

Children, Seniors & Families Committee
Wednesday, May 21, 2003
Minutes

1. Welcome and Introductions

The regular meeting of the Children, Seniors and Families Committee is called to order by Chairperson James T. Beall, Jr., at 10:07 a.m. in the Isaac Newton Senter Auditorium, County Government Center, 70 W. Hedding Street, San Jose, with Vice Chairperson Don Gage present.

2. Public Presentations.

There are no public presentations.

3. Approve Consent Calendar and changes to the Children, Seniors and Families Agenda.

On Committee consensus, it is ordered that Item Nos. 9, 10 and 11 on the consent calendar be approved.

4. Accept Department of Child Support Services' Reorganization Plan and new business model pilot project, and forward recommendations to the Board of Supervisors.

The Committee considers a memorandum from Peter Dever, Director, Department of Child Support Services (DCSS), dated May 21, 2003, relating to the proposed reorganization plan and new business model for DCSS. Mr. Dever provides an overview of the report and advises that the State appears to be open to reducing the number of demands on child support programs for all counties in the State. He further advises that the State recognizes the Department is in a crisis and must concentrate on achieving Federal Performance Measures in order to maximize the incentives received by the State for distribution to all counties. He states that consolidation of core services under the Operations Division and a vertical or "cradle-to-grave" approach to processing cases are the key elements of the reorganization plan. He notes that because of recent changes such as the relocation of DCSS to a new facility; a \$2.5 million reduction to the budget in December 2002; the potential lay off of 48.5 employees on July 1, 2003; and, that the Department is currently overtaxed by State demands that a new automated child support system be implemented, a plan is proposed to implement a pilot team of volunteers by July 1, 2003, if possible. He stresses

flexibility, however, he advises that without consolidation the Department will not be able to provide core services to the public after the proposed reductions are made.

Debra Wasserman, Association for Children for the Enforcement of Support (ACES), expresses support of the proposed changes in the DCSS. She states that only 37 percent of DCSS staff are Family Support Officer (FSO) caseworkers, which is one of the lowest in the State.

Anne Gatts, FSO, DCSS, expresses concern for the accuracy of information provided by DCSS management, that customers are allowed to walk into the office at any time without appointments, and that FSOs will not work as effectively if they have to learn 78 procedures.

In response to an inquiry by Vice Chairperson Gage, Mr. Dever states that appointments are encouraged. He advises that the vertical approach to handling cases allows rapport to develop between the customer and the FSO and will result in the customer making more appointments. Ms Gatts states that the Communications Center has been instructed not to transfer calls to the FSO, and instead tells them to come into the office where someone will handle the inquiry.

Debra Kratky, Attorney, DCSS, expresses concern that the proposed reorganization plan will not provide adequate staff to comply with State-mandated policies and procedures.

Mr. Dever states that Ms Kratky is correct, however, the reductions are so severe that all the demands of the State cannot be met. He advises that Curtis Child, Director, State Department of Child Support Services, recognizes the dilemma the County is in and that the County must prioritize in order to provide core services. Chairperson Beall requests that staff prepare a report on the issues of prioritizing services; the inability to meet current mandates and the consequences; and, action needed by State Legislators for the Committee to utilize in lobbying State Legislators to ensure that consideration of these issues is

included in the development of the State budget.

Holly Price, Attorney, DCSS, expresses concern that the approximate 20 percent reduction in attorney staff will impede the ability of DCSS to meet State and Federal mandates. She notes that if mandates are not met, the State could take over operation of the County DCSS and bill the County for the cost.

Michelle Turner, Attorney, DCSS, states that DCSS attorneys already have very limited time per case and reduction of the staff will mean less time per case for review. She states that there is a need for retention of all DCSS attorneys and for an efficient business model.

Laura Romero, Attorney, DCSS, expresses support for utilization of Voluntary Reduced Work Hours to save one attorney position and requests that the Deputy Director position be frozen to save positions that provide core services.

Roger Hutcheon, SEIU, Local 715, and FSO, DCSS, expresses concern that, while many issues have been agreed upon, management shows no willingness to compromise on the remaining issues. He states that the Union is still experiencing difficulty obtaining current, consistent and accurate information from management in a timely manner.

