

State of Arizona
House of Representatives
Forty-fifth Legislature
First Regular Session
2001

CHAPTER 187

HOUSE BILL 2063

AN ACT

AMENDING SECTIONS 8-514.02, 8-526 AND 8-806, ARIZONA REVISED STATUTES;
RELATING TO CHILD WELFARE AND PLACEMENTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 8-514.02, Arizona Revised Statutes, is amended to
3 read:

4 8-514.02. Placement with parent or relative

5 A. The department may place a child with a parent or relative.

6 B. Unless approved in writing by the department, the parent or
7 relative shall not allow the child to:

8 1. Be placed with any other person.

9 2. Have any contact with the allegedly abusive or neglectful parent,
10 guardian or custodian or other person designated by the department.

11 3. Leave this state.

12 C. IF A CHILD IS PLACED WITH A PARENT OR RELATIVE PURSUANT TO THIS
13 SECTION, THE DEPARTMENT SHALL INFORM THE PARENT OR RELATIVE ABOUT AVAILABLE
14 FINANCIAL AND NONFINANCIAL SERVICES AND ELIGIBILITY REQUIREMENTS AND SHALL
15 ASSIST THE PARENT OR RELATIVE TO COMPLETE THE NECESSARY APPLICATIONS.

16 Sec. 2. Section 8-526, Arizona Revised Statutes, is amended to read:

17 8-526. Child welfare; reporting requirements

18 A. The department shall compile the following information on a
19 semiannual basis ending March 31 and September 30 of each year:

20 1. The total number of reports received, by major category and by
21 priority. The report shall include a description of some of those incoming
22 communications determined not to meet the criteria of a report as chosen by
23 a random sample.

24 2. The number of reports not responded to, by priority, by county and
25 statewide. The report shall include a description of some of these cases as
26 chosen by random sample.

27 3. The number of reports responded to by priority and by major
28 category, by county and statewide.

29 4. The number of reports with a substantiated finding after
30 investigation, by priority, by county and statewide, that resulted in:

31 (a) The case being closed after an investigation.

32 (b) In-home services being provided after an investigation.

33 (c) Out-of-home services being provided after an investigation.

34 5. THE NUMBER OF CHILDREN ENTERING OUT-OF-HOME CARE BY COUNTY DURING
35 THE REPORTING PERIOD, AND THE NUMBER AND PERCENTAGE OF THE CHILDREN ENTERING
36 OUT-OF-HOME CARE BY COUNTY DURING THE REPORTING PERIOD WHO ARE VOLUNTARY
37 PLACEMENTS FOR CHILDREN UNDER EIGHTEEN YEARS OF AGE.

38 ~~5.~~ 6. The number of direct client service positions that are vacant
39 at the end of the reporting period.

40 ~~6.~~ 7. The number and percentage of children who have remained in a
41 shelter or receiving home for more than twenty-one consecutive days, by the
42 child's age group.

43 ~~7.~~ 8. The number and type of licensed foster homes and the number of
44 licensed and available spaces in those homes.

- 1 ~~8.~~ 9. The number and type of licensed foster homes that leave the
2 foster care system and the reason for the exit.
- 3 ~~9.~~ 10. The number of licensed foster homes that receive the required
4 visitation by case managers pursuant to section 8-516.
- 5 ~~10.~~ 11. The number of children placed in the care, custody and control
6 of the department at the end of the reporting period and the number of these
7 children who receive the required visitation by case managers pursuant to
8 section 8-516.
- 9 ~~11.~~ 12. The number and percentage of children who are in the care,
10 custody and control of the department at the end of the reporting period and
11 who are in out-of-home placement and as categorized by:
- 12 (a) Age.
- 13 (b) Ethnicity.
- 14 (c) Case plan goal.
- 15 (d) Type of out-of-home placement.
- 16 (e) Length of time in out-of-home placement of less than thirty days,
17 thirty-one days to twelve consecutive months, twelve to twenty-four
18 consecutive months and more than twenty-four consecutive months.
- 19 (f) PRIMARY LEGAL STATUS INCLUDING VOLUNTARY PLACEMENT FOR A CHILD
20 UNDER EIGHTEEN YEARS OF AGE, TEMPORARY CUSTODY, ADJUDICATED DEPENDENT, FREE
21 FOR ADOPTION, VOLUNTARY PLACEMENT FOR A CHILD OVER EIGHTEEN YEARS OF AGE,
22 DUALY ADJUDICATED OR ANY OTHER LEGAL STATUS.
- 23 ~~12.~~ 13. If the case plan is to return the child to the parent, the
24 percentage of parents who receive the required contact by case managers.
- 25 ~~13.~~ 14. The number and percentage of children who left the custody of
26 the department during the reporting period by reason for leaving care and as
27 categorized by:
- 28 (a) Age.
- 29 (b) Ethnicity.
- 30 (c) Number of placements.
- 31 (d) Average length of time in care.
- 32 ~~14.~~ 15. The number and percentage of children with a case plan goal
33 of adoption and who are not placed in an adoptive home at the end of the
34 reporting period and as categorized by:
- 35 (a) Age.
- 36 (b) Ethnicity.
- 37 (c) Average length of time in care.
- 38 (d) Legal status.
- 39 ~~15.~~ 16. The number and percentage of children with a case plan goal
40 of adoption and who are placed in an adoptive home at the end of the
41 reporting period and as categorized by:
- 42 (a) Age.
- 43 (b) Ethnicity.
- 44 (c) Average length of time in out-of-home placement.

