



Testimony prepared for the House Human Services Committee

SB 2029 – Related to Guardianships

March 10, 2025

Kim Jacobson, Agassiz Valley Human Service Zone Director

Chair Ruby, and members of the House Human Services Committee, my name is Kim Jacobson, I serve as the Director for the Agassiz Valley Human Service Zone, which includes Traill and Steele Counties, and as President of the North Dakota Human Service Zone Director Association. I am here today to express my support for SB 2029, and to request an amendment.

As provided for in NDCC Chapter 50-01, human service zones are the legal designee of the North Dakota Department of Health and Human Services (NDHHS). A core duty for all human service zone directors is to serve as the legal custodian for children in public custody, pursuant to a Juvenile Court order (NDCC 50-01.1-06).

This bill impacts North Dakota's (19) human service zones in two ways. First, a youth who is developmentally disabled and unable to make decisions on their own may require a public or private guardian past their eighteenth birthday. If that youth is in human service zone custody at the time this determination is made, a zone director can be named temporary guardian of the new adult while actively pursuing a long-term plan.

Second, for over forty years, a specialty foster care program has been operation in North Dakota as part of federal grant to state grant. Agassiz Valley Human Service Zone serves as the federal sub-recipient grantee. As the director of that zone, I oversee service delivery and serve as the legal guardian of minor children who are served by this program consistent with NDCC Chapter 30.1-27.

Human service zones have a comprehensive and unique oversight relationship with the NDHHS. Built-in components of this system include program oversight, technical assistance, compliance, operations, funding, and reporting. Furthermore, state law requires the Department to have a minimum of two representatives on the hiring committee for a human service zone director. The Executive Director of NDHHS must provide specific approval before an offer of employment is made to a prospective zone director. Annually, the Department provides official feedback in the annual performance evaluation of each zone director. By these

processes, the Department provides high-level oversight and ongoing engagement with zone program delivery, including Department supervision of public custody and legal guardianship matters at the zone level.

Due to a zone director's legal custodianship obligations, and the unique relationship between human service zones and NDHHS, certain provisions outlined in SB 2029 may not be a good fit for zone directors, the Department, and the proposed Office of Guardianship and Conservatorship. For these reasons, I respectfully request your consideration of amendments to SB 2029. Specifically, the exemptions starting on page 5, line 26 of this bill could be **amended to include human service zone directors as an exempted party**, which would be similar to a federal or state agency.

Thank you for your consideration. I stand for questions from the committee.