Vera Aparico, FSO, DCSS, and Assistant Chief Steward, SEIU, Local 715, requests that the Committee advise DCSS management to meet in good faith. She expresses concern that reports and memoranda are given to Union representatives so late that there is no time to prepare for meetings.

Discussion ensues regarding the process of the Committee agenda reports and attachments that are provided by the Clerk of the Board. Chairperson Beall and Vice Chairperson Gage advise Ms Aparico to contact either the Clerk of the Board or the Supervisors' offices for copies of items in the agenda packet.

Norina Mooney, DCSS, expresses concern that the "cradle-to-grave" method for processing cases is proposed in the reorganization plan. She states that "cradle-to-grave" was discontinued in Butte County because it was ineffective.

Bruce Williams, SEIU, Local 715, states that approximately one-half of the proposals in the proposed DCSS reorganization plan came from line staff. He notes that the Union is receiving the latest proposals, however, they are received immediately before a meeting starts, which does not allow time for preparation before the meeting. He suggests that guidance from the Committee to the Department will assist Union and management in reaching agreement on the remainder of the proposed reorganization plan.

In response to an inquiry by Chairperson Beall, Mr. Dever states that there is a potential for the State to take over operation of the DCSS and to bill the County for the services provided if mandates are not met. Chairperson Beall requests a report providing further information on the facts regarding how that could occur and the potential results.

Nick Steinmeir, SEIU, Local 715, expresses concern that the Union is not receiving reports in a timely manner. He expresses appreciation to staff in the Office of Chairperson Beall for faxing requested reports to the Union.

In response to an inquiry by Chairperson Beall regarding the Uniform Interstate Family Support Act (UIFSA), Mr. Dever advises that there are two components to the interjurisdictional cases, the attorney component and a caseworker or FSO component. He further advises that of six teams, five teams have a fulltime FSO working on interjurisdictional cases while the other team distributes the workload among the team members. He states that either approach can work under the consolidation plan and recommends that the decision of which method to utilize be left to the discretion of the Team Supervisor. He advises that elimination of the position of the attorney who specializes in interjurisdictional cases is part of the salary reduction plan.

In response to an inquiry by Vice Chairperson Gage, Mr. Dever expresses agreement that continuing to have specialized teams may defeat the purpose of the reorganization of more evenly distributing the workload and increasing the knowledge of all FSOs. He comments that 3,000 out of 72,000 cases are interjurisdictional cases, which is four percent of the entire workload. Vice Chairperson Gage expresses concern that more may positions be eliminated if specialization continues and requests that staff provide more information on whether this will result in the loss of more employees to assist in the budget decisions.

Ron Karz, Attorney, DCSS, advises that UIFSA 2001 was passed by the State Legislature and takes effect June 2004. He continues that UIFSA 2001 mandates that a determination of the controlling order be made when there are multiple orders to pay child support from different states, which is only implied under the current law. He further advises that a large percentage of the interjurisdictional cases require remedial work. He states that the County can obtain the judgment, however, enforcement is an issue because the County must rely on another state to enforce the order. Mr. Karz comments that addressing the more difficult cases will be an issue with a reduction of four attorneys. He states that FSOs could do initial identification of UIFSA cases and one or two attorneys could be assigned to analyze the cases.

Chairperson Beall expresses concern that interjurisdictional cases may not be handled in a timely manner and requests that staff review options to handling UIFSA cases and report to the Committee on June 4, 2003.

Margaret Olsen, DCSS, states that she has worked on a team that utilized "cradle-to-grave" for five years and that UIFSA and inter-county transfers were not completed due to time constraints.

Mary Murphy, Attorney, DCSS, expresses concern that the DCSS budget is receiving a five percent reduction and 20 to 25 percent of the attorneys are being eliminated. She points out that it takes time to develop expertise and requests that Voluntary Reduced Work Hours be considered as an alternative to retain one of the attorneys and that specialization be

continued for complex areas.

Janet Cartwright, Attorney, DCSS, requests that the Committee delay approval of the budget reductions until further discussion takes place. She states that the reorganization can occur and still retain specialization of professionals. She further states that UIFSA cases involve laws from other states and other countries and add complexity.

Vice Chairperson Gage advises that the County is required to have a balanced budget by June 30, 2003, and does not have the budget to support the number of people that are currently in the organization. He further advises that after the reduction in personnel the County will not be providing the same level of service. He also states that further reductions will occur in October 2003 when the State reductions have been finalized.

