

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Human Services to which was referred House Bill
3 No. 215 entitled “An act relating to the Office of the Child Advocate”
4 respectfully reports that it has considered the same and recommends that the
5 bill be amended by striking out all after the enacting clause and inserting in
6 lieu thereof the following:

7 Sec. 1. ASSESSMENT AND RECOMMENDATION; OFFICE OF THE
8 CHILD ADVOCATE

9 (a) The Joint Legislative Child Protection Oversight Committee established
10 pursuant to 2015 Acts and Resolves No. 60, Sec. 23, as amended by 2018 Acts
11 and Resolves No. 207, Sec. 2, shall assess the need for an Office of the Child
12 Advocate in Vermont and explore models adopted by other states to achieve
13 the same. In conducting its assessment and formulating a recommendation, the
14 Committee shall specifically consider:

15 (1) the scope of an Office of the Child Advocate, including whether the
16 Office would provide systems-wide oversight or review individual complaints,
17 or both;

18 (2) the degree of independence with which the Office would operate and
19 in which State agency it would be embedded, if any;

1 (3) the relationship of the Office to the Department for Children and
2 Families' Family Services Division, other government entities with existing
3 child protection responsibilities, and current complaint processes;

4 (4) the composition of the staff and reporting structure within the Office;

5 (5) the manner of appointing and confirming a Child Advocate and the
6 composition of any advisory board to the Child Advocate; and

7 (6) access to confidential data held by the Department for Children and
8 Families and the ability of the Child Advocate to speak directly to a child
9 without the permission of a parent or guardian.

10 (b) In conducting its assessment, the Committee shall consult with:

11 (1) the Department for Children and Families;

12 (2) a representative of the Vermont Foster and Adoptive Family
13 Association;

14 (3) a representative of Vermont Kin as Parents;

15 (4) at least one person who was previously in foster care in Vermont;

16 (5) one or more parents of origin who have experienced Vermont's child
17 protection system and had their parental rights terminated;

18 (6) one or more parents of origin who have experienced Vermont's child
19 protection system and have been reunited with their child or children;

20 (7) a representative of Vermont's Judicial Branch;

21 (8) a guardian ad litem;

- 1 (9) the Defender General or designee;
2 (10) a representative of the Vermont Citizen’s Advisory Board; and
3 (11) any other person or entity from whom the Committee chooses to
4 receive testimony.

5 (c) The Committee shall provide an opportunity for the public to provide
6 feedback to the Committee on the creation and structure of an Office of the
7 Child Advocate in Vermont.

8 (d) On or before December 1, 2020, the Committee shall submit any
9 proposed draft legislation to the General Assembly that shall reflect the
10 findings and recommendations of the Committee’s assessment conducted
11 pursuant to this section.

12 Sec. 2. EFFECTIVE DATE

13 This act shall take effect on July 1, 2020.

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16 (Committee vote: _____)

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Representative _____

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FOR THE COMMITTEE