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HOUSE JOINT RESOLUTION NO. 44  
INTRODUCED BY D. LENZ

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN INTERIM STUDY OF THE FAMILY FOSTER CARE SYSTEM; AND REQUIRING THAT THE FINAL RESULTS OF THE STUDY BE REPORTED TO THE 68TH LEGISLATURE.

WHEREAS, the Department of Public Health and Human Services reported that 3,321 children were in foster care in February 2021; and

WHEREAS, more than 3,000 children have been in foster care every month since February 2016; and

WHEREAS, the state needs a robust foster care system to appropriately serve the high number of children in out-of-home care; and

WHEREAS, the Montana Legislature has a genuine interest in the welfare of children in the state foster care system.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Legislative Council be requested to designate an appropriate interim committee or statutory committee, pursuant to section 5-5-217, MCA, to study the family foster care system.

BE IT FURTHER RESOLVED, that the study examine:

- (1) whether additional foster parents are needed to provide appropriate care to children who have been removed from their homes;
- (2) the current requirements for and barriers to becoming a foster parent;
- (3) the ongoing performance requirements for licensed foster parents;
- (4) the ethical expectations for foster parents and their interactions with the children in their care, the parents of the children, and the Department of Public Health and Human Services;
- (5) the degree to which foster parent input on a child's physical and mental state is considered;
- (6) the legal standing of foster parents in the court system and whether that standing needs to be

1 clarified;

2 (7) the rights of foster parents and whether those rights need to be formalized through a Foster  
3 Parents' Rights Act;

4 (8) the funding sources for the foster care system and the ways in which the funding impacts the  
5 system;

6 (9) foster care matters related to the Indian Child Welfare Act; and

7 (10) the role of foster care issues in the adoption system.

8 BE IT FURTHER RESOLVED, that the study involve input from appropriate stakeholders.

9 BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review  
10 requirements, be concluded prior to September 15, 2022.

11 BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions,  
12 comments, or recommendations of the appropriate committee, be reported to the 68th Legislature.

13 - END -