

106TH CONGRESS  
1ST SESSION

# S. 708

To improve the administrative efficiency and effectiveness of the Nation's abuse and neglect courts and the quality and availability of training for judges, attorneys, and volunteers working in such courts, and for other purposes consistent with the Adoption and Safe Families Act of 1997.

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## IN THE SENATE OF THE UNITED STATES

MARCH 24, 1999

Mr. DEWINE (for himself, Mr. ROCKEFELLER, Mr. CHAFEE, Ms. LANDRIEU, Mr. LEVIN, Mr. KERRY, and Mr. KERREY) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To improve the administrative efficiency and effectiveness of the Nation's abuse and neglect courts and the quality and availability of training for judges, attorneys, and volunteers working in such courts, and for other purposes consistent with the Adoption and Safe Families Act of 1997.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Strengthening Abuse  
5       and Neglect Courts Act of 1999”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) Under both Federal and State law, the  
4 courts play a crucial and essential role in the Na-  
5 tion's child welfare system and in ensuring safety,  
6 stability, and permanence for abused and neglected  
7 children under the supervision of that system.

8 (2) The Adoption and Safe Families Act of  
9 1997 (Public Law 105–89; 111 Stat. 2115) estab-  
10 lishes explicitly for the first time in Federal law that  
11 a child's health and safety must be the paramount  
12 consideration when any decision is made regarding a  
13 child in the Nation's child welfare system.

14 (3) The Adoption and Safe Families Act of  
15 1997 promotes stability and permanence for abused  
16 and neglected children by requiring timely decision-  
17 making in proceedings to determine whether children  
18 can safely return to their families or whether they  
19 should be moved into safe and stable adoptive homes  
20 or other permanent family arrangements outside the  
21 foster care system.

22 (4) To avoid unnecessary and lengthy stays in  
23 the foster care system, the Adoption and Safe Fami-  
24 lies Act of 1997 specifically requires, among other  
25 things, that States move to terminate the parental

1 rights of the parents of those children who have  
2 been in foster care for 15 of the last 22 months.

3 (5) While essential to protect children and to  
4 carry out the general purposes of the Adoption and  
5 Safe Families Act of 1997, the accelerated timelines  
6 for the termination of parental rights and the other  
7 requirements imposed under that Act increase the  
8 pressure on the Nation's already overburdened abuse  
9 and neglect courts.

10 (6) The administrative efficiency and effective-  
11 ness of the Nation's abuse and neglect courts would  
12 be substantially improved by the acquisition and im-  
13 plementation of computerized case-tracking systems  
14 to identify and eliminate existing backlogs, to move  
15 abuse and neglect caseloads forward in a timely  
16 manner, and to move children into safe and stable  
17 families. Such systems could also be used to evaluate  
18 the effectiveness of such courts in meeting the pur-  
19 poses of the amendments made by, and provisions  
20 of, the Adoption and Safe Families Act of 1997.

21 (7) The administrative efficiency and effective-  
22 ness of the Nation's abuse and neglect courts would  
23 also be improved by the identification and implemen-  
24 tation of projects designed to eliminate the backlog  
25 of abuse and neglect cases, including the temporary

1 hiring of additional judges, extension of court hours,  
2 and other projects designed to reduce existing case-  
3 loads.

4 (8) The administrative efficiency and effective-  
5 ness of the Nation's abuse and neglect courts would  
6 be further strengthened by improving the quality  
7 and availability of training for judges, court per-  
8 sonnel, agency attorneys, guardians ad litem, volun-  
9 teers who participate in court-appointed special ad-  
10 vocate (CASA) programs, and attorneys who rep-  
11 resent the children and the parents of children in  
12 abuse and neglect proceedings.

13 (9) While recognizing that abuse and neglect  
14 courts in this country are already committed to the  
15 quality administration of justice, the performance of  
16 such courts would be even further enhanced by the  
17 development of models and educational opportunities  
18 that reinforce court projects that have already been  
19 developed, including models for case-flow procedures,  
20 case management, representation of children, auto-  
21 mated interagency interfaces, and "best practices"  
22 standards.

