)</b>	<b>TOTAL</b>
21-23	\$ 181,062	Statewide Position Requested	\$ -	Statewide Position Requested	\$ 26,250	\$ 207,312
23-25	\$ 356,473		\$ -		\$ 105,000	\$ 461,473

***Additional Proposed Expansion Counties:***

The workgroup is mindful of the guidance provided by LFO to primarily focus on counties where the Parent Child Representation Program has already been implemented. The two counties discussed previously meet that prerequisite. After extensive discussion and careful consideration, we recommend the additional option to expand into two counties that do not yet have the benefit of PCRCP, Clackamas and Josephine. These counties are committed to establishing FTCs but have been unable to do so due to lack of funding. Both were among the jurisdictions previously recommended for expansion by this group and were passed over due to concerns about expanding PCRCP into additional counties at this time. While PCRCP is hugely beneficial to families with juvenile dependency cases and a valued complement to the FTC model, much can be accomplished within the FTC model without this component. Four of Oregon’s nine current FTC programs serve participants in counties without the benefit of PCRCP. If PCRCP expansion is paused for the foreseeable future, expanding FTCs to jurisdictions that are currently unserved by either program is a relatively low-cost way to implement practices that have been proven to improve outcomes for families, including enhanced recovery support, increased judicial oversight, and comprehensive, family-centered services. Lastly, implementing model FTCs in some non-PCRCP counties will provide an opportunity to study outcomes in FTCs that have PCRCP vis-à-vis those that do not.

Clackamas County

Description:

Clackamas is considered both a rural and urban county by OHA definitions and statistics. It has 2.9/1000 children in care, compared to the statewide average of 6/1000. Parental Substance Use Disorder is a contributing factor in 57.9% of removals. American Indian/Alaska Native and African American/Black children are placed out of the home disproportionately at rates of 3.97 and 2.1, respectively. The rates of Alcohol Use Disorder and Drug Use Disorder are 6.7% and 3.0%, respectively, below the statewide average rates of 7.5% and 3.5%. 7.9% of individuals with either disorder need but treatment but are not receiving.

*Resources Available to be Leveraged:*

- Clackamas court leaders have been champions for the design of a model FTC program and expansion of FTCs in Oregon. Historically, the court has, at various points in time, run FTC-type dockets with little budgetary support.
- This county successfully runs other problem-solving courts, including Adult Drug, Mental Health, DUII, Domestic Violence, and Community courts.
- Clackamas has a low ODHS vacancy rate (6%).
- Numerous evidence-based in-home parenting skills program are available.
- Clackamas has recently had recovery housing options open through Iron Tribe. Community members report that there are units available and that the FTC could work with the program to reserve units.
- Although there are no residential treatment programs that can accommodate parents and children together, such resources are available in neighboring counties.
- Clackamas residents have access to a wide array of treatment and culturally relevant and linguistically supportive programs across the Portland metropolitan area and the ODHS office already has partnerships with programs across these counties.
- Milwaukie and Oregon City have robust transportation systems; outside of the cities, vouchers are provided by ODHS and the Oregon Health Plan (OHP) to pay for gas, car repairs, and ride-shares.
- All state agency partners in this community are interested in implementing a Model FTC and are willing to follow statewide guidelines and evaluation requirements.

*Resources Needed to Implement an FTC:*

Clackamas is not a PCRCP county and is not requesting funds to implement PCRCP. However, PDSC is requesting the limited amount of \$75,687 for the additional defense attorney time required to cover FTC staffing, court, and administrative needs. FTC cases require increased docket time for court staffing and appearances (often weekly, versus once every several months). Additionally, as a member of the FTC team, defense counsel would be expected to participate in team meetings and trainings outside of the FTC hearing docket. The court requests twenty hours of pro tem or referee time per week and requires a one-time Specialty Court Case Management (SCMS) licensing fee of \$30,000, plus an annual travel/training budget of \$16,000. The court would need an OJD Program Coordinator. At a target annual enrollment of 40 parents per year, the participant supports budget for this FTC would be \$140,000 per year. As ODHS and DOJ are statewide agencies and can maximize internal resources, each would each add one position statewide to meet the needs of all of the expansion courts proposed herein, as set forth more fully below.

*Budget:*

<b>Biennium</b>	<b>OJD</b>	<b>DOJ</b>	<b>PDSC</b>	<b>ODHS</b>	<b>Participant Supports and Non-Covered Treatment Costs (through ODHS)</b>	<b>TOTAL</b>
21-23	\$ 208,830	Statewide Position Requested	\$ 81,094	Statewide Position Requested	\$ 70,000	\$ 359,924
23-25	\$ 467,545		\$ 235,280		\$ 280,000	\$ 982,825

Josephine County

*Description:*

Josephine is considered a rural county by OHA definitions and statistics. It has 9/1000 children in care where the state average is 6/1000. 66.1% are in care due to parental substance use disorder and African American/Black children are placed out of the home disproportionately at a rate of 1.53. The rates of Alcohol Use Disorder and Drug Use Disorder are 6.5% and 3.2%, while statewide averages are 7.5% and 3.5%, respectively. In Josephine, 7.7% of individuals with either disorder need treatment but are not receiving it.

