

Steve Sisolak
Governor

Richard Whitley, MS
Director



DEPARTMENT OF HEALTH AND HUMAN SERVICES

DIVISION OF CHILD AND FAMILY SERVICES
Helping people. It's who we are and what we do.



Ross Armstrong
Administrator

Nevada Children's Commission Full Commission Meeting Draft Minutes

DATE: Friday, September 17, 2021

TIME: 10:30 AM - Adjournment

LOCATIONS:

Division of Child and Family Services
3rd Floor Large Conference Room
4126 Technology Way
Carson City, NV 89706

AND

Division of Child and Family Services, Youth Parole Bureau
6171 W. Charleston Blvd., Building 15
Las Vegas, NV 89146

VIDEO CONFERENCE: <https://call.lifesizecloud.com/10408453>

TELECONFERENCE LINE: 1-312-584-2401

EXTENSION: 10408453

1. Call to order- Justice Nancy Saitta, Justice Elissa Cadish, Ross Armstrong

The meeting was called to order at 10:31 a.m. by Justice Saitta.

2. Welcome and Introductions (Roll Call)- DCFS Staff

Members Present:

By video:

Justice Nancy Saitta, Nancy Brune, Tim Burch, Judge Rebecca Burton, Judge Paige Dollinger, Brigid Duffy, Shannon Gildea, Amber Howell, Dr. Jesus Jara, Megan Miller, Assemblywoman Daniele Monroe-Moreno, Judge Michael Montero, Kimberly Palma-Ortega, Shelia Parks, Senator Keith Pickard, Dr. Tiffany Tyler-Garner, Janice Wolf, Assemblyman Steve Yeager

In person:

Ross Armstrong (Carson City), Judge William Voy (Las Vegas)

Members Absent: Justice Elissa Cadish, Judge Egan Walker

DCFS Staff: Kathryn Roose, Elvira Saldana

Public: Wanda Pena, Lisa Boneck, Ron Murphy, Gwynneth Smith, Katie Membreno, Aaron MacDonald, Valerie Balen, KSNV News 3, Linda Anderson, Karl Catarata, Zaide Martinez

Roll call was taken, and it was determined a quorum of the Nevada Children's Commission was present.

3. Public Comment and Discussion:

There was no public comment.

4. For Possible Action: Meeting Minutes from June 18, 2021- Justice Nancy Saitta
Judge Rebecca Burton stated her actual title is presiding and not Chief.

Action: A motion was made by Judge Rebecca Burton to approve the minutes with the correction to her title, seconded by Judge Paige Dollinger, and carried to approve the minutes of June 18, 2021.

5. For Information: Evictions Update- Aaron MacDonald, Legal Aid of Southern Nevada
Aaron MacDonald stated he is a Staff Attorney for the Consumer Rights Project of Legal Aid of Southern Nevada. The federal eviction moratorium pursuant to the CDC emergency order was set to and did expire on July 31, 2021. However, on August 3rd the CDC narrowed its order and reinstated the federal protections. On August 31st, the Supreme Court struck down the CDC eviction moratorium. Presently there are no federal eviction protections in Nevada or nationwide. Fortunately, the state legislature instituted strong protections by enacting Assembly Bill 486 which is a national model for eviction prevention programs. Assembly Bill 486 marries the Care Housing Assistance Funds with the eviction court process to ensure needless evictions do not take place and landlords receive the funds they are owed. One of the strongest protections of Assembly Bill 486 is if a tenant has a pending rental assistance application, the eviction must be stayed until the application is approved or denied. The issue they are encountering is the protections are not automatic. The tenant must file with the court and inform the court they have a pending rental assistance application upon receipt of any eviction notice. They must also submit the rental assistance application. Legal Aid Center has been partnering with community groups to get the word out. The eviction application process has become more convoluted. Previously there was only one agency administering funds in Clark County which was Clark County Social Services through the CHAP program. Tenants would submit the application through CHAP and wait until the application was approved or denied. The City of Las Vegas now has its own rental assistance program called the Rental Assistance for Tenants (RAFT) program. North Las Vegas also has a rental assistance program. Clark County's program posted on their website this week they will not be accepting applications for any tenants residing within the City of Las Vegas boundaries and they will have to go through the RAFT program. It will cause a bit of confusion for tenants and may slow down the processing times.

Ross thanked Aaron MacDonald and commented the message is consistent for him, in the protections under Assembly Bill 486 if someone receives a notice of eviction, they need to file the response and apply for assistance.