1 (d) Length of time from change of case plan goal to adoptive
2 placement.

3 (e) Legal status.

4 ~~16.~~ 17. The number of children whose adoptions were finalized during
5 the reporting period and as categorized by:

6 (a) Average length of time in out-of-home placement before adoptive
7 placement.

8 (b) Average length of time in adoptive placement before the final
9 order of adoption.

10 B. Within three months after the end of each reporting period the
11 department shall submit a written report in as brief a format as possible to
12 the governor, the president of the senate, the speaker of the house of
13 representatives, the chairperson of the house human services committee, the
14 chairperson of the senate family services committee, or their successor
15 committees, and the cochairpersons of the joint legislative committee on
16 children and family services. The department shall submit a copy of the
17 report to the secretary of state and the director of the Arizona state
18 library, archives and public records.

19 Sec. 3. Section 8-806, Arizona Revised Statutes, is amended to read:

20 8-806. Voluntary placement; conditions; notice of placement;
21 time limit; rules

22 A. A child is eligible to be accepted into voluntary placement by a
23 protective services worker on behalf of the department.

24 B. On acceptance of a child into voluntary placement, the worker shall
25 MUST prepare a notice of placement and shall file the notice in the case file
26 of the child.

27 C. A period of voluntary placement pursuant to this section shall not
28 exceed ninety days. A WORKER SHALL NOT ACCEPT a child ~~shall not be accepted~~
29 into voluntary placement for more than two periods within twenty-four
30 consecutive months unless a dependency petition is pending.

31 D. THE DEPARTMENT MAY ACCEPT A VOLUNTARY PLACEMENT AGREEMENT ONLY IF
32 THE DEPARTMENT CAN PROVIDE NECESSARY SERVICES THAT ARE LIKELY TO REMEDY THE
33 CIRCUMSTANCES THAT BRING THE CHILD INTO CARE WITHIN THE NINETY DAY PERIOD AND
34 ONE OF THE FOLLOWING APPLIES:

35 1. THE DEPARTMENT PLANS TO RETURN THE CHILD TO THE PARENT, GUARDIAN
36 OR CUSTODIAN WHO SIGNED THE CHILD INTO VOLUNTARY PLACEMENT.

37 2. WHILE THE CHILD IS IN VOLUNTARY PLACEMENT, THE PARENT, GUARDIAN OR
38 CUSTODIAN ARRANGES A SAFE ALTERNATIVE PLACEMENT FOR THE CHILD AFTER THE
39 VOLUNTARY PLACEMENT.

40 ~~D.~~ E. A worker shall not accept a child into voluntary placement
41 without the written informed consent of the child's parent, guardian or
42 custodian. The department shall terminate voluntary placement on receipt of
43 written revocation of consent by the parent, guardian or custodian.

44 ~~E.~~ F. A worker shall not accept a child, age twelve or older and not
45 developmentally disabled, into voluntary placement without the written

1 informed consent of the child unless the department determines that voluntary
2 placement of the child is clearly necessary to prevent abuse.

3 F. G. The fact of voluntary placement does not constitute
4 abandonment, abuse or dependency as defined in this article and may not be
5 used in a judicial proceeding as an admission of criminal wrongdoing by that
6 parent, GUARDIAN OR CUSTODIAN.

