

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1105 Adoption

SPONSOR(S): Albritton

TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Children, Families & Seniors Subcommittee	11 Y, 0 N	Gilani	Brazzell
2) Civil Justice & Claims Subcommittee			
3) Health & Human Services Committee			

SUMMARY ANALYSIS

Chapter 39, F.S., creates the child welfare system, administered by the Department of Children and Families (DCF) in partnership with local communities and the courts to ensure the safety, timely permanency and well-being of children.

DCF's practice model is based on the safety of the child within his or her home, using in-home services to maintain and strengthen that child's natural supports if possible. However, when DCF determines that a child cannot safely remain in his or her own home, it initiates dependency proceedings designed to guarantee the child's safety while also attempting reunification with his or her family, if appropriate.

Ultimately, if a child's home remains unsafe, the court may terminate the parental rights of the offending parent(s) and seek another permanency option for the child, such as adoption.

HB 1105 revises several provisions of ch. 39, F.S., to address barriers to permanency for children in the child welfare system to shorten the timeframe for achieving permanency. Specifically, the bill revises grounds for termination of parental rights, changes notice to parents regarding these grounds, limits the continuances available, expedites service referrals, and increases reporting and the frequency of hearings.

The primary change made by HB 1105 is the added requirement that a parent notify the parties or the court of barriers to compliance with a case plan task soon after discovering the barrier. If a parent fails to do so, he or she cannot cite the barrier as a reason for noncompliance when the court is considering termination of his or her parental rights. Once notified of the barrier, DCF must provide parents with strategies to overcome them.

The bill requires the court to advise parents of this requirement and the potential consequences of failing to timely do so, which can also include significant impacts on the availability of continuances, permanency goal evaluations, six-month judicial case reviews, and motions for reunification and increased contact.

HB 1105 also requires DCF to make service referrals more promptly and increase reporting to the court on case progress. It limits continuances by the court's own motion and requires more frequent permanency hearings after the child has been in out-of-home care for 12 months but has not achieved permanency.

The bill has an indeterminate but likely negative fiscal impact on the state court system and an indeterminate impact on DCF and the private sector.

The bill provides an effective date of July 1, 2018.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Background

Child Welfare System

The child welfare system identifies families whose children are in danger of suffering or have suffered abuse, abandonment, or neglect and works with those families to address the problems that are endangering children, if possible.

Chapter 39, F.S., creates the dependency system that is charged with protecting child welfare. The Department of Children and Families (DCF) administers the state's child welfare system and works in partnership with local communities and the courts to ensure the safety, timely permanency and well-being of children.¹

DCF's practice model is based on the safety of the child within his or her home, using in-home services such as parenting coaching and counseling to maintain and strengthen that child's natural supports in his or her home environment. DCF contracts for case management, out-of-home care, and related services with lead agencies, also known as community-based care organizations (CBCs). The model of using CBCs to provide child welfare services is designed to increase local community ownership of service delivery and design.² CBCs are responsible for providing foster care and related services.³ These services include, but are not limited to, counseling, domestic violence services, substance abuse services, family preservation, emergency shelter, and adoption. The CBC must give priority to services that are evidence-based and trauma informed.⁴ CBCs contract with a number of subcontractors for case management and direct care services to children and their families.⁵ There are 17 CBCs statewide, which together serve the state's 20 judicial circuits.⁶

However, when it is determined that a child cannot safely remain in his or her own home, DCF works, through the involvement of the dependency courts, toward guaranteeing the safety of the child out of home while providing services to reunify the child as soon as it is no longer unsafe to do so.

Ultimately, if a child's home remains unsafe and the court is unable to reunify him or her in the family home, the child welfare system may seek a permanent home for that child through the adoption process. This requires the court to terminate the parental rights of the offending parent or parents.

Federal Requirements for Permanency

Many of the federal requirements related to the dependency process can be traced to the Adoption and Safe Families Act (ASFA) of 1997.⁷ The ASFA expanded the use of detailed case planning, while emphasizing the well-being of children at all critical points during the dependency case process.⁸ It further requires that states make timely decisions regarding permanency. The permanency goal is

¹ s. 39.001(4), F.S.

² THE DEPARTMENT OF CHILDREN AND FAMILIES, *Community-Based Care*, <http://www.myflfamilies.com/service-programs/community-based-care> (last visited Jan. 21, 2018).