23 (10) Judges, magistrates, commissioners, and  
24 other judicial officers play a central and vital role in  
25 ensuring that proceedings in our Nation's abuse and

1 neglect courts are run efficiently and effectively. The  
2 performance of those individuals in such courts can  
3 only be further enhanced by training, seminars, and  
4 an ongoing opportunity to exchange ideas with their  
5 peers.

6 (11) Volunteers who participate in court-ap-  
7 pointed special advocate (CASA) programs play a  
8 vital role as the eyes and ears of abuse and neglect  
9 courts in proceedings conducted by, or under the su-  
10 pervision of, such courts and also bring increased  
11 public scrutiny of the abuse and neglect court sys-  
12 tem. The Nation's abuse and neglect courts would  
13 benefit from an expansion of this program to cur-  
14 rently underserved communities.

15 (12) Improved computerized case-tracking sys-  
16 tems, comprehensive training, and development of,  
17 and education on, model abuse and neglect court  
18 systems, particularly with respect to underserved  
19 areas, would significantly further the purposes of the  
20 Adoption and Safe Families Act of 1997 by reducing  
21 the average length of an abused and neglected  
22 child's stay in foster care, improving the quality of  
23 decision-making and court services provided to chil-  
24 dren and families, and increasing the number of  
25 adoptions.

1 **SEC. 3. DEFINITIONS.**

2 In this Act:

3 (a) ABUSE AND NEGLECT COURTS.—The term  
4 “abuse and neglect courts” means the State and local  
5 courts that carry out State or local laws requiring pro-  
6 ceedings (conducted by or under the supervision of the  
7 courts)—

8 (1) that implement part B and part E of title  
9 IV of the Social Security Act (42 U.S.C. 620 et seq.;  
10 670 et seq.) (including preliminary disposition of  
11 such proceedings);

12 (2) that determine whether a child was abused  
13 or neglected;

14 (3) that determine the advisability or appro-  
15 priateness of placement in a family foster home,  
16 group home, or a special residential care facility; or

17 (4) that determine any other legal disposition of  
18 a child in the abuse and neglect court system.

19 (b) AGENCY ATTORNEY.—The term “agency attor-  
20 ney” means an attorney or other individual, including any  
21 government attorney, district attorney, attorney general,  
22 State attorney, county attorney, city solicitor or attorney,  
23 corporation counsel, or privately retained special pros-  
24 ecutor, who represents the State or local agency adminis-  
25 trating the programs under parts B and E of title IV of  
26 the Social Security Act (42 U.S.C. 620 et seq.; 670 et

1 seq.) in a proceeding conducted by, or under the super-  
 2 vision of, an abuse and neglect court, including a pro-  
 3 ceeding for termination of parental rights.

4 (c) ATTORNEY REPRESENTING A CHILD.—The term  
 5 “attorney representing a child” means an attorney or a  
 6 guardian ad litem who represents a child in a proceeding  
 7 conducted by, or under the supervision of, an abuse and  
 8 neglect court.

9 (d) ATTORNEY REPRESENTING A PARENT.—The  
 10 term “attorney representing a parent” means an attorney  
 11 who represents a parent who is an official party to a pro-  
 12 ceeding conducted by, or under the supervision of, an  
 13 abuse and neglect court.

14 **SEC. 4. GRANTS TO STATE COURTS AND LOCAL COURTS TO**  
 15 **AUTOMATE THE DATA COLLECTION AND**  
 16 **TRACKING OF PROCEEDINGS IN ABUSE AND**  
 17 **NEGLECT COURTS.**

18 (a) AUTHORITY TO AWARD GRANTS.—

19 (1) IN GENERAL.—Subject to paragraph (2),  
 20 the Attorney General, acting through the Office of  
 21 Juvenile Justice and Delinquency Prevention of the  
 22 Office of Justice Programs, shall award grants in  
 23 accordance with this section to State courts and  
 24 local courts for the purposes of—

1 (A) enabling such courts to develop and  
2 implement automated data collection and case-  
3 tracking systems for proceedings conducted by,  
4 or under the supervision of, an abuse and ne-  
5 glect court;

6 (B) encouraging the replication of such  
7 systems in abuse and neglect courts in other ju-  
8 risdictions; and

9 (C) requiring the use of such systems to  
10 evaluate a court's performance in implementing  
11 the requirements of parts B and E of title IV  
12 of the Social Security Act (42 U.S.C. 620 et  
13 seq.; 670 et seq.).