7 G. H. The department shall adopt rules in accordance with title 41,
8 chapter 6 for the purpose of assessing parents for the full or partial cost
9 of voluntary placement.

10 I. THE DEPARTMENT MUST DEVELOP A CASE PLAN WITH THE CHILD'S PARENT,
11 GUARDIAN OR CUSTODIAN WITHIN TEN DAYS OF A CHILD'S VOLUNTARY PLACEMENT AS
12 FOLLOWS:

13 1. THE CASE PLAN SHALL ESTABLISH THE SERVICES NECESSARY TO PROMOTE THE
14 SAFETY OF THE CHILD ON THE PLANNED RETURN OF THE CHILD TO THE PARENT,
15 GUARDIAN, CUSTODIAN OR ALTERNATIVE PLACEMENT.

16 2. THE DEPARTMENT SHALL PROVIDE, CONTRACT WITH A SERVICE PROVIDER TO
17 PROVIDE OR ASSIST IN ACCESSING COMMUNITY RESOURCES TO PROVIDE THE SERVICES
18 IN THE CASE PLAN.

19 3. THE DEPARTMENT MUST SHARE THE CASE PLAN WITH THE FOSTER PARENT,
20 PHYSICAL CUSTODIAN OR OTHER VOLUNTARY PLACEMENT PROVIDER OF THE CHILD.

21 J. BEFORE RETURNING THE CHILD TO A PARENT, GUARDIAN, CUSTODIAN OR
22 ALTERNATIVE PLACEMENT, THE DEPARTMENT SHALL INFORM THE PARENT, GUARDIAN,
23 CUSTODIAN OR ALTERNATIVE PLACEMENT ABOUT AVAILABLE FINANCIAL AND NONFINANCIAL
24 SERVICES AND ELIGIBILITY REQUIREMENTS AND SHALL ASSIST THE PARENT, GUARDIAN,
25 CUSTODIAN OR ALTERNATIVE PLACEMENT TO COMPLETE THE NECESSARY APPLICATIONS.

APPROVED BY THE GOVERNOR APRIL 21, 2001.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 23, 2001.

Passed the House January 30, 20 01,

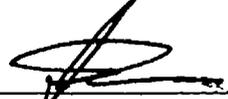
Passed the Senate April 12, 20 01,

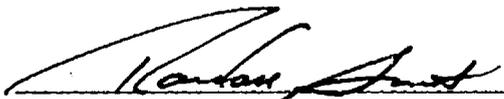
by the following vote: 59 Ayes,

by the following vote: 30 Ayes,

0 Nays, 1 Not Voting

0 Nays, 0 Not Voting


Speaker of the House


President of the Senate


Chief Clerk of the House


Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

 day of , 20 ,

at o'clock M.

Secretary to the Governor

Approved this day of

 , 20 ,

at o'clock M.

Governor of Arizona

H.B. 2063

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State
this day of , 20 ,

at o'clock M.

Secretary of State

HOUSE CONCURS IN SENATE
AMENDMENTS AND FINAL PASSAGE

April 18, 2001,

by the following vote: 58 Ayes,

0 Nays, 2 Not Voting



Speaker of the House



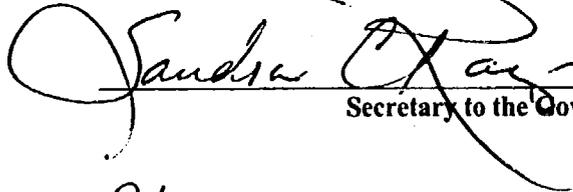
Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

18 day of April, 2001,

at 11:34 o'clock A M.



Secretary to the Governor

Approved this 21 day of

April, 2001,

at 3:31 o'clock P M.



Governor of Arizona

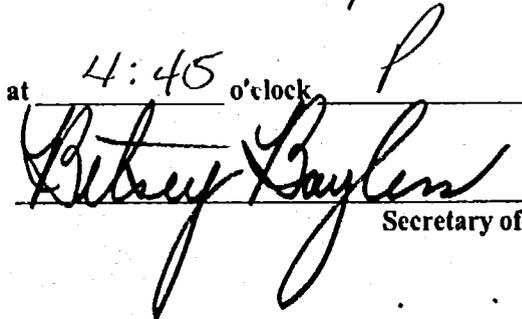
H.B. 2063

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 23 day of April, 2001,

at 4:45 o'clock P M.



Secretary of State