Aaron MacDonald stated the worst thing a tenant can do is do nothing. There is three hundred million dollars in federal rental assistance available for tenants. The tenant does need to file an answer with the court when they

receive an eviction notice to slow down the eviction process a bit so the funds can get to the landlord on behalf of tenants.

Justice Saitta asked if there are any statistics on what the outreach is or what it is likely to be.

Aaron MacDonald replied when the Nevada Supreme Court instituted the eviction mediation program rules, they required in the notice to the tenant of the delinquency the landlord include information about available rental assistance programs, Legal Aid Services and Self-Help Center.

Justice Saitta asked if the information on the notice is bolded and emphasized.

There were connectivity issues and the response to Justice Saitta's question was not captured.

Aaron MacDonald stated they are seeing a lot of tenants not understanding their obligations to file with the Justice Court in response to receiving an eviction notice, however Assembly Bill 486 is clear the tenant can raise that defense at any point in the proceeding. A lot of tenants have been filing motions to stay and motions to set aside. Tenants do typically reach out to Legal Services to find out how to protect themselves.

Justice Saitta thanked Aaron MacDonald on behalf of the Commission for doing the heavy lifting. Justice Saitta asked if any of the legislators on the Commission wish to add anything.

Assemblyman Steve Yeager thanked Legal Aid and legislative colleagues. Assemblyman Steve Yeager is proud they were able to do something. It is not a perfect solution however it has been helping people. Assemblyman Steve Yeager is willing and able to help try to get the word out.

Justice Saitta asked if Commission members had any questions.

Judge Paige Dollinger commented it would be nice to have training available for parent's counsel and Social Services.

Justice Saitta stated it is a great idea and she will follow up with Judge Paige Dollinger.

Tim Burch stated the split of programs came down to funding priorities. Clark County had consolidated revenue from all the local jurisdictions including Henderson, Las Vegas, North Las Vegas, Clark County, and the State of Nevada. The ERA1 was the first commitment and 100% of Clark County's money has been exhausted. The respective jurisdictions wanted to start to spend their ERA2 which came out of the American Rescue Plan Act; however, Clark County made a commitment to the State of Nevada to prioritize spending the 93.8 million dollars they granted out of ERA1 and are continuing to expend it. The other jurisdictions wanted to start spending their ERA2 funds therefore their own programs were created. Through the eviction court intervention process, they have been able to stop over 2500 evictions.

Justice Saitta asked Commission members if there were additional questions.

There were no additional questions from Commission members.

Justice Saitta asked Aaron MacDonald if the Commission could use him as a resource for further information if there are follow up questions or to seek other information.

Aaron MacDonald replied absolutely. His email is AMacDonald@lacs.nv.gov. Aaron MacDonald informed there is training available on the Legal Aid Center of Southern Nevada's You Tube page, if anyone is interested.

6. For Information: Nevada Commission on Mentoring Presentation- Karl Catarata

Karl Catarata, Chairman of the Nevada Commission on Mentoring, stated the Commission was established to support and facilitate mentorship programs in the State of Nevada and to work in consultation with the Nevada Department of Education. The Commission establishes model guidelines and guardrails for new and existing mentorship programs and develops model financial plans and protocols related to the management of mentors and mentees. The three goals of the Commission are to ensure they are hosting an annual mentorship conference, outline and charter statewide standards, and to ensure they are utilizing funding to fund other organizations. Yesterday, the Commission met with the State Treasurer Zach Conine to discuss where American Rescue Plan funds should go when it comes to young folks and the programs the State has. National Nonprofit Day was recently celebrated with folks who are doing the work out in the community. During the pandemic, the Commission had the opportunity to work on a survey to hear from young people. When it comes to making sure there are authentic voices, the Commission on Mentoring has two Youth Commissioners. Karl Catarata looks forward in collaborating and working with the Nevada Children's Commission.

Brigid Duffy commented the Mentoring Commission lost their funding in 2021 and was not reconsidered for the funds to come back at the end of the session.

Karl Catarata stated the late Assemblyman Tyrone Thompson wanted to make sure mentorship programs and organizations from across the state were heard. The Commission is currently working with legislators and private folks in the community to ensure promises are made good.

Nancy Brune stated she was delighted to partner with Karl on an event. A lot of the programs being launched across the State are peer mentorship programs. Studies show peer mentorship programs are robust. The work Karl and the Commission are doing is important and she hopes they get funded in the next session.

Justice Saitta thanked Karl Catarata for his presentation and for what he is doing.

Assemblywoman Daniele Monroe-Moreno applauded Karl Catarata for the work he is doing. Karl and Assemblywoman Daniele Monroe-Moreno have been working during the interim to try to find a better house for where the Commission should be housed and what funding they need to do all the programming they are doing.

Justice Saitta requested a note be made in the minutes Amber Howell is attempting to join the meeting and is unable to. Justice Saitta asked if there were questions or comments for Karl Catarata.

Ross Armstrong thanked Karl Catarata for his work on the Mentoring Commission. In the dependency system, there is a lot of focus on reunification efforts. The ability to have mentoring as a resource to children in foster care especially those in the transition age can be incredibly powerful. Ross Armstrong stated if there are ways to bring resources to foster youth and those involved in the juvenile justice system, please let him know.

Justice Saitta informed Amber Howell is in the meeting and should be marked as present and participating.

Judge Paige Dollinger commented it would be great to work with the Independent Living caseworkers to identify youth who are aged out however still receiving services to see if they would be interested in serving as peer mentors.

Justice Saitta stated she or someone on her behalf would reach out to Judge Paige Dollinger to discuss further.

Karl Catarata stated he would be following up with Justice Saitta, Judge Paige Dollinger, Nancy Brune, and Assemblywoman Daniele Monroe-Moreno.

7. **For Information:** Collaboration Center Foundation Presentation- Lynda Tache
Lynda Tache was not present.

8. **For Possible Action:** Committee Workplan Goals and Membership (Behavioral Health, Child Welfare, Court Improvement Program, Education, and Juvenile Justice Committees)- Justice Saitta
Ross Armstrong asked Elvira Saldana asked if the committees have scheduled meetings.

Elvira Saldana replied not at the moment, since the membership for the committees needs to be figured out.

Ross Armstrong stated there were one or two emails received this week from members who would no longer be on the Commission. At the last meeting, Chief Justice Hardesty had questions about the committees and workplan. Justice Saitta, Justice Cadish and Ross met with Chief Justice Hardesty to provide some clarity on where the Commission is headed, what the committee priorities would be, and membership. The call would be for every member of the Commission to identify which of the committees they would like to serve on. If there are members of the Commission who think there is not a need for any of the committees or the need for a committee which is not identified, it would be something to think about as well.

Justice Saitta affirmed what Ross Armstrong said. Justice Saitta emphasized the committees will become essential for the work of the Commission in the next year. The committees need to be staffed. Justice Saitta asked Elvira Saldana which committees need to schedule a meeting.

Elvira Saldana replied all committees need scheduled meetings. One example is the Education committee, since Senator Marilyn Dondero-Loop is no longer going to be a part of the Commission, will she need to be replaced or will the committee continue with the existing membership.

Brigid Duffy stated they needed to move forward because there have not been meetings. For the Education committee, Brigid recommends adding Jonathan Norman from Legal Aid and Dr. Jesus Jara finding someone within his organization. Brigid Duffy's recommendation is for the committees to be staffed with individuals who do not sit as voting members on the Commission. The committees need the people who are doing the boots on the ground and doing the work, then bring it to the Commission. Brigid Duffy commented part of the problem the Commission is having is some of the level of people on the committees is difficult for them to meet and get together.

Justice Saitta asked Brigid Duffy if it is a formal request for Director Burch and Director Howell identify designees to assist with the committees.

Brigid Duffy replied she would leave it up to them. It is a suggestion.

Justice Saitta stated Brigid Duffy's suggestion would be taken as a follow-up item for the Co-Chairs to consider.

Ross Armstrong stated the membership of the committees is left to the discretion of the Chairs. A formal action is not needed in this meeting. Ross Armstrong added he likes Brigid Duffy's suggestion in making

sure the Commission has an invite in the boots on the ground folks be working through some of the issues. The goal is for the committees to have their first meeting prior to November 1st. In the meeting with Chief Justice Hardesty, they were able to come up with a diagram of all the youth serving committees and it can be provided to the Commission. Another thing that will be helpful will be to look at the resources necessary to staff the Commission to help keep things going forward. DCFS is providing it now and with the pandemic and everything else, it is a heavy lift. If there is a committee Commission members are interested in, please add in the meeting chat, email Elvira Saldana or any of the Co-Chairs.