14 (2) LIMITATIONS.—

15 (A) NUMBER OF GRANTS.—Not less than  
16 20 nor more than 50 grants may be awarded  
17 under this section.

18 (B) PER STATE LIMITATION.—Not more  
19 than 2 grants authorized under this section  
20 may be awarded per State.

21 (C) USE OF GRANTS.—Funds provided  
22 under a grant made under this section may only  
23 be used for the purpose of developing, imple-  
24 menting, or enhancing automated data collec-  
25 tion and case-tracking systems for proceedings



1           conducted by, or under the supervision of, an  
2           abuse and neglect court.

3       (b) APPLICATION.—

4           (1) IN GENERAL.—A State court or local court  
5       may submit an application for a grant authorized  
6       under this section at such time and in such manner  
7       as the Attorney General may determine.

8           (2) INFORMATION REQUIRED.—An application  
9       for a grant authorized under this section shall con-  
10      tain the following:

11           (A) A description of a proposed plan for  
12      the development, implementation, and mainte-  
13      nance of an automated data collection and case-  
14      tracking system for proceedings conducted by,  
15      or under the supervision of, an abuse and ne-  
16      glect court, including a proposed budget for the  
17      plan and a request for a specific funding  
18      amount.

19           (B) A description of the extent to which  
20      such plan and system are able to be replicated  
21      in abuse and neglect courts of other jurisdic-  
22      tions that specifies the common case-tracking  
23      data elements of the proposed system, includ-  
24      ing, at a minimum—

1 (i) identification of relevant judges,  
2 court, and agency personnel;

3 (ii) records of all court proceedings  
4 with regard to the abuse and neglect case,  
5 including all court findings and orders  
6 (oral and written); and

7 (iii) relevant information about the  
8 subject child, including family information  
9 and the reason for court supervision.

10 (C) In the case of an application submitted  
11 by a local court, a description of how the plan  
12 to implement the proposed system was devel-  
13 oped in consultation with related State courts,  
14 particularly with regard to a State court im-  
15 provement plan funded under section 13712 of  
16 the Omnibus Budget Reconciliation Act of 1993  
17 (42 U.S.C. 670 note) if there is such a plan in  
18 the State.

19 (D) In the case of an application that is  
20 submitted by a State court, a description of  
21 how the proposed system will integrate with a  
22 State court improvement plan funded under  
23 section 13712 of such Act if there is such a  
24 plan in the State.

1 (E) After consultation with the State agen-  
2 cy responsible for the administration of parts B  
3 and E of title IV of the Social Security Act (42  
4 U.S.C. 620 et seq.; 670 et seq.)—

5 (i) a description of the coordination of  
6 the proposed system with other child wel-  
7 fare data collection systems, including the  
8 Statewide automated child welfare infor-  
9 mation system (SACWIS) and the adop-  
10 tion and foster care analysis and reporting  
11 system (AFCARS) established pursuant to  
12 section 479 of the Social Security Act (42  
13 U.S.C. 679); and

14 (ii) an assurance that such coordina-  
15 tion will be implemented and maintained.

16 (F) Identification of an independent third  
17 party that will conduct ongoing evaluations of  
18 the feasibility and implementation of the plan  
19 and system and a description of the plan for  
20 conducting such evaluations.

21 (G) A description or identification of a  
22 proposed funding source for completion of the  
23 plan (if applicable) and maintenance of the sys-  
24 tem after the conclusion of the period for which  
25 the grant is to be awarded.

1           (H) An assurance that any contract en-  
2           tered into between the State court or local court  
3           and any other entity that is to provide services  
4           for the development, implementation, or mainte-  
5           nance of the system under the proposed plan  
6           will require the entity to agree to allow for rep-  
7           lication of the services provided, the plan, and  
8           the system, and to refrain from asserting any  
9           proprietary interest in such services for pur-  
10          poses of allowing the plan and system to be rep-  
11          licated in another jurisdiction.

12          (I) An assurance that the system estab-  
13          lished under the plan will provide data that al-  
14          lows for evaluation (at least on an annual basis)  
15          of the following information:

16               (i) The total number of cases that are  
17               filed in the abuse and neglect court.

