



# BOARD OF SUPERVISORS AGENDA ITEM REPORT AWARDS / CONTRACTS / GRANTS

Award  Contract  Grant

Requested Board Meeting Date: June 7, 2022 No Signature Required

\* = Mandatory, information must be provided

or Procurement Director Award:

**\*Contractor/Vendor Name/Grantor (DBA):**

US Department of Health & Human Services, Administration for Children & Families, Children's Bureau passed through Arizona Supreme Court Office of the Courts (AOC)

**\*Project Title/Description:**

Title IV-E Federal Foster Care Matching Funds

**\*Purpose:**

Federal child welfare policy provides funds to assist with foster care maintenance costs for Title IV-E eligible children, specifically covering state and local reimbursement to pay a percentage of the costs of attorneys representing eligible children and/or their parents. The ongoing grant agreement among AOC, AZ Department of Child Safety, and Pima County also allows administrative costs to include reimbursement for caseworkers, investigators and other staff.

**\*Procurement Method:**

This grant is not subject to Procurement rules.

**\*Program Goals/Predicted Outcomes:**

Funds are used to supplement existing funding to expand, enhance, and develop parent and/or child representation including, but not limited to, hiring and/or contracting with attorneys; meeting statutory time frames; improving attorney-client ratios; improving attorney abilities to manage dependency caseloads; increased rates for contract dependency attorneys; and training/education to enhance legal representation.

**\*Public Benefit:**

Pima County is entitled to claim a percentage of Title IV-E administrative costs of independent legal counsel in child dependency and parental rights termination cases. Federal policy helps to ensure, among other outcomes, that reasonable efforts are made to prevent removal and to finalize permanency plans and that parents and youth are engaged in and complying with case plans.

**\*Metrics Available to Measure Performance:**

Hiring and/or contracting with additional attorneys; improved attorney-client ratios; increased rates for contract attorneys; completion of education and training; and meeting statutory time frames.

**\*Retroactive:**

Reimbursement of FY22 third quarter representation costs (incurred January 1-March 31 2022) disbursed on May 25, 2022.

GMI Approves  
AF 5/18/22

THE APPLICABLE SECTION(S) BELOW MUST BE COMPLETED

Click or tap the boxes to enter text. If not applicable, indicate "N/A". Make sure to complete mandatory (\*) fields

Contract / Award Information

Document Type: Department Code: Contract Number (i.e., 15-123):
Commencement Date: Termination Date: Prior Contract Number (Synergen/CMS):
Expense Amount \$ Revenue Amount: \$

\*Funding Source(s) required:

Funding from General Fund? Yes No If Yes \$ %

Contract is fully or partially funded with Federal Funds? Yes No

If Yes, is the Contract to a vendor or subrecipient?

Were insurance or indemnity clauses modified? Yes No
If Yes, attach Risk's approval.

Vendor is using a Social Security Number? Yes No
If Yes, attach the required form per Administrative Procedure 22-10.

Amendment / Revised Award Information

Document Type: Department Code: Contract Number (i.e., 15-123):
Amendment No.: AMS Version No.:
Commencement Date: New Termination Date:
Prior Contract No. (Synergen/CMS):

Expense Revenue Increase Decrease Amount This Amendment: \$

Is there revenue included? Yes No If Yes \$

\*Funding Source(s) required:

Funding from General Fund? Yes No If Yes \$ %

Grant/Amendment Information (for grants acceptance and awards) Award Amendment

Document Type: GTAM Department Code: PDS Grant Number (i.e., 15-123): 22\*087
Commencement Date: 01/07/2019 Termination Date: ongoing Amendment Number: 9

Match Amount: \$ Revenue Amount: \$ 442,596.94

\*All Funding Source(s) required: U.S. Department of Health and Human Services

\*Match funding from General Fund? Yes No If Yes \$ %

\*Match funding from other sources? Yes No If Yes \$ %

\*Funding Source:

\*If Federal funds are received, is funding coming directly from the Federal government or passed through other organization(s)?
Federal funding passed through Arizona Supreme Court, Administrative Office of the Court

Contact: Shelley Kroska, Legal Administrator

Department: Pima County Public Defense Services

Telephone: 520-724-6908

Department Director Signature: Date: 5/17/2022

Deputy County Administrator Signature: Date:

County Administrator Signature: Date: 5/19/2022

# ADDENDUM A

## ARIZONA TITLE IV-E LEGAS PASS-THROUGH - FISCAL YEAR 2022

### Pima County

Addendum date: 5/2/2022

TOTAL AMOUNT AWARDED: \$ 1,243,189.37

#### SCHEDULED DISBURSEMENTS

<u>November 18, 2021</u>	<u>March 8, 2022</u>	<u>May 25, 2022</u>	<u>N/A</u>
\$ 411,274.27	\$ 389,318.16	\$ 442,596.94	\$ -

#### DISBURSEMENT INFORMATION:

**November 18, 2021:** FY22 1ST QUARTER EXPENSE REIMBURSEMENTS (07/01/2021 - 09/30/2021)

**March 8, 2022:** FY22 2ND QUARTER EXPENSE REIMBURSEMENTS (10/01/2021 - 12/31/2021)

**May 25, 2022:** FY22 3RD QUARTER EXPENSE REIMBURSEMENTS (01/01/2022 - 03/31/2022)

Signed:

**Caroline Lautt-Owens**

Digitally signed by Caroline Lautt-Owens

Date: 2022.05.03 08:58:40 -07'00'

Caroline Lautt-Owens, Director

Dependent Children's Services Division—Arizona Supreme Court

Signed:



5/3/22

Approved by signature - County

Shelley Kroska, Legal Administrator  
Public Defense Services

AOC Finance Office Receipt:

Fund Manager

## ATTACHMENT A

### Arizona Title IV-E Legal Pass-Through - Certification of Expenditure Form

**REQUEST FOR REIMBURSEMENT**

	Quarter	Fiscal Year
Reporting (Invoice) Period	<b>3</b>	<b>2022</b>

**NAME AND ADDRESS OF PROVIDER**

<b>Provider's Legal Name:</b>	Pima County Public Defense Services	PDS FY22Q2
<b>Address:</b>	33 N. Stone Ave., Suite 1800 Tucson, AZ 85701	County Invoice Number (Required)
		Shelley Kroska
		Contact Person (Required)
<b>Mail to:</b>	Administrative Office of the Courts- DCSD 1501 W. Washington, Suite 128 Phoenix, AZ 85007	520.724.6908
		Telephone Number (Required)
<b>OR</b>	Attn: Court Improvement IV-E Specialist	Pima
<b>Email to:</b>	<a href="mailto:Slazere@courts.az.gov">Slazere@courts.az.gov</a>	County (Required)

**SUMMARY OF REIMBURSEMENT**

Total IV-E Allowable Expenses	<b>\$ 2,236,953.64</b>	
AZ Population Factor		(To be completed by DCS)
Total IV-E Reimbursement		(To be completed by DCS)
<b># of Attorneys Representing Parents</b>	<b>84.00</b>	→ Average Cases per Attorney <b>43.74</b>
<b># of Attorneys Representing Children</b>	<b>82.00</b>	→ Average Cases per Attorney <b>28.43</b>

*I certify that this Request for Reimbursement is in accordance with the terms and conditions of the agreement and applicable federal regulations.*

<b>Shelley Kroska</b>	Digitally signed by Shelley Kroska DN: cn=Shelley Kroska, o=Pima County, ou=Public Defense Services, email=shelley.kroska@pima.gov, c=US Date: 2022.04.14 17:58:23 -0700	Legal Administrator
Signature and Title of Authorized Representative	Date	4/14/2022

*Submit this form within fifteen (15) days following the end of the first, second, and third quarters.*

*Submit this form within forty-five (45) days following the end of the fourth quarter, along with the Annual Progress Report.*

- Reporting Periods:**
- Quarter 1: July 1 - September 30
  - Quarter 2: October 1 - December 31
  - Quarter 3: January 1 - March 31
  - Quarter 4: April 1 - June 30




PUBLIC DEFENSE SERVICES

# MEMORANDUM

Date: November 5, 2021

To: Jan Leshner  
Chief Deputy County Administrator

From: Dean Brault  
PDS Director 

Subject: Title IV-E grant funding summary

During the Board of Supervisors meeting on Tuesday, November 3, 2021, item number 7 was pulled from the Consent Calendar for separate consideration. This item was the acceptance of a grant fund of \$182,851.93, which was based on a Grant Fund match of \$931,057.49. Based on some of the comments made during discussion, I would like to provide some clarification of what this grant is and how it is administered.