*Resources Available to be Leveraged:*

- Despite a vacancy rate of 15.4%, ODHS indicates that sufficient staff are available to cover an FTC docket in Josephine.
- Treatment resources include Adapt Integrated Health Care, Family Solutions, Grants Pass Treatment Center (includes Medication-Assisted Therapy), On Track, Inc., Options for Southern Oregon, and Success Consultants of Southern Oregon.
- Josephine also has available evidence-based in-home parenting skills programs. Adapt has recently opened a new housing development, which community members report has some open units that could be made available to FTC participants.
- The local ODHS office has a partnership with nearby tribes for services.
- Although there are no residential treatment programs that can accommodate parents with children, such services are available in neighboring counties.
- Basic public transportation is provided in Grants Pass, with stops at the relevant treatment centers and the court. Outside of Grants Pass, vouchers are provided by ODHS and the Oregon Health Plan (OHP) for gas, car repairs and ride shares. (Like many rural counties, transportation in Josephine County can be a challenge.)
- Josephine currently has Adult Drug and Mental Health courts.

*Resources Needed to Implement an FTC:*

Josephine is not a PCRCP County. Consequently, PDSC is requesting the limited amount of \$108,125 for the additional defense attorney time required to cover FTC staffing, court, and administrative needs. FTC cases require increased docket time for court staffing and appearances (often weekly, versus once every several months). Additionally, as a member of the FTC team, defense counsel would be expected to participate in team meetings and trainings outside of the

FTC hearing docket. The court requests ten hours of pro tem or referee time per week and would require a one-time Specialty Court Case Management (SCMS) licensing fee of \$30,000 and an annual travel/training budget of \$16,000. The court would need an OJD Program Coordinator. At a target annual enrollment of 25 parents, the budget for participant supports and non-covered treatment costs for this FTC would be \$87,500 per year. As ODHS and DOJ are statewide agencies and can maximize internal resources, each would each add one position statewide to meet the needs of all of the expansion courts proposed herein, as set forth more fully below.

*Budget:*

Biennium	OJD	DOJ	PDSC	ODHS	Participant Supports and Non-Covered Treatment Costs (through ODHS)	TOTAL
21-23	\$ 181,062	Statewide Position Requested	\$ 56,765	Statewide Position Requested	\$ 43,750	\$ 281,577
23-25	\$ 356,473		\$ 164,695		\$ 175,000	\$ 696,168

**Statewide Positions for ODHS and DOJ**

Neither ODHS nor DOJ are requesting positions specific to any local FTC. Instead, both agencies have assessed their workforce needs through the lens of what would be required to support Oregon’s FTC program as a whole. ODHS intends to utilize their requested position (’21-’23: 0.375 FTE / ’23-/25: 1.0 FTE) position to recruit an Operations and Policy Analyst 3 (OPA3) to support caseworkers and Addiction Recovery Team personnel in each of the locations that has an FTC.

DOJ has also requested a Senior AAG position (’21-’23: 0.375 FTE / ’23-/25: 1.0 FTE), as FTC cases require additional work for their attorneys. DOJ attorneys provide court representation and advice on all FTC cases across the state. FTC cases require increased docket time for court staffing and appearances (often weekly, versus once every several months). Each of these appearances requires an AAG to adequately prepare pursuant to Oregon State Bar Agency Performance Standards, including discovery review and client consultations. Not all courts allow remote appearances for FTC dockets, so many of these appearances would necessitate travel to the courthouse. Additionally, as a valued member of the FTC team, AAGs would be expected to participate in team meetings and trainings outside of the FTC hearing docket and to participate on local executive and steering committees. The amount of anticipated additional work varies from county to county depending on location, FTC requirements, and number of FTC participants, some of which may regularly fluctuate.

Breaking down the additional AAG time and legal work county by county results in fractured percentages of AAG positions in different regions of the state, which is inefficient, more costly, and would create recruitment challenges for multiple part-time positions. Instead,

DOJ plans to account for the additional workload of supporting the FTCs across the state by adding one AAG position and adjusting work internally within each of their regional offices, resulting in fewer overall number of positions to support the FTC work as well as a greater nimbleness to adjust for variations in FTC workload and judicial requirements statewide.