18               (ii) The number of cases assigned to  
19               each judge who presides over the abuse  
20               and neglect court.

21               (iii) The average length of stay of  
22               children in foster care.

23               (iv) With respect to each child under  
24               the jurisdiction of the court—

1 (I) the number of episodes of  
2 placement in foster care;

3 (II) the number of days placed in  
4 foster care and the type of placement  
5 (foster family home, group home, or  
6 special residential care facility);

7 (III) the number of days of in-  
8 home supervision; and

9 (IV) the number of separate fos-  
10 ter care placements.

11 (v) The number of adoptions,  
12 guardianships, or other permanent disposi-  
13 tions finalized.

14 (vi) The number of terminations of  
15 parental rights.

16 (vii) The number of child abuse and  
17 neglect proceedings closed that had been  
18 pending for 2 or more years.

19 (viii) With respect to each proceeding  
20 conducted by, or under the supervision of,  
21 an abuse and neglect court—

22 (I) the timeliness of each stage of  
23 the proceeding from initial filing  
24 through legal finalization of a perma-

1 nency plan (for both contested and  
2 uncontested hearings);

3 (II) the number of adjournments,  
4 delays, and continuances occurring  
5 during the proceeding, including iden-  
6 tification of the party requesting each  
7 adjournment, delay, or continuance  
8 and the reasons given for the request;

9 (III) the number of courts that  
10 conduct or supervise the proceeding  
11 for the duration of the abuse and ne-  
12 glect case;

13 (IV) the number of judges as-  
14 signed to the proceeding for the dura-  
15 tion of the abuse and neglect case;  
16 and

17 (V) the number of agency attor-  
18 neys, children's attorneys, parent's at-  
19 torneys, guardians ad litem, and vol-  
20 unteers participating in a court-ap-  
21 pointed special advocate (CASA) pro-  
22 gram assigned to the proceeding dur-  
23 ing the duration of the abuse and ne-  
24 glect case.

1           (J) A description of how the proposed sys-  
 2           tem will reduce the need for paper files and en-  
 3           sure prompt action so that cases are appro-  
 4           priately listed with national and regional adop-  
 5           tion exchanges, and public and private adoption  
 6           services.

7           (K) An assurance that the data collected in  
 8           accordance with subparagraph (I) will be made  
 9           available to relevant Federal, State, and local  
 10          government agencies and to the public.

11          (L) An assurance that the proposed system  
 12          is consistent with other civil and criminal infor-  
 13          mation requirements of the Federal govern-  
 14          ment.

15          (M) An assurance that the proposed sys-  
 16          tem will provide notice of timeframes required  
 17          under the Adoption and Safe Families Act of  
 18          1997 (Public Law 105–89; 111 Stat. 2115) for  
 19          individual cases to ensure prompt attention and  
 20          compliance with such requirements.

21          (c) CONDITIONS FOR APPROVAL OF APPLICA-  
 22          TIONS.—

23           (1) MATCHING REQUIREMENT.—

24           (A) IN GENERAL.—A State court or local  
 25          court awarded a grant under this section shall

1        expend \$1 for every \$3 awarded under the  
2        grant to carry out the development, implemen-  
3        tation, and maintenance of the automated data  
4        collection and case-tracking system under the  
5        proposed plan.

6                (B) WAIVER FOR HARDSHIP.—The Attor-  
7        ney General may waive or modify the matching  
8        requirement described in subparagraph (A) in  
9        the case of any State court or local court that  
10       the Attorney General determines would suffer  
11       undue hardship as a result of being subject to  
12       the requirement.

13               (C) NON-FEDERAL EXPENDITURES.—

14                (i) CASH OR IN KIND.—State court or  
15        local court expenditures required under  
16        subparagraph (A) may be in cash or in  
17        kind, fairly evaluated, including plant,  
18        equipment, or services.

19                (ii) NO CREDIT FOR PRE-AWARD EX-  
20        PENDITURES.—Only State court or local  
21        court expenditures made after a grant has  
22        been awarded under this section may be  
23        counted for purposes of determining  
24        whether the State court or local court has



1 satisfied the matching expenditure require-  
2 ment under subparagraph (A).

