

W. G. C. I.

Memorandum Date:

Order Date: July _____, 2011

TO: Board of County Commissioners

DEPARTMENT: District Attorney's Office

PRESENTED BY: Alex R. Gardner, District Attorney

AGENDA ITEM TITLE: ORDER/In the Matter of Accepting an Intergovernmental Agreement and Delegating Signature Authority to the County Administrator for the District Attorney's Office Juvenile Dependency Process

I. MOTION

1. MOVE APPROVAL OF THE ORDER ACCEPTING AN INTERGOVERNMENTAL AGREEMENT AND DELEGATING SIGNATURE AUTHORITY TO THE COUNTY ADMINISTRATOR FOR THE DISTRICT ATTORNEY'S OFFICE JUVENILE DEPENDENCY PROCESS.

II. AGENDA ITEM SUMMARY

The legislative assembly appropriated funds for the 2011-2013 biennium to encourage district attorneys to increase their involvement in juvenile dependency proceedings. The Board is being asked to delegate authority to the County Administrator to sign the intergovernmental agreement to accept these funds in the amount of \$155,519 for the 2011-2013 biennium. The funds will be used by the District Attorney to enlarge or otherwise improve the quality of the juvenile dependency litigation program.

III. BACKGROUND/IMPLICATIONS OF ACTION

A. Board Action and Other History

In the 2007-2009 biennium, funds were allocated from the State of Oregon for district attorney offices to do dependency work in the juvenile court. The legislature recognized the need for enlarging or otherwise improving the quality of the juvenile dependency litigation program in each of the 36 counties. They allocated money for these programs and directed the Attorney General's office to enter into intergovernmental agreements with the district attorney offices to do this work. In a collaborative fashion, the district attorneys and the Attorney General negotiated an intergovernmental agreement so that the funds would flow to the counties and the district attorneys could increase and improve the juvenile dependency litigation programs.

B. Policy Issues

The legislative policy is to enlarge or otherwise improve the quality of the juvenile dependency litigation program.

C. Board Goals

Helping children has been the super-goal of Lane County for many years. Increasing our work in the juvenile dependency area will further the goal of protecting children in our community.

D. Financial and/or Resource Considerations

The financial implications of taking this action means that we will accept state money

to do this additional juvenile dependency work. I anticipate the legislature will continue to fund this increased work or we will return to our current level of dependency work.

E. Analysis

There are approximately 1000 children in foster care in Lane County at any given time. There are 300-400 new dependency cases every year at the juvenile department.

F. Alternatives/Options

The alternative is not accept the money, and not enlarge and improve the juvenile dependency work.

IV. TIMING/IMPLEMENTATION

Assuming the Board delegates the authority for the county Administrator to execute the intergovernmental agreement, work will continue as is currently being performed under the prior agreement.

V. RECOMMENDATION

I recommend that the Board of County Commissioners order that the County Administrator is delegated authority to execute an intergovernmental agreement with the State of Oregon in the amount of \$155,519 for a period beginning July 1, 2011 and ending June 30, 2013 for the District Attorney to do additional juvenile dependency work, subject to legal counsel review.

VI. FOLLOW-UP

None.

VII. ATTACHMENTS

None.

THE BOARD OF COUNTY COMMISSIONERS, LANE COUNTY, OREGON

)	IN THE MATTER OF ACCEPTING AN
)	INTERGOVERNMENTAL AGREEMENT AND
ORDER)	DELEGATING SIGNATURE AUTHORITY TO THE
NO)	COUNTY ADMINISTRATOR FOR THE DISTRICT
)	ATTORNEY'S OFFICE JUVENILE DEPENDENCY
)	PROCESS

WHEREAS, District Attorney, Lane County and State of Oregon Department of Justice wish to cooperate to ensure more consistent statewide practice and participation by District Attorney in court appearances and related activities in juvenile dependency proceedings that occur at any time between the filing of a dependency petition pursuant to ORS 419B.809 and the entry by a court of a disposition order on the merits on all allegations in that petition; and

WHEREAS, District Attorneys and their Deputies have been appearing in dependency proceedings for many years in support of the safety and welfare of children without state dedicated funding for those efforts; and

WHEREAS, the Legislative Assembly appropriated funds for the 2011-2013 biennium to encourage District Attorneys to increase their involvement in juvenile dependency proceedings occurring at any time between the filing of a dependency petition pursuant to ORS 419B.809 and the entry by a court of a disposition order on the merits on all allegations in that petition; and

WHEREAS, the Legislative Assembly intend that its appropriation of funds would yield enlargements or other improvements in the quality of the juvenile dependency litigation programs in every county in Oregon; and,

WHEREAS, the Board of Commissioners may appropriate dedicated grant funds as per ORS 294.326.(3);

NOW, THEREFORE, IT IS HEREBY ORDERED that Lane County approve the intergovernmental agreement with the State of Oregon for juvenile dependency process in the amount of \$155,519; and

IT IS FURTHER ORDERED that the County Administrator is authorized to sign the intergovernmental agreement as described above subject to legal counsel review; and

APPROVED this _____ day of July, 2011.

Chair, Lane Board of County Commissioners

In the Matter of Accepting an Intergovernmental Agreement and Delegating Signature Authority to the County Administrator for the District Attorney's Office Juvenile Dependency Process.

APPROVED AS TO FORM

Date 7-12-11 lane county
[Signature]
OFFICE OF LEGAL COUNSEL

