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## AGENDA COVER MEMO

AGENDA DATE:

TO: Board of County Commissioners

DEPARTMENT: Youth Services

PRESENTED BY: Lisa Smith

AGENDA TITLE: IN THE MATTER OF AMENDING CHAPTER 60 OF LANE MANUAL  
TO ESTABLISH A FEE SCHEDULE FOR CERTAIN SERVICES  
PROVIDED BY YOUTH SERVICES

### I. MOTION

TO AMEND CHAPTER 60 OF LANE MANUAL TO ESTABLISH A  
FEE SCHEDULE FOR CERTAIN SERVICES PROVIDED BY YOUTH  
SERVICES

### II. ISSUE OR PROBLEM

Should Lane County allow the Department of Youth Services to charge  
youth and/or their families for certain services provided by Youth Services?

### III. DISCUSSION

#### A. Background/Analysis

The Department of Youth Services (DYS) provides assessment, probation, training, counseling and detention services for all youth, ages 12-17 years old, referred by local law enforcement because of criminal behavior. It is the branch of Lane County government responsible for services to youth accused of law violations or judged delinquent by the juvenile court. DYS is funded from the Lane County general fund, along with some state and federal grant funding for new programs. DYS provides a full range of services to youth and families, including but not limited to programs for anger management, responsible decision making and sex offender treatment, urinalysis, mental health services, suicide prevention, firestarting intervention, community service, diversion services and coordination, job and life skills instruction and general probation/supervision services. Historically, DYS has not charged for any of the provided services.

Due to significant budget reductions, expiration of grants and reductions in state funds, DYS has been examining various ways to increase revenue to the department in order to maintain some services and provide greater accountability for youth who are provided services. Over the past year, DYS has also been gathering simple financial information from clients to determine if fees would be viable for clients. According to the data collected, families referred to the DYS mirror that of Lane County. There are low, moderate and high incomes represented in the study with the greatest representation in the moderate category. The scale used in the study was the same as used by the Department of Human Services for welfare determinations.

DYS also used the Lane County Strategic Plan and its recommendation for the development of user fees for county services. As a result, a Fee Development Committee was formed. The committee reviewed the statutory authority for the imposition of fees, whether other county juvenile departments were charging fees, what fees should cover and amounts of fees. Their recommendations are as follows:

Diversion cases	\$20.00 per referral
Formal Accountability Agreements	\$25.00 per month
Formal Cases	\$30.00 per month

The fees would be utilized to help defray the costs of urinalysis, competency groups, contracted services, work crew coordination and other associated costs. Full cost recovery was determined to be too cost prohibitive for the majority of clients. Full cost recovery would be approximately \$2,000 per referral excluding the costs of detention, shelter and residential drug and alcohol services. Indigent clients will be able to make application for a reduced or excused fee.

Using very conservative assumptions on the rate of client indigency, DYS can expect to collect between \$200,000 with 100% collection rate to \$60,101 at a 30% collection rate.

The Oregon Revised Statutes allow Juvenile Departments to charge youth and/or parents for certain services. These include:

419C.239(A)	<i>Parents shall pay the cost of the youth's participation in a program through the Formal Accountability Agreement Assessment</i>
419C.443(1)	<i>Parents shall pay the cost of the youth's participation in a program through a Diversion Assessment</i>
419C.446(2)	<i>Court may order a supervision fee</i>
419C.449	<i>When a supervision fee is required, the fee shall</i>

	<i>be determined and fixed by the county juvenile department and fee shall be retained by the county for funding its juvenile department program</i>
419C.570(1)(D)	<i>Parent or guardian to pay all or a portion of the supervision fee if a supervision fee is imposed under ORS 419C.446(2)</i>
419C.575	<i>Court may require drug &amp; alcohol treatment and determine if parents should participate in treatment and pay the costs thereof.</i>
419C.590	<i>Court may, after a hearing, require the parents to pay towards the youth offenders support</i>

20 Oregon County Juvenile Departments charge clients and/or parents fees for a range of activities including supervision, diversion, urinalysis, polygraph, electronic monitoring and detention. Most departments collect the fees in-house although a few utilize collection agencies for collection. Overwhelmingly, these departments do not report that non-payment is a significant issue or that imposing a fee has caused an increase in non-compliance court filings. In fact, most departments report that the youth failing to pay fees are usually those youth who are in violation of other probation conditions. None of the departments that charged fees reported that they made any allowance for indigent clients. Fee amounts range from \$6.00 for a urinalysis to as much as \$175.00 for a full disclosure polygraph.

Some of the fees allowed by the Oregon Revised Statutes require a finding by the Juvenile Court Judge that there is ability to pay. Judge Kip Leonard has participated in the Fee Development Committee and has approved the fees as recommended.

On April 12, 2005, the Finance and Audit Committee recommended approval to the Lane County Board of County Commissioners.

B. Alternatives/Options

1. To approve the amendment of Chapter 60 of the Lane Manual to establish a fee schedule for certain services provided by the Department of Youth Services.
2. To not approve the amendment and not allow the Department of Youth Services to impose fees for certain services.

C. Recommendation

To approve #1 above.

Attach:      Board Order  
                 Lane Manual 60.880

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO.

IN THE MATTER OF AMENDING CHAPTER 60 OF  
THE LANE MANUAL TO ESTABLISH A FEE  
SCHEDULE FOR CERTAIN SERVICES PROVIDED  
BY THE DEPARTMENT OF YOUTH SERVICES (LM  
60.880)

The Board of County Commissioners of Lane County orders as follows:

Lane Manual Chapter 60 is hereby amended by removing, substituting, and adding the following section:

**DELETE THIS SECTION**

None

**INSERT THIS SECTION**

60.880  
as located on page 60-64  
(a total of 1 page)

Said section is attached hereto and incorporated herein by reference. The purpose of this substitution and addition is to establish a fee schedule for certain services provided by the Department of Youth Services (LM 60.880).

Adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2005.

\_\_\_\_\_  
Chair, Lane County Board of Commissioners

APPROVED/AS TO FORM  
Date 7/14/05 Lane County

  
OFFICE OF LEGAL COUNSEL

**60.877 Special Transportation Variance Permit Fees.**

Pursuant to ORS Chapter 818 and Lane Code Chapter 15, this section establishes a rate for Special Transportation Permits by Lane County.

Special Transportation Permits ..... \$8.00 each  
*(Revised by Order No. 99-8-11-3, Effective 9.12.99)*

**60.879 No Spray Area Permit Reinstatement Fee.**

Pursuant to ORS Chapters 368 and 374 and Lane Code Chapter 15, the Department of Public Works shall collect a fee in the amount of \$25 for the partial recovery of costs associated with reinstating an expired No Spray Area permit and reinstalling signs for the previous permittee under the Integrated Vegetation Management Program. *(Revised by Order No. 99-8-11-3, Effective 9.12.99)*

**60.880 Department of Youth Services.**

Pursuant to ORS Chapter 419C, this section establishes a fee schedule for the following services:

- (1) Diversion cases ..... \$20.00/referral
- (2) Formal Accountability Agreements ..... \$25.00/month
- (3) Formal probation cases ..... \$30.00/per month

**PUBLIC MEETINGS****60.905 Smoking**

In addition to the Board's own prohibition set forth in LM 50.005(14), it is the declared policy of the Board to discourage smoking at County sponsored public meetings.

The Chairman or person conducting any County sponsored Public meeting is encouraged to carry out the County no smoking policy as he or she deems appropriate.

The General Administrator is directed to communicate the policy set forth in this section to all appropriate persons. *(Revised by Order No. 75-1-22-2, Effective 1.22.75 [Errata 4.1.76])*

||At right margin indicates changes  
**Bold** indicates material being added  
~~Strikethrough~~ indicates material being deleted  
60.877 Lane Manual

**LEGISLATIVE  
FORMAT**  
60.905

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