In response to an inquiry by Ms Cartwright, Chairperson Beall states that she may make and present a proposal on the issue of reduction of attorney positions at the June 4, 2003 meeting.

In response to an inquiry by Chairperson Beall regarding inter-state cases, Mr. Dever states that it is preferable to leave the decision of whether to distribute the cases evenly or assign certain team members to the inter-state cases to the discretion of each team supervisor. He comments that returning to specialized teams for that role would likely endanger the budget reduction plan. Chairperson Beall requests further information on options for the issue of inter-state collections on June 4, 2003.

On Committee consensus, it is ordered that Plan relating to the Department of Child Support Services' Reorganization Plan and new business model pilot project be held to June 4, 2003 and that information regarding implementing appointments for clients of FSOs; whether retaining specialized teams or positions will result in elimination of more positions; details on possible consequences for not meeting State mandates and action needed by State Legislators; and, options for inter-state collection cases relating to UIFSA 2001 be

provided on June 4, 2003.

5. Review Fiscal Year 2004 Recommended Budget for School-Linked Services.

The Committee considers a report from Margo Maida, Director, Community Outreach Services, dated May 21, 2003, relating to the School-Linked Services (SLS) Fiscal Year (FY) 2004 Budget Reduction Plan. Ms Maida states that the SLS data has been extracted from Budget Unit 418, as requested by Chairperson Beall on March 18, 2003, and that the Reduction Summary includes deletion of seven vacant positions. She advises that SLS also reports to the Health and Hospital Committee (HHC) and that on April 2, 2003, Supervisor Alvarado requested that staff consider removal of the Psychiatric Social Worker position from the proposal and that two alternatives be considered. Ms Maida further advises that no directive has been received on the options, so the budget reduction plan is currently as originally submitted.

Vice Chairperson Gage comments that the SLS Social Worker assigned to Gilroy Unified School District should be reinstated if the SLS Social Worker position in District 2 is reinstated, because both areas have the highest number of low-income families in the County. He requests that staff provide further options for reinstating the two SLS Social Worker positions before the budget proposal is forwarded to the Board.

In response to an inquiry by Ms Maida, Chairperson Beall clarifies that a report of options and funding for the two SLS Social Worker positions should be submitted to the Committee on June 4, 2003.

Chairperson Beall expresses appreciation to the Administration for responding to the budget issues thoroughly and in a timely manner.

On Committee consensus, it is ordered that report be accepted relating to Review of the Fiscal Year 2004 Recommended Budget for School-Linked Services (SLS) and that information regarding options for reinstating two SLS Social Worker positions in Districts 1

and 2 be reported on June 4, 2003.

6. Review Fiscal Year 2004 Recommended Budget for Social Services Agency.

The Committee considers a report from Gary Graves, Deputy County Executive, Office of Budget and Analysis, Office of the County Executive, dated May 21, 2003, relating to a review of Fiscal Year 2004 Recommended Budget for Social Services Agency.

Florencio Rodarte, Senior Counselor, Children's Shelter, advises that the Shelter continues to utilize extra help on a daily basis, and not only for peak times and unusual times. He suggests that some of the employees in the 11 positions targeted for elimination be utilized to do the work now performed by extra help and overtime and requests that the Committee review the issue before the June 2003 budget sessions.

Wendy Duggan, Chief Steward, SEIU, Local 715, and Counselor, Children's Shelter, requests that LaVonne Broussard, a Day Care Aide at the Shelter since 1975, be retained at the Shelter. Ms Duggan states that Ms Broussard is willing and able to do work currently performed by extra help.

Chairperson Beall comments that the Out-of-Home Placement Report (see Item No. 11) indicates the success of the County in reducing the population of the Children's Shelter. He speaks of the need for reevaluation of new long-term strategies for the Children's Shelter and recommends recreating the Children's Shelter Task Force. Mr. Lightbourne expresses agreement and suggests that he could prepare a proposal for development of the task force.

Mr. Lightbourne states that earlier in 2003 the State failed the Federal Performance Audit under the Adoption Safe Families Act, as did all other states that were audited. He advises that the State is required to develop and implement a program improvement system within two years or the State will become vulnerable to significant fiscal sanctions. He comments that the resulting penalties will most likely be passed along to counties who appear to contribute to the issue of the failed audit. He advises that one of the Federal Performance

Audit standards is that children be placed no more than two times and that the Children's Shelter is considered one placement. Therefore, he continues, it is important for the County to determine the appropriate role for the Children's Shelter as a factor in reformulating the Child Welfare System.

On Committee consensus, it is ordered that report be accepted relating to the Fiscal Year 2004 Recommended Budget for Social Services Agency and forwarded to the Board with a favorable recommendation.

7. Review Fiscal Year 2004 Recommended Budget for Department of Child Support Services (DCSS).

Vice Chairperson Gage recommends that memorandum from Peter Dever, Director, Department of Child Support Services, dated May 21, 2003, relating to DCSS Recommended Budget be held for discussion on June 4, 2003. In response to an inquiry by Chairperson Beall, Margaret Olsen, FSO, DCSS, who requested to speak on Item No. 7, expresses agreement to speak on the item on June 4, 2003.

On Committee consensus, it is ordered that report relating to the Fiscal Year 2004 Recommended Budget for Department of Child Support Services be held to June 4, 2003.

8. Discuss budget update relating to children, seniors and families services and forward recommendations to the Board of Supervisors.

Peter Kutras, Acting County Executive, Office of the County Executive, advises that the budget update relating to children, seniors and families services was discussed at the Budget Workshop on Wednesday evening, May 14, 2003. He references a memorandum submitted to the Committee by Mr. Lightbourne highlighting the potential impact of the May Revision to the State budget from Governor Gray Davis. Mr. Lightbourne states that estimates were unavailable at the Workshop and are included in the memorandum dated May 21, 2003.

Mr. Kutras expresses concern that the Realignment proposals of Governor Davis are tied to two new revenue resources that have not been approved by the Legislature. He requests that Board members and Mr. Lightbourne impress upon the Legislators that even a scaled-down Realignment will not be successful unless the revenue also is allocated to the County. Mr. Lightbourne expresses concern that the Realignment must be funded from the State Income Tax fund and the Tobacco Tax fund rather than from the performance of the margin for those funds as has been suggested.

* 9. Accept 24-Hour Adult and Juvenile Correctional and Residential Institutions Strategic Facilities Plan and forward to the Board of Supervisors.

On recommendation of Kevin Carruth, Director, General Services Agency, as noted in memorandum dated May 21, 2003, and on Committee consensus, it is ordered that 24-Hour Adult and Juvenile Correctional and Residential Institutions Strategic Facilities Plan be accepted and forwarded to the Board.

* 10. Accept Annual Report from First 5 (aka Children and Families First Commission) of Santa Clara County.

On recommendation of Karen Blinstrub, Executive Director, FIRST 5, as noted in memorandum dated May 6, 2003, and on Committee consensus, it is ordered that report be accepted relating to acceptance of FIRST 5 Santa Clara County Annual Report.

* 11. Accept report on status of Out-of-Home Placement Initiatives for March 2003.

On recommendation of Mr. Lightbourne, as noted in memorandum dated May 21, 2003, and on Committee consensus, it is ordered that report be accepted relating to status of Out-of-Home Placement Initiatives for March 2003.

12. Accept report from Director, Department of Child Support Services.

Mr. Dever reports that year-to-date collections for DCSS are up 2.6 percent. He advises that Mary Clesi, Senior Accountant, DCSS, was instrumental in the ability of the County to

accept credit cards for child support payments.

13. Accept report from Director, Social Services Agency.

There is no report from the Director, Social Services Agency.

14. Announce next meeting of the Children, Seniors and Families Committee on Wednesday, June 4, 2003, 10:00 a.m., in the Isaac Newton Senter Auditorium, First Floor, County Government Center.

There is no discussion.

Adjournment

On order of Chairperson Beall, there being no objection, the Children, Seniors, and Families Committee meeting is adjourned at 11:50 a.m. to Wednesday, June 4, 2003, at 10:00 a.m., in the Isaac Newton Senter Auditorium, County Government Center, 70 West Hedding Street, San Jose, California.

Respectfully Submitted,

Janice D. Fanara
Deputy Clerk of the Board