**Overall Requested SPA Distribution**

<b>Family Treatment Courts Support and Expansion</b>						
<b>Remainder of 21-23 Biennium (10/1/22-6/30/23):</b>						
	<b>OJD</b>	<b>DOJ</b>	<b>PDSC</b>	<b>ODHS</b>	<b>Participant Supports and Non-Covered Treatment Costs (through ODHS)</b>	<b>TOTAL</b>
Benton	\$181,062	Statewide Position Requested	\$0	Statewide Position Requested	\$17,500	\$198,562
Polk	\$181,062		\$0		\$26,250	\$207,312
Clackamas	\$208,830		\$81,094		\$70,000	\$359,924
Josephine	\$181,062		\$56,765		\$43,750	\$281,577
Klamath	\$110,500		\$0		\$0	\$110,500
7th Judicial Dist.	\$110,500		\$0		\$0	\$110,500
Statewide	\$0	\$152,496	\$0	\$142,844	\$0	\$295,340
<b>Combined Cost for All Counties 21-23 biennium</b>	<b>\$973,016</b>	<b>\$152,496</b>	<b>\$137,859</b>	<b>\$142,844</b>	<b>\$157,500</b>	<b>\$1,563,715</b>
<b>23-25 Biennium:</b>						
	<b>OJD</b>	<b>DOJ</b>	<b>PDSC</b>	<b>ODHS</b>	<b>Participant Supports and Non-Covered Treatment Costs (through ODHS)</b>	<b>TOTAL</b>
Benton	\$356,473	Statewide Position Requested	\$0	Statewide Position Requested	\$70,000	\$426,473
Polk	\$356,473		\$0		\$105,000	\$461,473
Clackamas	\$467,545		\$235,280		\$280,000	\$982,825
Josephine	\$356,473		\$164,695		\$175,000	\$696,168
Klamath	\$260,425		\$0		\$0	\$260,425
7th Judicial Dist.	\$260,425		\$0		\$0	\$260,425
Statewide	\$0	\$414,292	\$0	\$256,213	\$0	\$670,505
<b>Combined Cost for All Counties 23-25 biennium</b>	<b>\$2,057,814</b>	<b>\$414,292</b>	<b>\$399,975</b>	<b>\$256,213</b>	<b>\$630,000</b>	<b>\$3,758,294</b>
<b>Combined Cost: Remainder of 21-23 and 23-25 biennia</b>	<b>\$3,030,830</b>	<b>\$566,788</b>	<b>\$537,834</b>	<b>\$399,057</b>	<b>\$787,500</b>	<b>\$5,322,009</b>

## **Proposed 2023-2025 Funding and Next Steps**

This report assumes that SPA funds, if released, would be built into the base budgets of participating agencies for the '23-'25 session. If SPA funds were not built into base budgets but were provided instead as one-time funds for only the current biennium, then each of the participating agencies would need funding provided in their 2023-25 budgets. In that case, OJD has proposed a Policy Option Package (#113) that has two components. The first mirrors the OJD-specific funding requests identified in this report. The other component of the POP would provide funding for two statewide support positions that are currently funded under the existing federal grant but are set to expire in the beginning (Oct. 31, 2023) of the 2023-25 biennium.

If the funding requested herein is distributed as requested, there will be \$2,612,561 remaining in the SPA from the initial \$10 million allocation. Given that Douglas and Yamhill Counties expressed interest in establishing FTCs but have some current concerns regarding timing. If those concerns abate, we may seek a further release of funds in December for expansion to those jurisdictions. Additionally, as the Advisory Committee continues its work and establishes reporting metrics, we may seek allocation of the remaining funds to the Committee to allow for continued support of best practice implementation.

## **Conclusion**

The initial disbursement of SPA funding was a critical first step in establishing statewide coordination and a model expansion program for Oregon's Family Treatment Courts. With those funds, each of the stakeholder agencies has the resources necessary to provide the policy-level support needed to ensure effective collaboration and service delivery. The Statewide Advisory Committee is invested in implementing a plan to promote best practices and model fidelity at each of our local FTC sites. OJD's newly created SCMS Analyst position will ensure that participant information is collected consistently and accurately, outcomes are measured, and program data is used to drive programmatic improvements. Additionally, a newly launched FTC and a firmly established FTC both received needed resources and are positively impacting families through the work of their teams.

The second disbursement of SPA funds would support existing FTCs in Klamath County and the 7<sup>th</sup> Judicial District and would facilitate the expansion of Oregon's Family Treatment Court program to up to four additional counties: Benton, Polk, Clackamas, and Josephine. Expanding to additional courts at this time makes maximal use of the investment the Legislature has already made (through the first SPA disbursement) toward statewide coordination and FTC program improvement. This also would leverage the training and technical assistance resources provided under the existing OJJDP Statewide FTC Improvement grant. Family Treatment Courts are an evidence-based intervention designed to serve families in a collaborative, comprehensive, and innovative way. Improving the ability of the courts and communities to meet the needs of this challenging population has the potential to interrupt generational child abuse and neglect trends and improves the well-being of families served within the child welfare system.

# Appendices

**Appendix A: Map of Oregon Counties served by FTCs and/or PCRP**

**Appendix B: Data and Budget Tables**

# Appendix A