3 (2) NOTIFICATION TO STATE OR APPROPRIATE  
4 CHILD WELFARE AGENCY.—No application for a  
5 grant authorized under this section may be approved  
6 unless the State court or local court submitting the  
7 application demonstrates to the satisfaction of the  
8 Attorney General that the court has provided the  
9 State, in the case of a State court, or the appro-  
10 priate child welfare agency, in the case of a local  
11 court, with notice of the contents and submission of  
12 the application.

13 (3) CONSIDERATIONS.—In evaluating an appli-  
14 cation for a grant under this section the Attorney  
15 General shall consider the following:

16 (A) The extent to which the system pro-  
17 posed in the application may be replicated in  
18 other jurisdictions.

19 (B) The extent to which the proposed sys-  
20 tem is consistent with the provisions of, and  
21 amendments made by, the Adoption and Safe  
22 Families Act of 1997 (Public Law 105–89; 111  
23 Stat. 2115), and parts B and E of title IV of  
24 the Social Security Act (42 U.S.C. 620 et seq.;  
25 670 et seq.).

1           (C) The extent to which the proposed sys-  
2           tem is feasible and likely to achieve the pur-  
3           poses described in subsection (a)(1).

4           (4) DIVERSITY OF AWARDS.—The Attorney  
5           General shall award grants under this section in a  
6           manner that results in a reasonable balance among  
7           grants awarded to State courts and grants awarded  
8           to local courts, grants awarded to courts located in  
9           urban areas and courts located in rural areas, and  
10          grants awarded in diverse geographical locations.

11          (d) LENGTH OF AWARDS.—No grant may be award-  
12          ed under this section for a period of more than 5 years.

13          (e) AVAILABILITY OF FUNDS.—Funds provided to a  
14          State court or local court under a grant awarded under  
15          this section shall remain available until expended without  
16          fiscal year limitation.

17          (f) REPORTS.—

18               (1) ANNUAL REPORT FROM GRANTEES.—Each  
19          State court or local court that is awarded a grant  
20          under this section shall submit an annual report to  
21          the Attorney General that contains—

22                   (A) a description of the ongoing results of  
23                   the independent evaluation of the plan for, and  
24                   implementation of, the automated data collec-

tion and case-tracking system funded under the grant; and

(B) the information described in subsection (b)(2)(I).

(2) INTERIM AND FINAL REPORTS FROM ATTORNEY GENERAL.—

(A) INTERIM REPORTS.—Beginning 2 years after the date of enactment of this Act, and biannually thereafter until a final report is submitted in accordance with subparagraph (B), the Attorney General shall submit to Congress interim reports on the grants made under this section.

(B) FINAL REPORT.—Not later than 90 days after the termination of all grants awarded under this section, the Attorney General shall submit to Congress a final report evaluating the automated data collection and case-tracking systems funded under such grants and identifying successful models of such systems that are suitable for replication in other jurisdictions. The Attorney General shall ensure that a copy of such final report is transmitted to the highest State court in each State.

1 (g) AUTHORIZATION OF APPROPRIATIONS.—There is  
 2 authorized to be appropriated to carry out this section,  
 3 \$10,000,000 for the period of fiscal years 2000 through  
 4 2004.

5 **SEC. 5. GRANTS TO REDUCE PENDING BACKLOGS OF**  
 6 **ABUSE AND NEGLECT CASES TO PROMOTE**  
 7 **PERMANENCY FOR ABUSED AND NEGLECTED**  
 8 **CHILDREN.**

9 Part E of title IV of the Social Security Act (42  
 10 U.S.C. 670 et seq.) is amended by adding at the end the  
 11 following:

12 **“SEC. 479B. GRANTS TO REDUCE BACKLOGS OF ABUSE AND**  
 13 **NEGLECT CASES.**

14 “(a) IN GENERAL.—Subject to the amount appro-  
 15 priated under subsection (f), the Secretary shall make  
 16 grants to State courts or local courts for the purposes of—

17 “(1) promoting the permanency goals estab-  
 18 lished in the Adoption and Safe Families Act of  
 19 1997 (Public Law 105–89; 111 Stat. 2115); and

20 “(2) enabling such courts to reduce existing  
 21 backlogs of cases pending in abuse and neglect  
 22 courts, especially with respect to cases to terminate  
 23 parental rights and cases in which parental rights to  
 24 a child have been terminated but an adoption of the  
 25 child has not yet been finalized.