³ Id.

⁴ s. 409.988(3), F.S.

⁵ *Supra* note 2.

⁶ THE DEPARTMENT OF CHILDREN AND FAMILIES, *Community Based Care Lead Agency Map*, <http://www.myflfamilies.com/service-programs/community-based-care/cbc-map> (last visited Jan. 21, 2018).

⁷ Adoption and Safe Families Act of 1997, Public L. No. 105-89, H.R. 867, 105th Cong. (1997).

⁸ Committee on Child Maltreatment Research, Policy, and Practice for the Next Decade: Phase II, NEW DIRECTIONS IN CHILD ABUSE AND NEGLECT RESEARCH (Anne C. Peterson et al., 2004), available at <https://www.ncbi.nlm.nih.gov/books/NBK195980/> (last visited Jan. 21, 2018).

enforced primarily via a requirement that states terminate the parental rights of children who have spent 15 or more months of the past 22 months in foster care.⁹

Requirements for Reasonable Efforts

Beginning with the Adoption Assistance and Child Welfare Act of 1980,¹⁰ federal law has required states to show, except in certain circumstances such as where the parent committed an especially egregious act, that they have made “reasonable efforts” to provide assistance and services to prevent a child’s removal or to reunify a child with his or her family prior to terminating parental rights. The Adoption and Safe Families Act of 1997 stated, however, that the child’s health and safety are the primary concern when assessing the degree for a state to strive in making reasonable efforts.¹¹

Section 39.806, F.S., regarding grounds for termination of parental rights, addresses the issue of departmental reasonable efforts. That section states that the department’s failure to make reasonable efforts to reunify the parent and child may excuse the parent’s noncompliance with the case plan, leading to invalidate such noncompliance as grounds for a termination of his or her rights. However, the section also allows a court to exempt DCF from having to make reasonable efforts to preserve and reunify families if the parents have engaged in certain conduct, such as subjecting the child to aggravated child abuse or murdering the child’s sibling; or if the court has taken certain actions, such as involuntarily terminating the parent’s rights to the child’s sibling.

⁹ Id.

¹⁰ Adoption Assistance and Child Welfare Act of 1980, Public L. No. 96-272, H.R. 3434, 96th Cong. (1980).

¹¹ CHILD WELFARE INFORMATION GATEWAY, CHILDREN’S BUREAU, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, *Reasonable Efforts to Preserve or Reunify Families and Achieve Permanency for Children*, <https://www.childwelfare.gov/pubPDFs/reunify.pdf> (last visited Jan. 20, 2018).

Dependency Process and Timeframes

Florida law prescribes specific timeframes for the dependency process, as detailed in the following table. However, s. 39.0136, F.S., also allows for continuances to be granted. The statute limits continuances to a total of 60 days within any 12-month period and only for extraordinary circumstances involving the constitutional rights of a party or the child's best interests.

The Dependency Process

Dependency Proceeding	Description of Process	Controlling Statute
Removal	The child's home is determined to be unsafe, and the child is removed.	s. 39.401, F.S.
Shelter Hearing	A shelter hearing occurs within 24 hours after removal. The judge determines whether to keep the child out-of-home.	s. 39.401, F.S.
Petition for Dependency	A petition for dependency occurs within 21 days of the shelter hearing. This petition seeks to find the child dependent.	s. 39.501, F.S.
Arraignment Hearing and Shelter Review	An arraignment and shelter review occurs within 28 days of the shelter hearing. This allows the parent to admit, deny, or consent to the allegations within the petition for dependency and allows the court to review any shelter placement.	s. 39.506, F.S.
Adjudicatory Trial	An adjudicatory trial is held within 30 days of arraignment. The judge determines whether a child is dependent during this trial.	s. 39.507, F.S.
Disposition Hearing	If the child is found dependent, disposition occurs within 15 days of arraignment or 30 days of adjudication. The judge reviews the case plan and placement of the child. The judge orders the case plan for the family and the appropriate placement of the child.	ss. 39.506 and 39.521, F.S.
Judicial Review Hearings	The court must review the case plan and placement every 6 months, or upon motion of a party.	s. 39.701, F.S.
Petition for Termination of Parental Rights	Once the child has been out of home for 12 months, if DCF determines that reunification is no longer a viable goal, termination of parental rights is in the best interest of the child, and other requirements are met, a petition for termination of parental rights is filed.	ss. 39.802, F.S., 39.805, F.S., 39.806, F.S., and 39.810, F.S.
Advisory Hearing	This hearing is set as soon as possible after all parties have been served with the petition for termination of parental rights. The hearing allows the parent to admit, deny, or consent to the allegations within the petition for termination of parental rights.	s. 39.808, F.S.
Adjudicatory Trial	An adjudicatory trial shall be set within 45 days after the advisory hearing. The judge determines whether to terminate parental rights to the child at this trial.	s. 39.809, F.S.