On January 21, 2020, the County Administrator signed an interagency agreement between the Department of Child Safety (DCS), the Arizona Supreme Court's Administrative Office of the Courts (AOC), and Pima County to accept Federal grant funds administered under Title IV-E of the Social Security Act 42 U.S.C. § 673(a)(6).

This Federal grant is made to supplement, not supplant, funding for parent and/or child representation through expanding, enhancing, or developing initiatives to increase the quality of dependency representation with the goal of reducing the number of parental rights terminations and to speed the resolution of dependency cases. Those initiatives include efforts to prevent dependency filings without jeopardizing child safety, meeting statutory timeframes, enhancing representation through training and education, reducing attorney caseloads to increase quality of representation, and the use of social workers and parent advocates in a collaborative interdisciplinary team.

The funds are distributed based on a calculated percentage of the expenses Pima County already spends on dependency representation. This Federal formula funded grant is a mechanism for distributing funds that we are entitled to if we agree to properly spend and account for the funds. The formula is based on expenses that Pima County is required to spend, specifically dependency representation, which is mandated by the Constitution and Arizona Statutes. Pima County is not spending any money that would not already be spent to receive these matching funds under Title IV-E.

Funds are matched to "allowable costs" already spent by Pima County on dependency cases. These include attorney and paralegal compensation, the administrative costs to directly support the attorney representing eligible parents or children, and indirect expenses proportionally attributed to the representation provided.

On June 10, 2020 \$1,372,435.53 was disbursed to Pima County to match the expenses Pima County had already spent in calendar year 2019 on dependency cases, which was \$6,036,369.98. Since then, quarterly disbursements have been made in the amounts of \$418,291.95, \$431,032.49, \$278,390.15, \$235,574.72, \$392,072.42, and most recently, \$182,857.93. The Board of Supervisors approved the acceptance of each of these disbursements. The Board of Supervisors meeting this week was the first time I was aware of any concerns regarding accepting these grant funds.

Public Defense Services (PDS) is using these grant funds to increase the quality of representation of parents and children in dependency cases. The rate paid to contract attorneys in dependency cases was increased from \$60/hour to \$80/hour. This has successfully attracted more attorneys to do dependency work. This helps keep caseloads down, which helps ensure quality representation.

PDS is using these grant funds to hire additional in-house attorneys, social workers, and a paralegal. We also have funded training and educational materials to increase the quality of dependency representation. Going forward, PDS is exploring utilizing peer navigators to help parents successfully resolve their cases.

The availability of the Federal grant funds under Title IV-E is helping improve the quality of representation in dependency cases and helps fund initiatives that aim to increase reunification of families and to do so faster. There is truly no cost to Pima County to accept these grant funds. Even the de minimis costs of administering the grants are recouped by the County when the funds are distributed. This Federal grant is likely to be a perpetual source of revenue for the County, provided that we continue to accept the funds.

If you have any questions or concerns regarding Pima County's participation in the Title IV-E program, please let me know.

C: Mark Napier, Assistant County Administrator



PUBLIC DEFENSE SERVICES

## MEMORANDUM

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To: Chuck Huckelberry  
County Administrator

Date: 7/20/2020

From: Dean Brault  
PDS Director

Re: Title IV-E Funds

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A change in Title IV-E of the Social Security Act now allows Pima County to claim federal matching funds to help pay the costs of attorneys representing certain children and their parents in child welfare legal proceedings, via the state. Before this change, federal matching funds were available to help pay for attorneys representing child welfare agencies, but not for children's or parents' attorneys.

The Interagency Agreement between the Arizona Department of Child Safety (DCS), the Arizona Supreme Court, Administrative Office of the Courts (AOC) and Pima County, states the County is allowed to receive partial reimbursement of allowable expenses incurred. While the attached Board of Supervisors Agenda Item Report lists a General Fund match amount, these are funds already budgeted and expended as statutorily required. No additional General Fund burden will be incurred by approving this grant.

cc: Board of Supervisors