1       “(b) APPLICATION.—A State court or local court  
2 shall submit an application for a grant under this section,  
3 in such form and manner as the Secretary shall require,  
4 that contains a description of the following:

5           “(1) The barriers to achieving the permanency  
6 goals established in the Adoption and Safe Families  
7 Act of 1997 that have been identified.

8           “(2) The size and nature of the backlogs of  
9 children awaiting termination of parental rights or  
10 finalization of adoption.

11          “(3) The strategies the State court or local  
12 court proposes to use to reduce such backlogs and  
13 the plan and timetable for doing so.

14          “(4) How the grant funds requested will be  
15 used to assist the implementation of the strategies  
16 described in paragraph (3).

17       “(c) USE OF FUNDS.—Funds provided under a grant  
18 awarded under this section may be used for any purpose  
19 that the Secretary determines is likely to successfully  
20 achieve the purposes described in subsection (a), including  
21 temporarily—

22           “(1) establishing night court sessions for abuse  
23 and neglect courts;

1           “(2) hiring additional judges, magistrates, com-  
2           missioners, hearing officers, referees, special mas-  
3           ters, and other judicial personnel for such courts;

4           “(3) hiring personnel such as clerks, adminis-  
5           trative support staff, case managers, mediators, and  
6           attorneys for such courts; or

7           “(4) extending the operating hours of such  
8           courts.

9           “(d) NUMBER OF GRANTS.—Not less than 15 nor  
10          more than 20 grants shall be awarded under this section.

11          “(e) AVAILABILITY OF FUNDS.—Funds awarded  
12          under a grant made under this section shall remain avail-  
13          able for expenditure by a grantee for a period not to ex-  
14          ceed 3 years from the date of the grant award.

15          “(f) REPORT ON USE OF FUNDS.—Not later than the  
16          date that is halfway through the period for which a grant  
17          is awarded under this section, and 90 days after the end  
18          of such period, a State court or local court awarded a  
19          grant under this section shall submit a report to the Sec-  
20          retary that includes the following:

21                 “(1) The barriers to the permanency goals es-  
22                 tablished in the Adoption and Safe Families Act of  
23                 1997 that are or have been addressed with grant  
24                 funds.

1           “(2) The nature of the backlogs of children that  
2           were pursued with grant funds.

3           “(3) The specific strategies used to reduce such  
4           backlogs.

5           “(4) The progress that has been made in reduc-  
6           ing such backlogs, including the number of children  
7           in such backlogs—

8                   “(A) whose parental rights have been ter-  
9                   minated; and

10                   “(B) whose adoptions have been finalized.

11           “(5) Any additional information that the Sec-  
12           retary determines would assist jurisdictions in  
13           achieving the permanency goals established in the  
14           Adoption and Safe Families Act of 1997.

15           “(g) DEFINITION OF ABUSE AND NEGLECT COURT.—  
16           In this section, the term ‘abuse and neglect court’ has the  
17           meaning given that term in section 3(a) of the Strength-  
18           ening Abuse and Neglect Courts Act of 1999.

19           “(h) APPROPRIATION.—Out of any money in the  
20           Treasury of the United States not otherwise appropriated,  
21           there are appropriated for fiscal year 2000 \$10,000,000  
22           for the purpose of making grants under this section.”.