Senator Keith Pickard stated Brigid Duffy mentioned committees maybe being staffed by nonvoting members. Since the interim committees are being formed in the same way they had during the session, Senator Scott Hammond has stepped into other Education Committees Senator Keith Pickard was on. If the Commission is looking at trying to recruit people outside of the Commission and since Senator Hammond is actively engaged as a former teacher and Administrator, we may want to reach out to him. Senator Keith Pickard is more than happy to do that.

Justice Saitta asked Ross Armstrong if he approved Senator Keith Pickard asking Senator Hammond.

Ross Armstrong replied he approved. It is a good reminder from Senator Keith Pickard the interim structure has changed. It can be discussed among the Co-Chairs where topics fall into the new committees.

Justice Saitta asked Elvira Saldana to provide the Commission members with the committees.

Elvira Saldana replied the committees are Juvenile Justice, Child Welfare, Behavioral Health, Education, and Court Improvement Program.

Justice Saitta stated the goals and objectives from two years ago are available and can be provided to anyone who might be interested. Justice Saitta requested Commission members to please provide information if they know of someone who may be a fit for one of the committees.

Brigid Duffy stated she sent an email to the Co-Chairs informing there are a group of volunteers to serve on the Behavioral Health committee. Gwynneth Smith has volunteered to the chair the committee. Other volunteers are Kimberly Abbot from Legal Aid of Southern Nevada and Dr. Joe Haas. Brigid Duffy asked Gwynneth Smith who else they have from the clinician part.

Gwynneth Smith replied in addition they discussed, Dr. Sheldon Jacobs a clinician with DFS and he indicated willingness to participate.

Brigid Duffy added it is not about only Clark County, if Washoe County or the rural partners have any individuals they would like to recommend, to please do so.

Action: A motion was made by Brigid Duffy to appoint Gwynneth Smith as the Chair of the Behavioral Health committee, seconded by Ross Armstrong. The motion passed unanimously.

Justice Saitta asked Judge Michael Montero if there is anyone in his area who might be an addition to any of the committees or more specifically for the Behavioral Health committee.

Judge Michael Montero stated he does not have anyone specific for the Behavioral Health he would like to suggest. Judge Michael Montero recommended retired Court Master Gabrielle Carr be involved in something. Court Master Massey Mayo would also be someone who could represent the rural areas. Judge

Michael Montero asked for the legislative partners in the meeting to try to encourage some rural legislators to become involved with the Commission.

Justice Saitta stated the Co-Chairs will follow up on some of the outreach Judge Michael Montero suggested. Justice Saitta asked if there were any questions or comments relating to committee composition, volunteers, or designations.

Brigid Duffy asked for Elvira Saldana to provide the Chairs of the committees.

Elvira Saldana replied for Juvenile Justice it is Judge Voy, Child Welfare is Megan Miller, Education is Nancy Brune, and Court Improvement Program is Shannon Gildea.

Brigid Duffy volunteered to attend the committees' first meeting to go through the workplan to ensure she understands what direction each committee is going in and help with the conversation in what the committees will do next.

Kimberly Palma-Ortega suggested getting parent involvement and the other aspect of what is working and not working as well as just bringing them to the table.

Justice Saitta requested Ross Armstrong follow up with Kimberly Palma-Ortega's comment and continue the agenda while she reboots her video connection.

Ross Armstrong replied it is a great thing to consider as the Commission looks at all the committees and figure out how to get parent and youth voice. Ross Armstrong thanked Kimberly Palma-Ortega for the reminder.

Dr. Tiffany Tyler-Garner stated to feel free to assign her to any of the committees.

Ross Armstrong asked if there were any other comments.

Kimberly Palma-Ortega stated she noted in the chat to feel free to use her in the other areas besides education. She has experience in the other committee areas.

Dr. Tiffany Tyler-Garner asked if the committee work has included youth voice and if not if there is an opportunity to do so.

Ross Armstrong replied there is an opportunity, and it will be added. If anyone knows of any youth, please inform the Co-Chairs.

Dr. Tiffany Tyler-Garner suggested as the Youth Advisory Board evolves there may be some synergy there as well.

9. For Possible Action: American Rescue Plan Act Funding

Ross Armstrong stated Chief Justice Hardesty asked the Commission to start thinking of the priorities for any of the state spending of the American Rescue Plan dollars. In April 2021, the state released the "Every Nevada Recovery Framework" which provided a portal for stakeholders and agencies to submit requests for consideration. The next step is, in October they will be compiling all the requests and figure out what should be invested in. There was a recommendation from the court for the Children's Commission to submit a letter to the Treasurer's Office. The Commission should choose 3 to 5 top priorities. This agenda item is to

discuss the funding priorities and to come up with 3 to 5 priorities which would go in a letter from the Commission to the Treasurer. If it is helpful, Ross Armstrong offered to walkthrough the different strategic priorities mentioned in the plan from the Governor.