Permanency Goals

During the court process, the court sets at least one permanency goal for a child; if that goal is reunification with the child's parent, it may also set a second concurrent goal to provide more options for the child.¹² Section 39.01(53), F.S., defines a "permanency goal" as the living arrangement identified for the child to return to or identified as the permanent living arrangement of the child. Section 39.621(3), F.S., lists permanency goals available under this chapter, listed in order of preference, as:

- Reunification;
- Adoption, if a petition for termination of parental rights has been or will be filed;
- Permanent guardianship of a dependent child;
- Permanent placement with a fit and willing relative; and
- Placement in another planned permanent living arrangement.

The goal of maintaining and strengthening the placement with the child's parent is also an option under certain circumstances, such as when the child has been reunified with a parent but the case is still under the court's jurisdiction.

The court must hold hearings at least every 12 months to assess progress toward the child's permanency goal and can change that goal if appropriate.¹³

Case Plans

Throughout the dependency process, DCF must develop and refine a case plan with input from all parties to the dependency case that details the problems being addressed as well as the goals, tasks, services, and responsibilities required to ameliorate the concerns of the state.¹⁴ The case plan follows the child from the provision of voluntary services through dependency, or termination of parental rights.¹⁵ Once a child is found dependent, a judge reviews the case plan, and if the judge accepts the case plan as drafted, orders the case plan to be followed.¹⁶

Section 39.6011, F.S., details the development of the case plan and who must be involved, such as the parent, guardian ad litem,¹⁷ and if appropriate, the child. This section also details what must be in the case plan, such as descriptions of the identified problems, the permanency goal, timelines, and notice requirements.

Section 39.6012, F.S., details the types of tasks and services that must be provided to the parents as well as the type of care that must be provided to the child. The services must be designed to improve the conditions in the home, facilitate the child's safe return to the home, ensure proper care of the child, and facilitate permanency. The case plan must describe each task with which the parent must comply and the services provided that address the identified problem in the home and all available information that is relevant to the child's care.

When determining whether to place a child back into the home he or she was removed from, or whether to move forward with another permanency option, the court seeks to determine whether the circumstances that caused the out-of-home placement have been remedied to the extent that the safety, well-being and health of the child are not endangered by an in-home placement.¹⁸ To support

¹² s. 39.01(19), F.S.

¹³ s. 39.621(1), F.S.

¹⁴ s. 39.6011, s. 39.6012, F.S.

¹⁵ s. 39.01(11), F.S.

¹⁶ s. 39.521, F.S.

¹⁷ s. 39.820, F.S., a guardian ad litem is appointed by the court in judicial proceedings to represent the best interests of a child. This includes dependency proceedings under ch. 39, F.S.

¹⁸ s. 39.522, F.S.

the permanency goal, the court continues to monitor a parent's efforts to comply with the tasks assigned in the case plan.¹⁹

If the child's permanency goal is adoption, the case plan describes the steps the department will take toward that goal.²⁰ If the parent is subject to an expedited termination of parental rights, such as due to an egregious act committed against the child or a sibling by the parent, the case plan will not have a goal of reunification.²¹

Parental Responsibilities and Terminations of Parental Rights

Parents involved in the child welfare system have a number of responsibilities they must carry out in order to be reunified with their children, if that is a permanency goal. A primary responsibility is to comply with the case plan. Lack of compliance with the case plan requirements is grounds for termination of parental rights--specifically, a parent's failure to have substantially complied for 12 months after the child's adjudication of dependency or when a child has been in care for 12 of the last 22 months, or a parent's materially breaching the case plan such that noncompliance is likely before the expiration of time to comply. However, generally, if the noncompliance was due to the parent's lack of financial resources or the department's failure to make reasonable efforts, grounds for termination are not established.²²

Section 39.6011, F.S., requires the case plan to contain a written notice that a parent's noncompliance with the case plan may lead to the termination of his or her parental rights. This message is also delivered by the judge during the hearing on the child's placement in a shelter and²³ the adjudicatory hearing.²⁴

¹⁹ s. 39.621, F.S.