1 **SEC. 6. TRAINING IN CHILD ABUSE AND NEGLECT PRO-**  
 2 **CEEDINGS.**

3 (a) IN GENERAL.—Section 474(a)(3) of the Social  
 4 Security Act (42 U.S.C. 674(a)(3)) is amended—

5 (1) by redesignating subparagraphs (C), (D),  
 6 and (E) as subparagraphs (D), (E), and (F), respec-  
 7 tively; and

8 (2) by inserting after subparagraph (B), the  
 9 following:

10 “(C) 75 percent of so much of such ex-  
 11 penditures as are for the training (including  
 12 cross-training with personnel employed by, or  
 13 under contract with, the State or local agency  
 14 administering the plan in the political subdivi-  
 15 sion, training on topics relevant to the legal  
 16 representation of clients in proceedings con-  
 17 ducted by or under the supervision of an abuse  
 18 and neglect court (as defined in section 3(a) of  
 19 the Strengthening Abuse and Neglect Courts  
 20 Act of 1999), and training on related topics  
 21 such as child development and the importance  
 22 of developing a trusting relationship with a  
 23 child) of judges, judicial personnel, law enforce-  
 24 ment personnel, agency attorneys (as defined in  
 25 section 3(b) of such Act), attorneys rep-  
 26 resenting parents in proceedings conducted by,



1 or under the supervision of, an abuse and ne-  
2 glect court (as so defined), attorneys rep-  
3 resenting children in such proceedings, guard-  
4 ians ad litem, and volunteers who participate in  
5 court-appointed special advocate (CASA) pro-  
6 grams, to the extent such training is related to  
7 provisions of, and amendments made by, the  
8 Adoption and Safe Families Act of 1997 (Pub-  
9 lic Law 105–89; 111 Stat. 2115), provided that  
10 any such training that is offered to judges or  
11 other judicial personnel shall be offered by, or  
12 under contract with, the State or local agency  
13 in collaboration with the judicial conference or  
14 other appropriate judicial governing body oper-  
15 ating in the State.”.

16 (b) CONFORMING AMENDMENTS.—

17 (1) Section 473(a)(6)(B) of such Act (42  
18 U.S.C. 673(a)(6)(B)) is amended by striking  
19 “474(a)(3)(E)” and inserting “474(a)(3)(F)”.

20 (2) Section 474(a)(3)(D) of such Act (42  
21 U.S.C. 674(a)(3)(D)) (as redesignated by paragraph  
22 (1)(A)) is amended by striking “subparagraph (C)”  
23 and inserting “subparagraph (D)”.

1           (3) Section 474(c) of such Act (42 U.S.C.  
2       674(c)) is amended by striking “subsection  
3       (a)(3)(C)” and inserting “subsection (a)(3)(D)”.

4   **SEC. 7. STATE STANDARDS FOR AGENCY ATTORNEYS.**

5       Section 471(a) of the Social Security Act (42 U.S.C.  
6   671(a)) is amended—

7           (1) in paragraph (22), by striking “and” at the  
8       end;

9           (2) in paragraph (23), by striking the period  
10       and inserting “; and”; and

11          (3) by adding at the end the following:

12           “(24) provides that, not later than January 1,  
13       2001, the State shall develop and encourage the im-  
14       plementation of guidelines for all agency attorneys  
15       (as defined in section 3(b) of the Strengthening  
16       Abuse and Neglect Courts Act of 1999), including  
17       legal education requirements for such attorneys re-  
18       garding the handling of abuse, neglect, and depend-  
19       ency proceedings.”.

20   **SEC. 8. TECHNICAL ASSISTANCE FOR CHILD ABUSE, NE-**  
21                   **GLECT, AND DEPENDENCY MATTERS.**

22       (a) IN GENERAL.—The Secretary of Health and  
23   Human Services, in coordination with the Attorney Gen-  
24   eral, shall provide the technical assistance, training, and  
25   evaluations authorized under this section through grants,

1 contracts, or cooperative arrangements with other entities,  
2 including universities, and national, State, and local orga-  
3 nizations. The Secretary of Health and Human Services  
4 and the Attorney General should ensure that entities that  
5 have not had a previous contractual relationship with the  
6 Department of Health and Human Services, the Depart-  
7 ment of Justice, or another Federal agency can compete  
8 for grants for technical assistance, training, and evalua-  
9 tions.

10 (b) PURPOSE.—Technical assistance shall be pro-  
11 vided under this section for the purpose of supporting and  
12 assisting State and local courts that handle child abuse,  
13 neglect, and dependency matters to effectively carry out  
14 new responsibilities enacted as part of the Adoption and  
15 Safe Families Act of 1997 (Public Law 105–89; 111 Stat.  
16 2115) and to speed the process of adoption of children  
17 and legal finalization of permanent families for children  
18 in foster care by improving practices of the courts involved  
19 in that process.

