



**NEVADA LEGISLATURE
LEGISLATIVE COMMITTEE ON
CHILD WELFARE AND JUVENILE JUSTICE**
(Nevada Revised Statutes [NRS] 218E.705)

SUMMARY MINUTES AND ACTION REPORT

The second meeting of the Nevada Legislature's Legislative Committee on Child Welfare and Juvenile Justice was held on Thursday, March 27, 2014, at 9 a.m. in Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. The meeting was videoconferenced to Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. A copy of this set of "Summary Minutes and Action Report," including the "Meeting Notice and Agenda" ([Exhibit A](#)) and other substantive exhibits, is available on the Nevada Legislature's website at <http://www.leg.state.nv.us/interim/77th2013/committee/>. In addition, copies of the audio or video record are available through the Legislative Counsel Bureau's Publications Office (e-mail: publications@lcb.state.nv.us; telephone: 775/684-6835).

COMMITTEE MEMBERS PRESENT IN LAS VEGAS:

Assemblyman Jason M. Frierson, Chair
Senator Tick Segerblom, Vice Chair
Senator Scott T. Hammond
Senator Ruben J. Kihuen
Assemblyman John Hambrick

COMMITTEE MEMBER ABSENT:

Assemblyman James Ohrenschall

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

Patrick Guinan, Principal Research Analyst, Research Division
Bryan Fernley-Gonzalez, Principal Deputy Legislative Counsel, Legal Division
Karly O'Krent, Deputy Legislative Counsel, Legal Division
Janet Coons, Senior Research Secretary, Research Division

OPENING REMARKS

- Chair Frierson welcomed members, staff, presenters, and the public to the second meeting of the Legislative Committee on Child Welfare and Juvenile Justice (Committee). He announced that Agenda Item VI would not be considered.

PUBLIC COMMENT

- Chair Frierson called for public comment.
- Amanda Haboush-Deloye, Nevada Institute for Children's Research and Policy, University of Nevada, Las Vegas, representing Prevent Child Abuse Nevada, informed the Committee that April is National Child Abuse Prevention Month. She announced that community awareness events will be held statewide; information can be found at www.preventchildabusenevada.org. In addition to the annual pinwheel planting on the legislative lawns, Ms. Haboush-Deloye declared that April 4, 2014, has been designated as "Go BLUE Day" to help spread awareness about preventing child abuse and neglect.
- Mari Parlade, Manager and Community Liaison, Community Partnerships and Engagement Unit, Clark County Department of Family Services (DFS), announced the DFS is collaborating with Chicanos Por La Causa; KaBOOM!, a national nonprofit organization dedicated to building playgrounds; DirectTV; and many community partners to build a playground for the Child Haven Campus on April 15, 2014. She invited the Committee to the 9:30 a.m. kickoff and the 2:30 p.m. ribbon-cutting ceremony. Ms. Parlade said there would also be a display of pinwheels to represent child abuse awareness and prevention.

APPROVAL OF MINUTES OF THE MEETING HELD ON JANUARY 30, 2014, IN LAS VEGAS, NEVADA.

- The Committee **APPROVED THE FOLLOWING ACTION:**

SENATOR KIHUEN MOVED TO APPROVE THE "SUMMARY MINUTES AND ACTION REPORT" OF THE JANUARY 30, 2014, MEETING HELD IN LAS VEGAS, NEVADA. THE MOTION WAS SECONDED BY SENATOR SEGERBLOM AND PASSED UNANIMOUSLY.

UPDATE ON RECENT ACTIVITIES OF THE NEVADA SUPREME COURT'S COMMISSION ON STATEWIDE JUVENILE JUSTICE REFORM

- The Honorable Nancy M. Saitta, Associate Justice, Supreme Court of Nevada, summarized the work of the following subcommittees of the Supreme Court's Commission on Statewide Juvenile Justice Reform (Commission):

- Regional Facility Planning Subcommittee;
- School Attendance and Disturbance Subcommittee;
- Juvenile Justice Data Subcommittee; and
- Juvenile Competency Subcommittee. (Please see [Exhibit B.](#))

Regarding the objectives of the Legislative Committee on Child Welfare and Juvenile Justice's Task Force to Study Juvenile Justice Issues (Task Force), she stated that a Direct File and Certification Subcommittee studied the certification of juveniles two and one-half years ago and brought a recommendation forward, which the Commission adopted. Associate Justice Saitta noted that even though this Subcommittee is no longer active, the Commission will provide the Task Force with any data or information it needs.