²⁰ s. 39.6011(5), F.S.

²¹ s. 39.01(26), F.S.

²² s. 39.806(e), F.S.

²³ s. 39.402(18), F.S.,

²⁴ s. 39.507(7)(c), F.S.

Federal Assessment of State Child Welfare Performance

Federal Measures

The federal Department of Health and Human Services assesses the performance of states' child welfare systems on seven key measures of safety and permanency. The chart below includes these measures, the federal target, and the state's performance during the first quarter of FY 2017-18. The four of the seven measures which touch on some aspect of permanency are highlighted in the chart. Florida exceeded the federal target on two of these four permanency measures.²⁵

Federal Measure	Statewide Performance	Federal Target
Rate of abuse per 100,000 days in foster care	10.17	8.50 or lower
Percent of children with no recurrence of maltreatment within 12 months	91.70	90.90 or higher
Percent of children existing to a permanent home within 12 months of entering care	39.20	40.50 or higher
Percent of children exiting to a permanent home within 12 months for those in care 12 to 23 months	53.10	43.60 or higher
Percent of children exiting to a permanent home within 12 months for those in care 24+ months	42.70	30.30 or higher
Percent of children who do not re-enter care within 12 months of moving to permanent home	88.10	91.70 or higher
Placement moves per 1,000 days in foster care	4.370	4.12 or lower

Child and Family Services Review

The federal Department of Health and Human Services, through the Children's Bureau, conducts periodic Child and Family Services Reviews in each state. As authorized by federal law, these reviews assess states' compliance with the federal requirements for child welfare systems in Title IV-B and Title IV-E of the Social Security Act. In particular, the Children's Bureau examines whether desired child outcomes are being achieved and whether the child welfare system is structured appropriately and its processes operate effectively. These have been taking place every four years.

In two previous rounds of reviews,²⁶ no state was assessed as meeting all requirements.²⁷ The third round began in 2015 and involves a comprehensive analysis of the child welfare system comprising a statewide assessment, interviews, focus groups, and reviews of 80 cases.²⁸ Through this analysis, the Children's Bureau rates whether a state is in "substantial conformity" with each outcome or systemic factor. For a state to be in substantial conformity with a particular outcome, 95% or more of the cases reviewed must be rated as having substantially achieved the outcome. The substantial conformity assessment for the systemic factors considers information from the statewide assessment, interviews, and focus groups.²⁹

²⁵ THE DEPARTMENT OF CHILDREN AND FAMILIES, OFFICE OF CHILD WELFARE, *Federal Indicators*, <http://www.dcf.state.fl.us/programs/childwelfare/dashboard/federal-indicators.shtml> (last visited Jan. 21, 2018).

²⁶ U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, CHILDREN'S BUREAU, *Fact Sheet: Child and Family Services Reviews*, available at https://www.acf.hhs.gov/sites/default/files/cb/cfsr_general_factsheet.pdf (last visited Jan. 21, 2018). Note that because of differences in how the third round of reviews was conducted, state performance cannot be compared across the reviews.

²⁷ *Id.* The systemic factors include the effectiveness of the statewide child welfare information system; the case review system; the quality assurance system; staff and provider training; the service array and resource development; the agency's responsiveness to the community; and foster and adoptive parent licensing, recruitment, and retention.

²⁸ U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, CHILDREN'S BUREAU, *Child and Family Services Reviews, Florida Final Report, 2016*, at 1, available at <http://www.centerforchildwelfare.org/qa/CFSRTools/2016%20CFSR%20Final%20Report.pdf> (last visited Jan. 21, 2018).

²⁹ *Id.* at 2.

The report summarizing Florida's results was issued in late 2016. The report indicated that Florida was not in substantial conformity of any of the 7 outcomes on which it was measured, which included:

- Safety: children are, first and foremost, protected from abuse and neglect and safely maintained in their homes whenever possible and appropriate,
- Permanency: children have permanency and stability in their living situations, and the continuity of family relationships and connections is preserved for families, and
- Family and child well-being: families have enhanced capacity to provide for their children's needs, and children receive appropriate services to meet their educational needs and adequate services to meet their physical and mental health needs.

