

# Department of Planning and Budget 2002 Fiscal Impact Statement

**1. Bill Number SB538**

House of Origin    ☐ Introduced    ☐ Substitute    ☐ Engrossed  
 Second House    ☐ In Committee    ☐ Substitute    ☒ Enrolled

**2. Patron Mims**

**3. Committee Courts of Justice**

**4. Title Permanency planning; children in foster care**

**5. Summary/Purpose:**

Requires the court to make a finding concerning whether reasonable efforts have been made to place the child in a timely manner in accordance with the foster care plan and to take the steps necessary to finalize the permanent placement of the child at the actual hearing at which the court orders the child's permanent placement and annually thereafter. The bill requires an annual foster care review hearing for children in permanent foster care. Permanent foster care is given a higher priority than independent living, to promote attachment to an adult caregiver. The Committee on District Courts has endorsed this bill.

**6. Fiscal Impact (see Item 8 below)**

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2003	167,680	0.0	GF
2004	167,680	0.0	GF

**7. Budget amendment necessary: No, see Item 8 below.**

**8. Fiscal implications:**

Virginia Department of Social Services

This legislation will ensure that Virginia meets federal requirements for foster care. **Failure to meet these federal requirements by enactment of this legislation will result in a loss of approximately \$11,000,000 each year. Many of these costs will be shifted to the Commonwealth and localities under the more costly Comprehensive Services Act. Finally, an indeterminable amount of penalties may be levied in addition to the amount listed above.** Without this statutory amendment to mandate annual court hearings, the Department's effort to expand and maximize use of federal Title IV -E funding to cover costs of children in foster care would be diminished.

The Courts System

Whenever the workload of judges and clerks is increased, the efficiency of the court system may be impacted. The total possible impact on the court system as a result of the requirement for conducting an annual foster care review for children in permanent foster care is estimated to be \$167,680 each year. If the workload of the courts increases beyond available resources, additional dollars may need to be appropriated.

**9. Specific agency or political subdivisions affected:**

Virginia Department of Social Services  
Juvenile and Domestic Relations Courts

**10. Technical amendment necessary:** N/A

**11. Other comments:** N/A

**Date:** 03/07/02/JLR

**Document:** G:\Fis2002\Dss\Sb538er.Doc Jeff Ryan

cc:Secretary of Health and Human Resources