- Referring to the School Attendance and Disturbance Subcommittee, Chair Frierson asked whether Section 1 of NRS 392.910, which charges a person with a misdemeanor for using indecent language at a school, is often used.
- Associate Justice Saitta surmised that few misdemeanors have been filed, which is why the Commission feels the elimination of Section 1 from the statute would allow school campuses to decide what type of conduct can be sanctioned and taken care of outside the court process. She noted the charging process ultimately remains with the office of the district attorney.

Chair Frierson and Associate Justice Saitta discussed whether a significant number of children getting into fights face disciplinary problems without some discretion. She explained that NRS 392.466 allows the superintendent or individual school to process the possession of a firearm or dangerous weapon in a discretionary way but not for other matters, such as the sale or distribution of controlled substances or the discipline of habitual problem children. Following the national trend of schools handling fewer criminal-based offenses, Associate Justice Saitta stated the Commission's position of giving discretion to entities that provide the preliminary due process hearings for disciplinary problems, which provides for the safety of everyone on campus while giving the students who violate these rules an opportunity to remain in school.

Senator Segerblom asked whether the Commission intends to look at the State's juvenile sex laws, to which Associate Justice Saitta answered that even though there is significant concern for a complete overview of the State's juvenile statutory provisions regarding sex, it is currently not on the Commission's agenda.

DISCUSSION CONCERNING PROVISIONS FOR DESIGNATING A YOUTH AS A "CHILD IN NEED OF SUPERVISION" VERSUS A "DELINQUENT"

- Brigid Duffy, Chief Deputy District Attorney, Juvenile Division, Office of the Clark County District Attorney, shared a presentation titled "Children in Need of Supervision." (Please see [Exhibit C.](#)) She explained that under NRS 194.010,

Nevada can charge an eight-year-old with a crime or delinquent act. Ms. Duffy presented statistics on eight- to ten-year-olds from the Department of Juvenile Justice Services of Clark County for 2011 through 2013 that included: (1) the top 15 charges filed; (2) the number of arrests by charge category; and (3) arrest numbers according to ethnicity. (Please see [Exhibit D](#).)

According to Ms. Duffy, NRS 62B.320 defines a child in need of supervision (CHINS) as one who may be:

- Truant;
- Unmanageable and habitually disobeying his or her parents;
- A runaway;
- Using electronic devices to transmit sexual images;
- Using electronic devices to transmit images of cyberbullying;
- Violating curfew;
- Loitering; or
- Committing a tobacco offense ([Exhibit C](#)).

She stressed that a CHINS is not to be deemed a delinquent child.

- Ms. Duffy identified the statutory provisions applicable to a CHINS:
 - NRS 62E.400—applicability of provisions;
 - NRS 62E.410—initial admonition and referral; conditions before adjudication; inapplicability to habitual truant;
 - NRS 62E.420—placement in certain facilities prohibited; and
 - NRS 62C.050—release of child alleged to be in need of supervision required within certain period; exceptions ([Exhibit C](#)).

She explained a CHINS cannot be placed in a detention facility or committed to State care. Pursuant to NRS 62C.050, Ms. Duffy said a CHINS can be held in detention for 24 hours. However, she noted a child can be held for an additional 24 hours if a court: (1) holds a detention hearing; (2) determines that the child has threatened to run away, has been accused of violent behavior in the home, or has violated terms of a supervision or consent decree; and (3) determines that an alternative placement is needed.

Concluding her testimony, Ms. Duffy suggested that if the State identifies eight- to ten-year-olds as children in need of supervision, the statutes would need provisions that hold parents accountable for getting their children the services recommended by the court.

- Chair Frierson suggested that if eight- to ten-year-olds are getting into trouble for acts that the State currently considers delinquent, family dynamics may need to be addressed with the parents, to which Ms. Duffy agreed.

