TO: Curtis Koch; Angie Nelson; Chris Bone; Ric Higbee
FROM: Todd Utzinger
DATE: January 31, 2023
RE: Request for an FTE and Budget Amendment
STATUS: Urgent! Needs to be added to the next Budget Committee Meeting in Order to Meet IDC Grant Application Deadlines

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Need for Urgent Approval

This request needs to be on next week's budget committee meeting. As we discussed at the Monday morning meeting with Adam Trupp of the Utah Indigent Defense Commission, the Legal Defenders were just awarded a grant to fund the salary for a FTE, and there are federal funds to cover the costs of benefits and other expenses. Adam also explained that in order to meet IDC deadlines and ensure ongoing funding, the position must be filled no later than the third week of March. If not, the grant will likely be rescinded. At minimum, it won't be eligible for what would otherwise be a virtually automatic renewal in future years. Accordingly, the request for this FTE and corresponding budget amendment must be approved ASAP so we'll have time to fill the position.

Request for FTE and Budget Amendment

The Legal Defenders request approval to add a FTE to its staff and to amend its budget accordingly. The salary and benefit expenses for the proposed position will be fully reimbursed by a combination of grant funds from the Utah Indigent Defense Commission and federal entitlement funds under a Title IV-E program. Office space, a desktop and other office hardware is already available, and the purchase of a laptop or comparable portable device is reimbursable by Title IV-E funds that have already been received but not allocated by the County.

Description of Proposed Position

The requested position is for a full time Interdisciplinary Parent Representation (IPR) Social Worker to provide defense-based, support resources for parents facing the possible termination of their parental rights or who are in reunification proceedings after their children have been removed from their home. An IPR Social Worker assists legal defenders and provides a litany of support services for

parents in parental rights proceedings. Among other services, an IPR facilitates placement in treatment programs, helps gather medical, mental health, educational and financial records, provides specialized one-on-one counseling as well as family counseling, assists in employment and educational placements, creates and submits progress reports to counsel and judges, and in some instances testifies in court hearings or trials. A growing body of research shows that provision of these services significantly enhances the quality of outcomes obtained for families in parental rights proceedings. Salt Lake County and Utah County have utilized the services of IPR social workers for many years with great success, and Weber County has done so for approximately two years. Last year, Davis County retained the services of an IPR on an hourly basis to provide support services in selected cases. The legal defenders who have utilized those services attest to their value, as do judges who have presided over cases where such services were not available as well as cases where the specialized support services were provided to parents. National entities as well as the Utah Indigent Defense Commission strongly support the provision of IPR Social Workers.

Funding Sources

There are two funding sources that collectively will fully fund this proposed FTE position at an annual salary of up to $80,000.00 plus benefits. One funding source is a renewable State grant and the other is an ongoing federal entitlement program. Accordingly, this proposed position can be funded at minimal additional cost to the County. In a January 30, 2023 meeting with Auditor Curtis Koch, HR Director Chris Bones, Legal Defender Todd Utzinger and other county personnel, Adam Trupp of the Indigent Defense Commission confirmed that – absent wholly unforeseen circumstances -- both funding streams will be ongoing and can properly be used to fund the proposed FTE as explained below.

1. Salary for the proposed FTE will be reimbursed by a recently awarded grant from the IDC. That grant provides funding for a salary of up to $40,000.00 for the term January 1, 2023 to June 30, 2023. It is renewable for up to $80,000.00 for the term July 1, 2023 to June 30, 2024. Thereafter, the IDC anticipates funding this grant on an ongoing basis for the foreseeable future.

2. Under State guidelines, the IDC does not fund benefits with State funds. However, the benefits for the proposed FTE can be funded by way of Title IV-E federal entitlement funds that are ongoing and administered via the IDC. Specifically, the federal Title IV-E program partially reimburses state or local entities for expenses incurred in preparing and processing Parental Rights/Child Welfare cases. Because Davis County provides legal defenders and other defense resources to represent all parents in those proceedings, the County is entitled to partial reimbursement for those expenses.

   For 2022, Davis County received a total of $53,862.11 in Title IV-E entitlement funds. Because Title IV-E is an entitlement program, the expectation is that Davis County will continue to receive, at minimum, comparable amounts on an ongoing basis. If Davis County were to increase the amount expended for Parental Rights/Child Welfare cases, its Title IV-E reimbursements would also increase. Even rating the benefits at 50% of the annual salary of $80,000.00, the Title IV-E funds should easily cover the costs of benefits.

3. Other Expenses. A dedicated office that is equipped with a desktop and other needed hardware is available in the Legal Defender Offices at the Memorial Courthouse. However, this person will likely need a fully-loaded laptop to work and provide services offsite. Title IV-E funds can be used to reimburse Davis County for that expense.

Conclusion

The Legal Defenders request authorization for a full time IPR Social Worker to provide support services in Parental Rights case in keeping with best practices and national standards. As explained above, there are funding sources to fully cover the salary and benefits for this person, as well as paying for a laptop. Accordingly, this position can be filled with only minimal costs to Davis County.

Submitted this 31st day of January, 2023

TODD UTZINGER
Legal Defender Coordinator