

Regular Session, 2012

HOUSE CONCURRENT RESOLUTION NO. 129

BY REPRESENTATIVE LEGER

A CONCURRENT RESOLUTION

To urge and request the Louisiana Supreme Court, the Department of Children and Family Services, the Department of Health and Hospitals, the Department of Education, the Governor's Children's Cabinet, and the office of juvenile justice within the Department of Public Safety and Corrections, to implement the recommendations related to the Informal Families in Need of Services (FINS) process made by the Families in Need of Services Commission in its report issued February 10, 2012, and as set forth in this Resolution and to report to the legislature and the Juvenile Justice Reform Act Implementation Commission on the accomplishments and status of implementation of the recommendations no later than March 1, 2013.

WHEREAS, in Louisiana, young people who are designated as "Families in Need of Services" (FINS) youth for committing acts that are deemed legal offenses only when committed by children, such as truancy, repeatedly violating school rules, running away, ungovernable behavior, or other "status offenses", which are not criminal acts, can be petitioned to court, and processed in the juvenile justice system under Title VII of the Children's Code; and

WHEREAS, an "informal process" is included in Title VII which requires each court to appoint an intake officer to facilitate the establishment of a voluntary informal family services plan between the family and providers of needed services; and

WHEREAS, a body of research, practice, and legislation demonstrates the benefits and successes associated with treating status offenders in immediate, voluntary, and community-based services outside of the juvenile justice system; and

WHEREAS, Senate Concurrent Resolution No. 44 of the 2011 Regular Session of the Legislature requested the chief justice of the Louisiana Supreme Court to create a FINS Commission to study and issue recommendations regarding the FINS system; and

WHEREAS, the chief justice of the Louisiana Supreme Court created the FINS Commission, and the commission issued its report on February 10, 2012; and

WHEREAS, the FINS Commission made numerous recommendations, many of which may be implemented by policy and procedure changes initiated by the Louisiana Supreme Court, the Department of Children and Family Services, the Department of Health and Hospitals, the Department of Education, the Governor's Children's Cabinet, and the office of juvenile justice within the Department of Public Safety and Corrections.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby urge and request the Louisiana Supreme Court Families in Need of Services Assistance Program (FINSAP) and the Governor's Children's Cabinet to enter into a memorandum of understanding for the purpose of sharing information related to status offending youth and their families, to include all relevant data, resource mapping of all current resources or services offered, and the related fiscal costs of serving status offending youth and their families.

BE IT FURTHER RESOLVED that FINSAP and the Governor's Children's Cabinet should execute a memorandum of understanding prior to August 1, 2012, for the purpose of sharing information related to status offending youth and their families.

BE IT FURTHER RESOLVED that the FINSAP and the Louisiana Behavioral Health Partnership (LBHP) should work jointly to develop clear linkages for referral for assessment and treatment.

BE IT FURTHER RESOLVED that the FINSAP should develop a clear and consistent set of written criteria and protocols to be used in every office in the state to determine whether a referred child or family is eligible for Informal FINS services or should be referred to another agency, including a determination that the presenting behavior rises to the level of status offending behavior, a determination that a referring entity has taken appropriate steps to provide services prior to referral and can provide documentation that these steps have been taken, and that children or families currently being served by the juvenile justice or child welfare system are not accepted for Informal FINS.

BE IT FURTHER RESOLVED that the FINSAP should develop a clinical screening and, when needed, assessment process to identify needs.

BE IT FURTHER RESOLVED that the FINSAP and Governor's Children's Cabinet should facilitate coordination of local Informal FINS offices with local children and youth planning boards to conduct resource mapping, including services available through the LBHP and other sources.

BE IT FURTHER RESOLVED that the FINSAP should, in collaboration with the Governor's Children's Cabinet, ensure the development of an array of basic services most youth who engage in status offending behavior and their family's need, including brief strategic problem-solving interventions, crisis response, and respite services.

BE IT FURTHER RESOLVED that the FINSAP should develop the ability to refer youth who have committed a status offense to agencies for specialized services when needed, including shelter care, mental health, substance abuse, and family therapies.

BE IT FURTHER RESOLVED that the FINSAP should establish timeliness and quality outcome thresholds, as set forth in the FINS Commission report issued on February 10, 2012.

BE IT FURTHER RESOLVED that the FINSAP should develop a required referral form, for use in all offices, documenting that all referring entities have utilized all appropriate and available resources prior to referring a child or family to Informal FINS.

BE IT FURTHER RESOLVED that the FINSAP should, in collaboration with the Governor's Children's Cabinet make, enhancements to its data collection system in order to provide relevant referral data that can better ensure future FINS activities.

BE IT FURTHER RESOLVED that the FINSAP should require data collection and reporting by all local offices that adequately describes the Informal FINS population and adequately evaluates the effectiveness of Informal FINS in meeting its stated objectives.

BE IT FURTHER RESOLVED that the FINSAP should develop a basic set of required youth Informal FINS outcomes that will be tracked through the program's enhanced data collection system.

BE IT FURTHER RESOLVED that the FINSAP should annually document and report information related to the Informal FINS process to the Governor's Children's Cabinet and the Juvenile Justice Reform Act Implementation Commission, including statewide and parish specific data on the number of referrals, the number of intakes, type of risk areas identified, number of cases open beyond ninety days, number of youth afforded respite care

or runaway shelter (including length of stay), number of youth and families not petitioned to formal FINS, number of youth not adjudicated delinquent within six months of the FINS closure, number of status offenses only youth placed in detention, and the number of youth not expelled from school.

BE IT FURTHER RESOLVED that the Louisiana Supreme Court, the Department of Children and Family Services, the Department of Health and Hospitals, the Department of Education, the Governor's Children's Cabinet, and the Department of Public Safety and Corrections, office of juvenile justice, shall submit a report to the Legislature of Louisiana and the Juvenile Justice Reform Act Implementation Commission on the accomplishments and status of implementation of the recommendations as applicable to each agency as tasked in the FINS Commission report no later than March 1, 2013.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the Louisiana Supreme Court, the Department of Children and Family Services, the Department of Health and Hospitals, the Department of Education, the Governor's Children's Cabinet and the Department of Public Safety and Corrections, office of juvenile justice.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE