

District IV Citizen Review Panel
October 29, 2018
Meeting Minutes

Attendees: Brian McCauley, Darcie Bobrowski, Delfina Krakau, Kym Nilsen, Melissa Mezo, Nicole Noltensmeyer, Teri Murrison, Andie Blackwood, Alexis Pickering, Jaime Aanensen, Rob Howarth

Introductions completed.

Group agreed they would like to have binder for their materials and would like a CDHD organizational chart.

Role of the CRP:

Questions asked by the group:

- What types of cases will we review?
- How old will the cases be to review?
- Are our decisions final?

Panel members made the following recommendations:

- Establish ground rules as a CRP
- We need to have history but a vision for moving forward
- Stay positive and not adversarial with IDHW

Andie with IDHW is not sure of her role on the CRP but is there to provide technology expertise.

The following questions were asked about the role of the CRP:

- Are we a secret group or are we allowed to talk about it?
- Are we an ex partae group?
 - Citizens are not allowed to come to the panel and lobby for their own agendas.
- Will the Court (judges) also see the recommendation made by the CRP?
- What level of involvement will CDHD staff have with the case review process versus CRP members?

Should the CRP Idaho Legislation be made more specific? Unanimous, bi-partisan support exists so the CRP could make recommendations to Legislators asking for more clarity in the statute. There is a concern about steep bureaucratic opposition from the Courts and the Department.

What are the conflicts of interest as a CRP member? If a CRP member has a personal case, then they should not have access to their personal files.

Humanity is lacking from the cases; not personal; what impact does this have on the child? This should have some bearing on the outcome of the child's case.

Cliff Analogy presentation provided by Alexis Pickering

Executive Session Discussion by Donna Mahan (handouts provided)

Open Meeting Law: Could we have CDHD attorney attend a CRP meeting to provide legal counsel if needed?

Donna provided the following steps for Open Meeting Law:

- Call a meeting into executive session, must make a motion, identify which subsection from Idaho Statute that CRP is using for Open Meeting Law
- Utilize Roll Call and 2/3 vote to enter into executive session
- Executive session: must state reasons for going into executive session but can't change those reasons when in executive session.
- Can't make decisions while in executive session
- Move out of executive session and time must be noted in minutes
- Only utilize Executive Session when quorum is present
- Agenda must be posted 48 hours before meeting if meeting is scheduled. Minutes must be posted within seven days of meeting

Additional legal questions about the CRP:

- Is the CRP protected from lawsuits? Are we defended by CDHD/State of Idaho if sued?

The Idaho Supreme Court training on CRP membership will ideally cover these questions. If not, CDHD will seek legal counsel.

Non-Disclosure Agreement from IDHW

CRP members must sign the non-disclosure agreement from IDHW before reviewing cases. It was asked if the agreement is regarding all things or specific to individual records? CDHD to follow-up with legal counsel on this question. It was determined that panel members could revoke their signed document if needed.

By-Laws:

The group discussed these being "living" by-laws and could get something in place then change as needed. Would like to utilize the Behavioral Health Board by-laws as a start for drafting CRP-specific by-laws. Alexis will make initial edits to the by-laws and send to CRP members. Group agreed it was okay to use personal email for CRP by-law work. CDHD staff to set-up Google drive for CRP members to use.

Webpage:

Add names of CRP members to website but no contact information.

Panel members discussed obtaining CDHD email addresses for all CRP correspondence and concerns with utilizing personal email to conduct CRP business.

Officers and Elections:

Set-up co-chair positions. Co-chairs will help set-up the agenda. CDHD staff to provide secretarial support. Delfina would consider being in a secretary role.

Brian: His intent for joining the CRP is to remain completely independent from IDHW and focus is on the needs of the children and ensure where the CRP heads is the correct direction.

Darcie informally nominated Brian for chair or co-chair position. Teri expressed interest in serving as a co-chair. Nicole expressed interest in serving in a support role or co-chair, but not leading the meetings. The panel decided to submit officer nominations and vote on positions at the next panel meeting. The group discussed defining the secretary role differently and possibly requesting an independent person to provide minutes. CDHD staff will provide minutes and administrative support. Officer roles will be defined before the CRP selects officers.

Brian provided CRP historical information: determine what is the role of the CRP to provide oversight. Concerned that IDHW will discredit CRP ideas and the vision is the CRP recommendations and ideas are elevated to the judge on the case. Need to be cautious that we don't get out of line or overstep our responsibilities as a CRP. Steer policy and legislation but not change the course for an individual case. Could we request further clarification from the IDHW caseworker if needed? We should if we are going to hear from foster parents.

Could we get information on the federal law? Could we have someone from a neighboring state (e.g. Oregon) join a meeting via video conferencing to talk about their CRP?

Next Meeting:

Monday, December 10, 2018, from 2-5 PM

Okay to wait to meet again in January 2019 even if CRP still wants to get legislation through during 2019 session.

Agenda for December 10 meeting: By-laws, election, punch list for legislative session, review draft of case review process, review language for what to add to website

Nicole and Brian will work together to set-up a draft case review process. They will Cc: Alexis and Jaime on their work but will only send a draft to CRP members. Alexis and Jaime will compile changes and then send to the CRP. Will CRP hold an emergency meeting? Do we have the ability to do that?

Website:

- What is the CRP and what it doesn't do (e.g. CRP members are not emergency responders; CRP only makes recommendations)
- How do foster parents or members of the public get on CRP agenda?
- Add by-laws to website
- Add reference to statute
- Add officer names, agenda, minutes
- Add names of panel members
- Have a format for collecting information from inquiries so information is consistently collected and presented to the CRP
- Flow chart on the website
- Potential timeline for CRP response

Logo/Branding:

Address in a few months (~3 months) after CRP has had a chance to establish itself. It was recommended CRP add a mission to the by-laws.

Action Items:

- Alexis will send out a draft of the by-laws in a Word document. Alexis will send out a copy of executed NDA to each person
- Alexis and Jaime will reach out to Roxanne to further discuss alternatives for case file review
- Alexis will set-up a Google Drive for CRP
- Andie will check with IDHW about file sharing limitations
- Brian to send sample language for website to Alexis
- Andie will check about District IV CRP website adding link to IDHW resolution process
- Alexis to send out CRP contact list to members
- Alexis will share the job descriptions for Behavioral Health Board officers
- Alexis and Jaime will follow-up with IT about establishing email addresses for CRP members once we start doing case review
- Jaime will follow-up with CDHD leadership about requesting a legal consult on signing the IDHW non-disclosure agreement

Meeting adjourned at 11:58 AM.

Minutes provided by Jaime Aanensen.