Chair Frierson and Ms. Duffy discussed whether there is existing language in Nevada law holding parents accountable for a CHINS that could be adopted. She stated the language would have to be new, except for truancy cases, which already have a different consequence than other CHINS offenses that hold parents accountable.

- Referring to the statistics presented by Ms. Duffy concerning the number of arrests for eight- to ten-year-olds, Chair Frierson opined that the disparity between ethnicities is significant. He appreciated the awareness that Ms. Duffy and the Juvenile Division's staff have shown regarding the impact the system has on communities of color. Expressing surprise at the amount of disparity, Chair Frierson suggested this indicates there are bigger problems not limited to juvenile justice, which could be an important consideration for making policy changes.

Senator Hammond asked for clarification that a CHINS can only be detained for 24 hours and that a mechanism exists where the child can be held for another 24 hours, to which Ms. Duffy verified that was correct, if the court holds a detention hearing and finds appropriate statutory determinations according to NRS 62C.050.

- Susan D. Roske, Chief Deputy Public Defender, Juvenile Division, Office of the Clark County Public Defender, noted the disparate minority involvement in the statistics presented by Ms. Duffy ([Exhibit D](#)). Expressing shock at the number of eight- to ten-year-olds arrested or cited and brought to court in Clark County, she questioned their ability to be responsible for committing a crime.

Ms. Roske informed the Committee that Clark County stopped shackling children in court over a year ago, but prior to that time, children were brought to court in belly chains, handcuffs, leg irons, and shackles. Stating no laws address this issue, Ms. Roske strongly advocated that the Nevada Legislature change the statutes to remove eight- to ten-year-olds from the delinquency system and provide for treatment as children in need of supervision. Even though NRS 194.010 defines those persons capable of committing crimes, she noted nothing in Chapter 62B of NRS, "General Administration; Jurisdiction," addresses the youngest age for a delinquent act. She identified case law in *Winnerford H. v. State*, 112 Nev. 520 (1996), which applies NRS 194.010 to delinquent acts.

Because NRS defines a child as a person under the age of 18, Ms. Roske advocated changing the statutory definition of a child to a person between 8 and 11 years old, in the event that *Winnerford H. v. State* is ever overturned and the State decides to prosecute six- and seven-year-olds. She submitted that NRS 194.010 comes from common law and suggested it is time to recognize that children are different from adults, adding that adolescent brains are still developing into early adulthood. Ms. Roske is of the opinion that prosecuting children as being liable for criminal acts is backward behavior. She shared that Nevada is one of a few states that still prosecutes eight- to ten-year-olds in delinquency court; treating them as children in need of supervision would allow the court to hold them and their parents accountable for their

actions. Ms. Roske emphasized the point that the State does not place anyone under the age of 12 in a correctional facility by statute.

- Chair Frierson asked Ms. Duffy whether Ms. Roske's suggestion of addressing the designation of youths as children in need of supervision versus delinquents, inside and outside Chapter 62B of NRS, is consistent with her understanding of what would be required to address this issue.
- Ms. Duffy confirmed that Ms. Roske's suggestion is consistent with her understanding, which is why she identified NRS 194.010. In order for the Legislature to be consistent, she said it must cover the definitions in all statutes.
- Witnessing small children in court whose parents blame them for their behavior is unacceptable to Chair Frierson; he is of the opinion that holding parents accountable is necessary in order to improve a child's life.

PRESENTATION OF LEGISLATIVE PRIORITIES FOR THE 2015 REGULAR SESSION

- Chair Frierson explained that Teresa Lowry, Assistant District Attorney, Family Support Division, Office of the Clark County District Attorney, would not be able to present her information on legislative priorities regarding child support enforcement. He stated this information would be presented at a future Committee meeting.

DISCUSSION OF DIFFERENTIAL RESPONSE PRACTICES

- Lisa Ruiz-Lee, Director, Clark County DFS, explained that differential response (DR), also known as alternative response, is a relatively new approach to child protective services (CPS). She discussed Missouri's model, one of the first states to implement DR, which focuses on two tracks of responses where the most serious cases go through CPS and the less severe reports receive a family assessment.

Ms. Ruiz-Lee shared a Microsoft PowerPoint presentation ([Exhibit E](#)) that provided information on the:

- History of DR in Nevada, focusing on the collaborative project between public child welfare agencies and family resource centers (FRCs);
- Funding of DR, noting that the Casey Family Programs funded a detailed analysis of DR responses in Nevada that concluded in 2010; and
- DR programs across the State.

Ms. Ruiz-Lee highlighted the successes of DR in Nevada:

- Families served are satisfied with the way they are treated and feel that their families are better for the experiences;
- The program is implemented with fidelity to the model; and

- Families serviced have fewer subsequent reports of maltreatment and fewer removals of children from their homes.

Conversely, she identified the challenges of DR in Nevada:

- The program is limited by funding capacity because fidelity to the model caps the case count at 15, which leads to inconsistency in case management practice for Priority (PRI) 3 reports; and
- Implementation of the new safety practice model will require changes to the program, and DR assessment will align with child welfare processes.

Chair Frierson and Ms. Ruiz-Lee discussed the DR caseload. She stated that DR workers do not take more than 15 cases; the remaining cases go to a regular CPS investigator. Regarding the number of DR workers, Ms. Ruiz-Lee claimed that even if DR funding doubled, southern Nevada would still lack the necessary funds to meet all PRI 3 responses.

Acknowledging the program's success because of its fidelity to the model, Senator Hammond asked Ms. Ruiz-Lee whether she has concerns about the upcoming changes to the model, to which she replied the model is set up in terms of service capacity for families. She explained that Nevada currently uses the North Carolina Family Assessment Scale (NCFAS), the family assessment tool the State also uses in permanency services. Even though the Nevada Initial Assessment, which is what the CPS process typically uses to assess families, will replace NCFAS, Ms. Ruiz-Lee said Nevada would still stick to the fidelity of the model.

- Continuing her presentation, Ms. Ruiz-Lee described how Nevada's DR model works. She explained that DR cases are less severe; the child is not in present danger and does not need immediate intervention. Ms. Ruiz-Lee added that DR cases could take all of the agency's PRI 3 responses, which typically include maltreatment allegations of: (1) educational neglect; (2) environmental neglect; (3) medical neglect; (4) physical neglect; and (5) improper supervision. She pointed out these allegations are often reflective of chronic neglect associated with poverty.

Ms. Ruiz-Lee concluded her testimony by identifying State tobacco funds and the Casey Family Programs as the main sources of funding State Fiscal Year 2014. She mentioned that Assembly Bill 155 (Chapter 253, *Statutes of Nevada 2013*) eliminated an investigative requirement for children under five years old. Previously, under Chapter 432B of NRS, "Protection of Children From Abuse and Neglect," Ms. Ruiz-Lee stated a report of abuse or neglect on a child under five years old required a traditional CPS response even if the allegation fit the DR model. She shared that in 2013, the DFS served 190 children as part of a CPS response to a PRI 3 while DR only served 22 children due to its funding. Ms. Ruiz-Lee suggested augmented funding for DR is necessary so that it could eventually take all PRI 3 responses.

Senator Segerblom and Ms. Ruiz-Lee discussed whether DR is internally budgeted or required by State law. She explained that funding could come from any funding resource, but currently, the FRCs receive State tobacco funds transferred through the budget of the Department of Health and Human Services (DHHS).

Discussion ensued between Chair Frierson and Ms. Ruiz-Lee regarding how much money the DFS has saved because of the DR program removing fewer children from their homes. She claimed she did not know of an effort in Nevada to quantify the savings, but she remarked that Colorado research indicated typical DR cases cost between \$5,000 and \$6,000 versus a regular CPS case that can cost as much as \$60,000. Ms. Ruiz-Lee emphasized that PRI 3 cases, if not served well, could become tomorrow's PRI 2 or PRI 1 cases. She said the key to DR is identifying all possible services, reminding the Committee that many of these cases are poverty-driven and educating the family on available services can be time-consuming.