The report acknowledged progress the state has made and strengths on which it is building, such as in ensuring children's stability in foster care placements and establishing timely and appropriate permanency goals for children. The state's standardized assessments are also beneficial in identifying children's and families' needs. However, significant challenges remain. For instance, the Florida 2016 CFSR Report discussed the results of the review of 80 individual cases:

Despite establishing timely and appropriate permanency goals, case review results found that agencies and courts struggle to make concerted efforts to achieve identified permanency goals in a timely manner. Delays in achieving reunification and guardianship goals are affected by case plans not being updated timely to reflect the current needs of the family, delays in referral for services, and failure to engage parents. The agency and court do not make concerted efforts to achieve the goal of adoption timely in nearly half of applicable cases. Barriers affecting timely adoptions include the lack of concurrent planning when a parent's compliance level is minimal, and providing parents additional time to work on case plan goals.

In addition, the report stated:

In over half of applicable cases, the agency failed to make concerted efforts to provide services, removed children without providing appropriate services, or did not monitor safety plans and engage the family in needed safety-related services.

The report went on:

There are concerns with gaps in key services, long waiting lists, insurance barriers, and an inability to tailor services to meet the cultural needs of the diverse population. Substance abuse and domestic violence are the main reasons for the agency's involvement in many cases. The review found that substance abuse, in particular, contributes to various safety concerns for children. Stakeholders noted that there are major gaps in services to address both substance abuse and domestic violence in the non-metro areas of the state.³⁰

The state was in substantial conformity with 3 of 7 systemic factors, including:

- Quality assurance system,
- Staff and provider training, and
- Agency responsiveness to the community.³¹

Once a state's review is complete, the state formulates a Performance Improvement Plan to address those outcomes and systemic factors not in substantial conformity.³² Florida has an approved Performance Improvement Plan on which it is working.

³⁰ Id. at 4.

³¹ Id. at 3.

³² *Supra* note 26.

Effect of Proposed Changes

HB 1105 revises ch. 39, F.S., to address barriers to permanency for children in the child welfare system in order to shorten the timeframe for achieving permanency. Specifically, HB 1105 revises the grounds for terminations of parental rights, changes notice to parents regarding these grounds, limits the continuances available, expedites service referrals, and increases reporting and the frequency of hearings.

Parents' Responsibilities and Impact of Failure to Notify Regarding Barriers to Case Plan Compliance

The bill revises several sections of law to emphasize a parent's responsibility to be proactive in working toward reunification with his or her child and allows the court to consider the parent's efforts, or lack thereof, at several points in the dependency process. A parent's failure to notify the court and other parties of barriers to his or her compliance with required tasks within a reasonable time of discovering them will have additional consequences under HB 1105.

Impact on Termination of Parental Rights

A primary change made by HB 1105 is that parents' failure to notify relevant parties or the court of barriers to their compliance with the case plan within a reasonable time of discovering that barrier can be considered by the court when determining whether the department has made reasonable efforts to provide services to the parent. Specifically, the court may then reject evidence that the department did not make reasonable efforts. This change will strengthen the grounds for termination of parental rights based on a parent's failure to comply with the case plan.

Notice to Parents

HB 1105 adds additional notification by the court to parents on their responsibilities. For example, the bill requires the court to advise parents of what is expected of them to achieve reunification, including taking action toward reunification, keeping in contact with their attorney and notifying the parties and the court of barriers to completing the case plan. This information is given at shelter hearing early in the case and at the adjudicatory hearing, where the child has been found to be dependent.

Additionally, HB 1105 requires the case plan to include notice about the need for parents to take action and their obligation to report barriers, in addition to the other information the case plan must currently include.

Impact on Requests for Continuances

HB 1105 allows the court to deny a request for an extension of time to comply with a case plan task if the parent failed to notify the court and other parties within a reasonable amount of time after discovering the barrier to compliance.

Other Proceedings in which Parental Efforts and Notice of Barriers are Considered

HB 1105 requires the court to consider whether a parent has attempted to comply with a case plan, and if not, whether the parent notified the court or DCF of any barriers to compliance in each of the following dependency proceedings:

- Hearings evaluating the child's permanency goal;
- The six-month judicial review of the case; and
- Consideration of motions for reunification and increased contact.