20 (c) ACTIVITIES.—Technical assistance consistent  
21 with the purpose described in subsection (b) may be pro-  
22 vided under this section through the following:

23 (1) The dissemination of information, existing  
24 and effective models, and technical assistance to  
25 State and local courts that receive grants under sec-

1       tion 4 concerning the automated data collection and  
2       case-tracking systems and outcome measures re-  
3       quired under that section.

4           (2) The provision of specialized training on  
5       child development that is appropriate for judges, ref-  
6       erees, nonjudicial decision-makers, administrative,  
7       and other court-related personnel, and for agency at-  
8       torneys, attorneys representing children, guardians  
9       ad litem, volunteers who participate in court-ap-  
10      pointed special advocate (CASA) programs, or par-  
11      ents.

12          (3) The provision of assistance and dissemina-  
13      tion of information about best practices of abuse and  
14      neglect courts for effective case management strate-  
15      gies and techniques, including automated data col-  
16      lection and case-tracking systems, assessments of  
17      caseload and staffing levels, management of court  
18      dockets, timely decision-making at all stages of a  
19      proceeding conducted by, or under the supervision  
20      of, an abuse and neglect court, and the development  
21      of streamlined case flow procedures, case manage-  
22      ment models, early case resolution programs, mecha-  
23      nisms for monitoring compliance with the terms of  
24      court orders, models for representation of children,  
25      automated interagency interfaces between data

1 bases, and court rules that facilitate timely case  
2 processing.

3 (4) The development and dissemination of  
4 training models for judges, attorneys representing  
5 children, agency attorneys, guardians ad litem, and  
6 volunteers who participate in court-appointed special  
7 advocate (CASA) programs.

8 (5) The development of standards of practice  
9 for agency attorneys, attorneys representing chil-  
10 dren, guardians ad litem, volunteers who participate  
11 in court-appointed special advocate (CASA) pro-  
12 grams, and parents in such proceedings.

13 (d) TRAINING REQUIREMENT.—Any training offered  
14 in accordance with this section to judges or other judicial  
15 personnel shall be offered in collaboration with the judicial  
16 conference or other appropriate judicial governing body  
17 operating with respect to the State in which the training  
18 is offered.

19 (e) AUTHORIZATION OF APPROPRIATIONS.—There is  
20 authorized to carry out this section \$5,000,000 for the pe-  
21 riod of fiscal years 2000 through 2004.

1 **SEC. 9. GRANTS TO EXPAND THE COURT-APPOINTED SPE-**  
2 **CIAL ADVOCATE PROGRAM IN UNDERSERVED**  
3 **AREAS.**

4 (a) GRANTS TO EXPAND CASA PROGRAMS IN UN-  
5 DERSERVED AREAS.—The Administrator of the Office of  
6 Juvenile Justice and Delinquency Prevention of the De-  
7 partment of Justice shall make a grant to the National  
8 Court-Appointed Special Advocate Association for the pur-  
9 poses of—

10 (1) expanding the recruitment of, and building  
11 the capacity of, court-appointed special advocate  
12 programs located in the 15 largest urban areas;

13 (2) developing regional, multijurisdictional  
14 court-appointed special advocate programs serving  
15 rural areas; and

16 (3) providing training and supervision of volun-  
17 teers in court-appointed special advocate programs.

18 (b) LIMITATION ON ADMINISTRATIVE EXPENDI-  
19 TURES.—Not more than 5 percent of the grant made  
20 under this subsection may be used for administrative ex-  
21 penditures.

22 (c) DETERMINATION OF URBAN AND RURAL  
23 AREAS.—For purposes of administering the grant author-  
24 ized under this subsection, the Administrator of the Office  
25 of Juvenile Justice and Delinquency Prevention of the De-  
26 partment of Justice shall determine whether an area is

1 one of the 15 largest urban areas or a rural area in ac-  
2 cordance with the practices of, and statistical information  
3 compiled by, the Bureau of the Census.

4 (d) AUTHORIZATION OF APPROPRIATIONS.—There is  
5 authorized to be appropriated to make the grant author-  
6 ized under this section, \$5,000,000 for fiscal year 2000.

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