- Senator Hammond asked whether the new mechanism to measure the success of the program could quantify the success of the cases regarding cost savings and family services provided.
- Ms. Ruiz-Lee replied that the upcoming change to the statewide safety model stresses family engagement and preservation. By investing in families, she said the DFS anticipates reducing the number of children who move from an in-home placement to an out-of-home placement. Ms. Ruiz-Lee stressed that children can be safe in their homes when the entire family receives the appropriate services.
- Chair Frierson suggested the new safety model is a progression of efforts toward supporting DR, to which Ms. Ruiz-Lee agreed.

OVERVIEW OF LEGISLATIVE PRIORITIES FOR THE 2015 REGULAR SESSION

- Lisa Ruiz-Lee, previously identified, referred to her Microsoft PowerPoint presentation ([Exhibit E](#)), which identified a possible agenda for the 2015 Legislative Session for the following areas:
 - CPS investigations of entities;
 - Background check authority for caregivers;
 - Categorical block grant to fund voluntary jurisdiction youth;
 - Specialized foster care rate structure and ongoing funding;
 - Notification of parents of proceedings; and
 - Burdens of proof.

Chair Frierson and Ms. Ruiz-Lee discussed the investigations of entities. She favored the addition of the word “entity” in NRS 432B.020, 432B.130, and 432B.140 when referring to the responsibility of a “person” regarding a child’s welfare. Chair Frierson asked under what circumstances an entity could be charged with the abuse or neglect of a child.

Ms. Ruiz-Lee stated the general types of entities in southern Nevada presenting problems are those that have unsafe practices in place; do not approve appropriate staffing ratios given the type of care provided; or do not have policies or practices in place to cover the safety of a specific area of operation.

- Regarding background check authority for caregivers, Ms. Ruiz-Lee suggested inserting language in NRS 424.031 and 424.033 that provides statutory authority for background checks of “nonprimaries,” individuals who are not a primary licensee of a foster home but routinely care for children and/or are routinely found within a regular foster home environment.

If granted the authority to provide background checks for caregivers, Chair Frierson suggested there would also have to be criteria regarding whether or not that person is an appropriate caregiver, to which Ms. Ruiz-Lee replied that was correct. She said current statute outlines the criminal history that prohibits licensure, which the DFS assumes would remain the same. Ms. Ruiz-Lee provided the instance of a single foster parent’s significant other who lives or resides somewhere else but is regularly and routinely in the foster home as a common example of a “nonprimary” needing a background check.

Senator Hammond expressed concern about the definition of “regular” and “routine.” He asked whether children who come home from college over the summer and live in their parent’s foster home would have to undergo a background check, to which Ms. Ruiz-Lee explained that current statute requires persons over 18 years old who come home from college to have a background check regardless of their length of time at home. She explained that when siblings in a foster home not under voluntary court jurisdiction turn 18 years old, they are required to have a background check; but when foster youths in a home turn 18 years old, the statute does not require fingerprints. Ms. Ruiz-Lee added that the most severe injuries the DFS sees usually come from a person affiliated with the licensee of a foster home.

Responding to a question by Assemblyman Hambrick as to whether an Executive Order by the Governor could provide immediate relief for background checks on “nonprimaries,” Ms. Ruiz-Lee said she would look into the idea.

- Ms. Ruiz-Lee explained the voluntary jurisdiction youth program. In return for progress made on individual self-sufficiency plans, she said youths receive monthly stipends equivalent to the regular foster care reimbursement rate of \$762 a month until they are 21 years old. Ms. Ruiz-Lee discussed the funding under current statute, noting that the expenses for voluntary jurisdiction youths did not exist when the State created the child welfare block grant. Ms. Ruiz-Lee shared that in Clark County today, the State block grant for the DFS will run \$1.8 million over budget largely because of the voluntary jurisdiction youth program. She suggested a possible solution would be to create a categorical grant for the program, similar to what was done for adoption subsidies under NRS 432B.219.

According to Ms. Ruiz-Lee, youths who choose not to remain under voluntary jurisdiction have another program option referred to as the Funds to Assist Former Foster Youth or “Step Up,” which is funded under NRS 432.017. She explained the program requirements, illustrating that Nevada is not dropping youths exiting out of the child welfare system but rather creating a mechanism of support that parents would normally provide.