Continuances, Hearing Frequency, and Other Timeframes

HB 1105 adds continuances or extensions by the court on its own motion to the calculation of the 60-day limit on continuances and requires that the order specify the new date for the continued hearing.

It also creates a new obligation for courts to hold hearings every 60 days if, at the permanency hearing, the court determines the child's goal of reunification or adoption is appropriate but the child will be in out-of-home care for more than 12 months before achieving permanency. This will result in more frequent assessments of the progress toward the child's permanency goal and will increase the number of hearings held by the court.

The bill requires that the written order of disposition on the termination of parental rights petition be entered within 30 days of conclusion of the hearing. Currently there is no statutory timeframe for the entry of this order.

Case Planning and Service Provision

HB 1105 requires that all parties and the court work together to achieve permanency expeditiously, specifically requiring the department and CBC to make referrals within a reasonable time and ensure that the parents have information necessary to contact their caseworker.

DCF must include strategies in the case plan to help parents overcome barriers. Additionally, the bill specifies that DCF's provision of service referrals at the conclusion of the shelter hearing is to allow parents to begin the services immediately. Additionally, HB 1105 mandates that referrals for services outlined in the case plan be made as soon as possible but not more than 7 days after the date of case plan approval. HB 1105 also requires DCF to ensure that the parent has the contact information for all the entities necessary to complete the tasks in the plan.

The bill requires DCF and the Guardian ad Litem program to file a report 45 days after the case plan is accepted by the court regarding the progress on the plan.

Permanency Goal Setting

HB 1105 specifies that at the six-month judicial review, the court's findings on the likelihood of a reunification should be in writing. Additionally, if at this hearing the court determines that reunification is unlikely and concurrent planning is being used, DCF must amend the case plan to make the other concurrent goal (such as adoption) the primary goal.

Guardian ad Litem Program

HB 1105 specifies that the name of the child's guardian ad litem or attorney ad litem should be included on all orders of the court. The bill also requires DCF to provide the guardian ad litem with a copy of DCF's Family Functioning Assessment related to the case.

Post-disposition Change of Custody

The bill amends s. 39.522, F.S., on post-disposition change of custody to allow this proceeding only *until* the child reaches permanency. Under the bill, any other post-disposition changes of custody *after* permanency are governed by section 39.621, F.S.

The bill has an effective date of July 1, 2018.

B. SECTION DIRECTORY:

- Section 1:** Amends s. 39.001, F.S., relating to purposes of chapter.
- Section 2:** Amends s. 39.0136, F.S., relating to time limitations; continuances.
- Section 3:** Amends s. 39.402, F.S., relating to placement in a shelter.
- Section 4:** Amends s. 39.507, F.S., relating to adjudicator hearings; orders of adjudication.
- Section 5:** Amends s. 39.521, F.S., relating to disposition hearings; powers of disposition.
- Section 6:** Amends s. 39.522, F.S., relating to postdisposition change of custody.
- Section 7:** Amends s. 39.6011, F.S., relating to case plan development.
- Section 8:** Amends s. 39.6012, F.S., relating to case plan tasks; services.
- Section 9:** Amends s. 39.6013, F.S., relating to case plan amendments.
- Section 10:** Amends s. 39.621, F.S., relating to permanency determination by the court.
- Section 11:** Amends s. 39.791, F.S., relating to judicial review.
- Section 12:** Amends s. 39.806, F.S., relating to grounds for termination of parental rights.
- Section 13:** Amends s. 39.811, F.S., relating to powers of disposition; order of disposition.
- Section 14:** Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

The bill has an indeterminate but likely negative impact on the state court system due to the higher frequency of hearings regarding permanency.

The bill has an indeterminate impact on DCF. To the degree that HB 1105 expedites permanency for children, the system may experience a cost savings due to the shorter time in care. Alternatively, to the degree there is a higher number of terminations of parental rights rather than reunifications and subsequently children do not achieve permanency and instead remain in care, costs could increase.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Staff of contracted entities may have an additional workload related to expedited timeframes for referrals and attending the additional hearings mandated by the bill.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not Applicable. This bill does not appear to affect county or municipal governments.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

Not applicable.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES