



HOUSE BILL 12: Amend Gaston Foster Care Ombudsman Prog

2015-2016 General Assembly

Committee:	House Judiciary IV	Date:	March 24, 2015
Introduced by:	Rep. Torbett	Prepared by:	Kelly Tornow
Analysis of:	PCS to Second Edition H12-CSTH-6		Committee Counsel

SUMMARY: *The Second Edition of House Bill 12 would further define the rights and responsibilities of the foster care ombudsman program in Gaston County and would remove the sunset on the pilot program.*

The PCS is purely technical. It amends the existing local act to remove cites to G.S. 7B-906 and 7B-907 which were repealed in 2013, and amends the new statute (G.S. 7B-906.1) that replaced those repealed statutes.

CURRENT LAW: S.L. 2013-111 is an existing local act that creates a foster care ombudsman pilot program in Gaston County. The Gaston County Board of Commissioners establishes the criteria for the selection of the foster care ombudsman, and the ombudsman serves at the discretion of the Board. The duties of the foster care ombudsman are as follows:

- To be a party in all matters involving a juvenile placed in foster care after the disposition hearing and during the review hearing and permanency planning hearings.
- To determine the facts, needs, and available resources to meet the needs of foster families and to protect and promote the interests of foster families.
- To have authority to obtain confidential records where relevant to a case.
- To refer to the social services director or any appropriate law enforcement agency any suspicion that a juvenile is abused, neglected or dependent.
- To be a resource and advocate for foster parents.
- To provide a periodic report on foster placements within the county, including recommendations regarding current and future placements.
- To compile and make available data collected while exercising the official duties.
- To provide information on the role, duties and functions of foster parents and the ombudsperson.
- To comply with other duties or responsibilities deemed appropriate by the Board.

BILL ANALYSIS: The 2nd edition of House Bill 12 would do the following:

- Add a provision that a parent or juvenile could request the foster care ombudsman become involved in a matter prior to the disposition order being entered.
- Give Gaston County the option to designate an attorney to assist the ombudsman, if requested by the ombudsman.
- Expand access to Department of Social Services case files regarding juveniles who have been placed in foster care at any point.



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- Allow the ombudsman to assist pre-adoptive parents or relatives of the juvenile, if requested by the pre-adoptive parents or relatives.
- Remove the sunset provision which originally was July 1, 2015.

EFFECTIVE DATE: The bill applies to Gaston County only and would become effective when it becomes law.