

Testimony Prepared for the  
**House Judiciary Committee**  
February 11, 2025  
By: Lynn Flieth, RSR Human Service Zone Director

**RE: HB 1242: Relating to parental rights and responsibilities**

Chair Klemin, and members of the House Judiciary Committee, my name is Lynn Flieth. I am the Director for the RSR Human Service Zone, which includes the counties of Ransom, Sargent and Richland, and am a member of the Human Service Zone Directors Association. I am here today to provide testimony in opposition HB 1242 relating to parental rights and responsibilities in civil custody situations

Human Service Zones are mandated to provide economic assistance and child welfare services, including child protection, foster care, in home case management as well as receive CHINS (Child In Need of Services) referrals. Human Service Zone Directors are also the legal custodian to children in zone public custody.

The Human Service Zone Directors are concerned with the vague and frequent references to “harm” to a child, as well as the omission to child abuse-neglect statutes. The proposed changes in this bill refer to the “court finding” that a child has experienced abuse or neglect. There are two North Dakota Century Code Chapters; 50-25.1 (Child Abuse and Neglect) and 14-09-22 (Parent and Child), which provide definitions of abused and neglected children. It is the role of Child Protection Services, administered by Human Service Zone and the Department of Health and Human Services, to assess and make findings as to whether or not child abuse or neglect has occurred. There are times when criminal child abuse/neglect changes are filed, however a confirmed finding does not always equate to a criminal charge. Criminal proceedings are a separate and independent action from a child protection

assessment, and the outcomes of CPS findings and criminal cases are not always similar. In order to best protect children, we would encourage inclusion or cross-referencing child welfare statutes, specifically relating to confirmed findings of a child protection assessment in the language of this bill.

Thank you for your consideration of my testimony regarding House bill 1242. I stand for questions from the committee.

# Who Does What in Child Welfare?

## ROLES IN NORTH DAKOTA'S HUMAN SERVICE SYSTEM

\* Denotes those with roles in Child Protective Services

### HUMAN SERVICE ZONES (HSZ) TEAM MEMBERS

- \* **Child Protection Services (CPS) Workers:** Provide protective services for children under age 18, including child protection assessments in response to reports of suspected child abuse or neglect and follow-up services to families.
- \* **CPS Central Intake Unit:** (Statewide HSZ team) Is the intake point for reports of suspected child abuse or neglect. Collects facts and provides details to CPS workers at the local HSZ level.
- \* **Child Welfare/CPS Supervisor:** Supervise and support child welfare staff in HSZs.

**Foster Care Case Manager:** Manages case and is main point of contact for child, parents and foster care provider. *Child is not in the home.*

**Child Welfare Case Manager:** (Also called Family/In-Home/ Wrap-around/Family Preservation Case Manager) Focuses on internal family stability, parental capacities, and identifying needed supports and services. *Child is in the home.*

**Family Support/Parent Aide:** (Also called Human Service Aide /Transportation Aide) Assist parents in building parental capacities and skills to maintain

or reunify child with family. Not located in all HSZs. Some only provide transportation to support child and family connections and visits. ■

### ND HEALTH AND HUMAN SERVICES (HHS) TEAM

#### *Foster Care Licensing Specialist:*

Recruits, supports, guides and assesses foster parents through the licensing and renewal process. Works in the HHS Children and Family Services (CFS) Licensing Unit.

#### \* *Field Service Specialist:*

Monitors fidelity and quality of work related to the Safety Framework child welfare practice model and ND policy, in addition to providing technical assistance to the foster care, child protection and in-home case management units within the Human Service Zones and Division of Juvenile Services (DJS). Is employed by HHS – CFS. ■

### Other Non-Child Welfare Support to Families

**Children in Need of Services (CHINS):** HSZ team connects families and children (whose behaviors include truancy, disobeying parents, running away and/ or using tobacco products) to local services.  
[hhs.nd.gov/cfs](https://hhs.nd.gov/cfs)

### OTHER INFORMATION

#### OUT OF HOME PLACEMENT:

- Legal authority to remove a child is authorized by Juvenile Court or Law Enforcement and affirmed by the Courts.
- Deprivation matters are brought forth by the HSZ CPS workers to the removing authorities.
- Out-of-home placements could occur with relatives, kinship care, foster homes, therapeutic foster homes, or QRTP/PRTFs.

#### CUSTODIAL AGENCY:

In ND, foster children are placed under the public custody of three public agencies:

- *Human Service Zones:* ND's 19 Human Service Zones that represent 53 counties serve the greatest volume of foster children in ND's foster care system.
- *Division of Juvenile Services*
- *Tribal Social Services:* North Dakota has a formal State-Tribal Title IV-E agreement with four Tribal Nations: Standing Rock Sioux Tribe, Spirit Lake Nation, Turtle Mountain Bank of Chippewa and MHA Nation.

#### GUARDIAN AD LITEM:

Appointed by the court to advocate for the best interests of a child in a juvenile court proceeding.