Senator Hammond and Ms. Ruiz-Lee discussed monitoring the self-sufficiency plans of voluntary jurisdiction youths. During quarterly reviews of plans, if the DFS determines the youths are not making progress, she said the DFS has the right to deny the services; this would lead to an appeal process with the court ultimately determining whether payments continue.

- Sharing that he has received e-mails from other states, which have eliminated similar programs because of budget restraints, Chair Frierson asked Ms. Ruiz-Lee whether she is aware of any states that have been able to financially sustain similar programs.
- Ms. Ruiz-Lee replied that these types of extended programs have been around since the passage of House of Representatives (H.R.) bill 6893 (Fostering Connections to Success and Increasing Adoptions Act of 2008), 110th Congress (Public Law 110-351), introduced by United States Representative Jim McDermott (D-Washington). She said some states have put parameters around their funding due to budget cuts. Ms. Ruiz-Lee acknowledged that current research on these programs across the country is not favorable in terms of achieving true self-sufficiency for youths; many states have discovered the only thing they have done is delay homelessness until the date of the last payment. She commented that Nevada is tracking this data to make certain it creates a successful program that helps youths achieve self-sufficiency.

Chair Frierson and Ms. Ruiz-Lee discussed setting up the funding for voluntary jurisdiction youths as a block grant in order to provide accountability and motivation to stay within the budgeted amount. Projecting that southern Nevada will have at least 300 youths participating in the program and Washoe County will have 100 to 150 participants next year, Ms. Ruiz-Lee suggested the Legislature set a categorical block grant for an amount of money it deems appropriate given the number of service participants.

Chair Frierson asked whether any other states have partnered work-study programs with self-sufficiency programs, to which Ms. Ruiz-Lee stated she was not aware of any such effort. She offered to provide information to the Committee on the program requirements and budgets of other states.

- Ms. Ruiz Lee explained the care rate structure and ongoing funding for specialized foster care. She reported that since early January, Medicaid no longer automatically authorizes basic skills training; medical necessity must now be shown in order to receive payment. As a result, Ms. Ruiz-Lee cited 60 to 70 percent of the requests for authorizations for youths in foster care or juvenile justice have been denied due to an

absence of medical necessity. Concluding that a funding problem and a shortage of placements existed, she said the DHHS agreed to a 90-day moratorium and reinstated the automatic renewals of basic skills training services. Ms. Ruiz-Lee acknowledged there must be a stable funding mechanism for these services and that child welfare and juvenile justice agencies are currently engaged in dialogue with the DHHS to determine what the funding should be. She stated her intent of proposing a concrete recommendation to the Committee before the end of the interim.

- Chair Frierson said this type of funding would have to go before the legislative finance committees, and the Committee would consider sending a letter of support.
- Brigid Duffy, previously identified, discussed the two standards of notification to parents of proceedings:
 - NRS 432B.470—standard at removal: personal service, oral notification, posting a notice on a door of a residence; and
 - NRS 432B.520—standard at petition: personal services of a summons if person is in State; certified mail if person is out of State.

Ms. Duffy also discussed an unpublished decision of the Supreme Court of Nevada that found the actual notice does not substitute for a service by summons. She shared an example of a father who signed for a copy of a petition that indicated the date and time of the hearing via certified mail, but because the summons was not issued through personal service, the proceedings had to start over again. Ms. Duffy opined this was an absurd result and recommended the standards match in statute. Over the last six months, she said Clark County has averaged 85 new cases filed each month and has only one person to serve all the notifications in a timely manner. Ms. Duffy said the lack of resources results in ongoing continuances until the parents can be served, which affects the lives of the children.

Chair Frierson asked what happens if the parents are not in Nevada, to which Ms. Duffy replied notices can be sent via certified mail in those cases.

