

ANALYSIS

Oregon Judicial Department Best Practices in Indian Child Welfare

Analyst: John Borden

Request: Approve the submission of a federal grant to the U.S. Department of Health and Human Services Administration on Children, Youth, and Families - Children's Bureau to assess and then institutionalize best practices in Indian child welfare cases in the amount of up to \$2.5 million.

Analysis: The Oregon Judicial Department (OJD) requests approval to submit a federal grant application to the U.S. Department of Health and Human Services Administration on Children, Youth, and Families - Children's Bureau to help preserve families of federally recognized American Indian and Alaska Native tribes by reducing the disproportionate placement of American Indian and Alaska Native children away from families and communities in foster care and to reduce other disparate treatment experiences.

The grant would be a state-tribal partnership, with partners including tribal governments, state courts, and state's child welfare agency. The grant has five stages: (1) assessment and planning (Year-1); (2) implementation (Year 2); (3) monitor and make improvements (Year 3-4); and (4) institutionalize permanent change (Year 5).

The grant was announced on April 11, 2023. The grant application deadline is June 13, 2023. The grant totals up to \$2.5 million for the grant period from October 1, 2023 to September 30, 2028 (or the 2023-25 to the 2027-29 biennium). This competitive grant requires no state matching funds. There is no other expectation of continued federal or state funding associated with this grant.

OJD grant proposal for the 2023-25 biennium totals \$875,000 and would be administered as part of the OJD's Juvenile Court Improvement Program. If the grant is approved, and depending upon the amount of any award, OJD would require Federal Funds expenditure limitation and the establishment of one limited duration position to perform the work required by the grant.

Legislative Fiscal Office Recommendation: The Legislative Fiscal Office recommends approval of the request.

Oregon Judicial Department Gibson

Request: Authorization to apply for one grant totaling \$2.5 million from the Department of Health and Human Services' Administration on Children, Youth, and Families – Children's Bureau to assess and implement best practices in Indian child welfare cases.

Recommendation: The Oregon Judicial Department is not under Executive Branch budgetary authority.

Discussion: The Oregon Judicial Department (OJD) requests authorization to apply for a five year, \$2.5 million grant from the Department of Health and Human Services' Administration on Children, Youth, and Families – Children's Bureau to implement best practices in Indian child welfare services. The grants purpose is to preserve the families of federally recognized American Indian and Alaska Native tribes by protecting children and ensuring they have a strong connection to their families, communities, and culture.

The grant is structured in five year increments.

- Year 1: Planning, assessment, and relationship building.
- Year 2: Plan implementation.
- Year 3-4: Monitoring and continuous improvement.
- Year 5: Lessons learned and institutionalization.

The grant has no state funding match requirement and if awarded, it would start October 2023 and continue through September 30, 2028. OJD estimates the need for one limited duration analyst position to administer the grant and \$875,000 Federal Funds expenditure limitation in the 2023-25 biennium.

The department would need to request the expenditure limitation and position authority at a future legislative meeting in 2023-25, 2025-27, and 2027-29.



OREGON JUDICIAL DEPARTMENT
Office of the State Court Administrator

May 22, 2023
(SENT BY EMAIL)

The Honorable Elizabeth Steiner, Co-Chair
The Honorable Tawna Sanchez, Co-Chair
Joint Committee on Ways and Means
900 Court Street NE
H-178 State Capitol
Salem, OR 97301-4048

Re: Federal Grant Application HHS ACYF State-Tribal Partnerships to Implement Best Practices in Indian Child Welfare – 10-day Notification

Dear Co-Chairpersons:

Nature of Request

The Oregon Judicial Department (OJD) requests permission to apply for a five-year, \$2,500,000 grant from the Department of Health and Human Services' Administration on Children, Youth, and Families – Children's Bureau. This grant was announced April 11, 2023. The deadline to submit the grant application is June 13, 2023.

Background

OJD's Office of the State Court Administrator desires to apply for the Administration on Children, Youth, and Families – Children's Bureau State-Tribal Partnerships to Implement Best Practices in Indian Child Welfare grant from the Department of Health and Human Services. The priority of the grant application is to implement best practices in Indian child welfare services to preserve families of federally recognized American Indian and Alaska Native tribes; protect children; and ensure that children remain connected to their families, communities, and culture.

The grant requires that OJD dedicate the first year of the project to planning, assessment, and relationship building, and on working together to identify priorities and necessary resources. The second year of the project must be dedicated to implementation. In years 3 and 4 of the project, recipients must focus on operating the project with monitoring and feedback loops to continuously improve the quality of project work. During the fifth, and final, year of the project, recipients' work shall be heavily informed by learning from previous years and include efforts to

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institutionalize both the changes and continuous quality improvement efforts found to be effective to ensure positive outcomes.

The grant, if awarded, is for a period of 60 months, beginning in the new biennium in October of 2023, continuing through the 2023-2025 biennium, and ending in September 2028 (2028-2029 biennium). The funding limitation request for the upcoming biennium (2023-2025) is for up to \$875,000. Similar requests would be needed for subsequent years of the grant (through September 30, 2028). There is no state funding match requirement associated with the grant.

Under the grant, OJD would hire one limited duration analyst position to assist in developing state-tribal partnerships and to implement best practices in Indian child welfare as part of OJD's Juvenile Court Improvement Program (JCIP).

Action Requested

OJD requests approval to apply for a federal grant. If OJD is awarded the grant, we will return at a future legislative meeting to request an increase in federal funds limitation of approximately \$875,000 along with the requisite positional authority.

Sincerely,



Nancy J. Cozine
State Court Administrator

NC:jm/23eNC012jm

cc: Chief Justice Meagan A. Flynn
John Borden, Legislative Fiscal Officer, LFO
Wendy Gibson, Policy and Budget, DAS-CFO
Phillip Lemman, Deputy SCA, OJD
Nanci Thaemert, Director, JFCPD, OJD