

HB 1034: Related to the Reestablishment of Parental Rights & Responsibilities

Chair Larson, and members of the Senate Judiciary Committee, my name is Kim Jacobson. I serve as the Director of Agassiz Valley Human Service Zone, which includes the counties of Traill and Steele, and as President of the North Dakota Human Service Zone Director Association. I am here today to provide testimony in support of House Bill 1034, relating to the re-establishment of parental rights and responsibilities.

Human Service Zones provide critical services for North Dakota communities. We administer economic assistance programs and take referrals for Children In Need of Services (or CHINS). We also manage child welfare services, including child protection, foster care, and in-home case management.

When a child is in public custody, human service zone directors are the legal custodian (NDCC 50-01.1-06 and NDCC 27-20). If a child cannot be reunited with their parent, and termination of parental rights is ordered, child welfare case managers collaborate with adoption agencies and family members to plan for alternative permanency options, such as adoption or legal guardianship. The zone director continues as the legal custodian of a child until an approved form of permanency is achieved.

However, for a variety of reasons, permanency for a child cannot always be achieved. When this occurs, children linger in the state's foster care system with no family connections and no permanent home. Today, this impacts (12) children in North Dakota. Each of these children has experienced the loss of relationship with their parents, because parental rights have been terminated. They have not been adopted, and they have not lived in a permanent home for twelve or more months.

The North Dakota Department of Health and Human Services invited stakeholders to strategize solutions for these children, including the North Dakota Supreme Court, human service zone directors, and the North Dakota Association of Counties. HB 1034 is a result of our collective work. This bill recognizes that sometimes family circumstances change. It acknowledges that a parent whose rights were terminated may make significant improvements, such as regaining the ability to provide safe care and a stable home for their child.

The option to reestablish parental rights offers an alternative to permanency for children, especially for those who linger in care. We anticipate that utilization of the provisions detailed in HB 1034 will occur infrequently. However, in those rare and specialized circumstances, it offers a valuable tool to better serve children and families in North Dakota. I therefore urge your support of HB 1034.

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