- Continuing, Ms. Duffy discussed placing burdens of proof on certain statutes. She mentioned Senate Bill 98 (Chapter 67, *Statutes of Nevada 2013*), which addresses aggravated circumstances or waiver of reasonable efforts. Ms. Duffy explained that every time the State removes children from their homes, NRS 432B.393 requires the DFS to make reasonable efforts to reunite the children with their parents unless certain things have occurred, such as prior termination of parental rights; prior removals and adjudications; or extreme and repetitious abuse and neglect. Although not stated throughout Chapter 432B of NRS, she said the burden of proof is implied to be a preponderance of the evidence. Ms. Duffy added that under Chapter 128 of NRS, “Termination of Parental Rights,” a ground for termination of parental rights is a finding made pursuant to NRS 432B.393, subsection 3, which is an aggravated circumstance to not require reasonable efforts. She stated there is a burden of proof of

preponderance of the evidence in Chapter 432B of NRS to make a finding that there has been a prior termination of parental rights or extreme abuse and neglect, and that finding is used in a statutory section that has a clear and convincing evidentiary standard.

Ms. Duffy shared that the district attorney's office wants the termination of parental rights to be a simple proceeding, but because the burdens of proof currently do not match, there are concerns regarding the ability to uphold the termination of parental rights, if that is the only ground. Therefore, Ms. Duffy requested the Committee consider matching the burdens of proof. She shared that most states have burdens of proof in their termination of parental rights statutes that match the burden of proof for an aggravated circumstance in their child abuse and neglect statutes.

- Chair Frierson asked Ms. Duffy to send him some information on what other states are doing in this area.

PUBLIC COMMENT

- Chair Frierson called for public comment.
- Kerri Korin, President, Nevada Youth Care Providers (NYCP), and Manager, KidsPeace Nevada Foster Care and Community Programs, a specialized foster care agency, thanked Ms. Ruiz-Lee for including the funding instability for specialized foster care in her legislative agenda plan. Concerned that the 90-day moratorium by the DHHS is ending soon without a funding solution, Ms. Korin encouraged the Committee to support the development of a stable funding structure. She offered to make a presentation about therapeutic or specialized foster care at a future Committee meeting.
- Chair Frierson said he would like to further discuss specialized foster care with Ms. Korin.
- Karlene Ulibarri, representative of Bountiful Family Services, and Vice President, NYCP, is of the opinion that most people do not know what specialized foster care agencies do. She, too, offered to make a presentation regarding the work of her agencies at a future Committee meeting. Ms. Ulibarri shared a success story of a severely neglected and aggressive 11-year-old boy, removed from his self-contained classroom, and is being mainstreamed back into his regular classroom after less than a year of receiving specialized foster care services.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 11:55 a.m.

Respectfully submitted,

Janet Coons
Senior Research Secretary

Patrick Guinan
Principal Research Analyst

APPROVED BY:

Assemblyman Jason M. Frierson, Chair

Date: _____

LIST OF EXHIBITS

[Exhibit A](#) is the “Meeting Notice and Agenda” provided by Patrick Guinan, Principal Research Analyst, Research Division, Legislative Counsel Bureau (LCB).

[Exhibit B](#) is a summary of work for the Supreme Court of Nevada’s Commission on Statewide Juvenile Justice Reform, presented by the Honorable Nancy M. Saitta, Associate Justice, Supreme Court of Nevada.

[Exhibit C](#) is a Microsoft PowerPoint presentation titled “Children in Need of Supervision,” submitted by Brigid Duffy, Chief Deputy District Attorney, Juvenile Division, Office of the Clark County District Attorney.

[Exhibit D](#) is a collection of tables regarding the count of all charges by arrest date for eight- to ten-year-olds, presented by Brigid Duffy, Chief Deputy District Attorney, Juvenile Division, Office of the Clark County District Attorney.

[Exhibit E](#) is a Microsoft PowerPoint presentation regarding differential response and a suggested legislative agenda, dated March 27, 2014, furnished by Lisa Ruiz-Lee, Director, Clark County Department of Family Services.

This set of “Summary Minutes and Action Report” is supplied as an informational service. Exhibits in electronic format may not be complete. Copies of the complete exhibits and other materials distributed at the meeting are on file in the Research Library of the Legislative Counsel Bureau, Carson City, Nevada. You may contact the Library online at www.leg.state.nv.us/lcb/research/library/feedbackmail.cfm or telephone: 775/684-6827.