Brigid Duffy asked what the parameters are for the money, what it needs to be used for.

Ross Armstrong replied the money can be used to respond to the public health emergency and its economic secondary effects. It is not just responding to the need for PPE. The strategic priorities listed in the plan include increasing access to health care and community-based services, strengthening public education, supporting disadvantaged communities, strengthening Nevada's workforce including supporting small businesses and revitalizing the state's economy, investing in infrastructure, modernizing and enhancing state government services, and addressing budget shortfalls.

Brigid Duffy asked since workforce is kind of the number one reason why they do not have the mental health capacity they should have for the children if there has been a push to advertise or recruit to get a workforce to the state to provide for children's mental health needs. The other issue is how long it takes to onboard a person and sometimes candidates are lost due to it taking too long. Brigid Duffy asked if there is any thought on prioritizing the hiring process.

Ross Armstrong replied as a Division they submitted a request to allow for a signing bonus for children's behavioral health workers to get them in the door and a second incentive after a year of service. In reviewing the items the funds can be spent on and the priorities, there is no doubt children's mental and behavioral health needs are substantial. The Commission can frame the letter to state children's mental and behavioral health is a top priority including incentives for increasing workforce or expanded capacity.

Brigid Duffy stated it is extremely important. She continues to hear they do not have the employees. The other item is Medicaid. The rate is not enticing.

Ross Armstrong stated the items have been noted and he agrees.

Assemblyman Steve Yeager asked if any of the funding would be appropriate to request to share with or ask for distribution to the mentoring program Karl talked about, not on behalf of the Commission but to advocate for.

Ross Armstrong stated the argument could be made to how it fits the federal guidance.

Brigid Duffy asked if there is any thought to use funding to get the upgrades UNITY needs for better information sharing.

Ross Armstrong stated the Division has submitted it as a request. So far, the priorities are children's mental and behavioral health, workforce, enhanced rates, supports for mentoring programs, and enhancements to UNITY or other data and technological systems to inform and improve outcomes. Ross Armstrong stated since it is a Supreme Court Commission, he asked Justice Saitta if some of the funding is needed for the judiciary to help respond to the pandemic.

Justice Saitta stated improving outcomes fits well with the Court Improvement program. When the priorities are put together, judicial information can be added.

Judge Rebecca Burton commented she is unsure to what extent is appropriate for the funding program, however in the Eighth Judicial District the TPO Hearing Masters are swamped, and it is reaching a crisis point. It would be helpful to have an additional TPO Hearing Master.

Justice Saitta replied some issue with respect to judicial support will be added.

Brigid Duffy stated Shelia Parks included in the chat, support mentoring for statewide CASA Association which helps to promote and recruit more CASA volunteers across the state to represent the best interest of children in foster care. Brigid Duffy stated it is a great suggestion.

Ross Armstrong stated he liked the support for mentoring CASA and maybe other non-government agency supports for children involved in our systems.

Brigid Duffy stated other suggestions are to look at supporting family treatment courts, supporting sex trafficking victims and put money towards housing they need, and improve the infrastructure for the facilities in the state to make them safe and secure.

Justice Saitta asked if there are any other identified funding priorities to incorporate into the letter.

Janice Wolf commented they need to look at not only upgrading facilities but look at mental health facilities for children outside of facilities. There are a lot of kids who do not qualify for locked facilities however they need some type of step-up facility for kids. There are also kids on hold in facilities like Desert Willow because there is no place for them to go.

Ross Armstrong thanked Janice Wolf and stated it can be added to the mental and behavioral health.

Justice Saitta asked if there were further requests or identification of funding priorities to be added to the letter.

There were no additional requests made.

Justice Saitta asked Ross Armstrong if they should move to the next agenda item.

Ross Armstrong stated a motion should be entertained for the Commission to authorize the Chairs to submit the letter identifying the priorities discussed including children's mental and behavioral health, investments to include improvements in workforce, enhanced Medicaid rates, community based providers; infrastructure improvements to existing facilities; supports for mentoring CASA and other non-government agency supports for children in foster care; enhancements to UNITY and other computer systems to improve data sharing capabilities for improvements; investments in family treatment courts with an eye also too any need for expanded resources in relation to processing TPOs for families. Ross Armstrong entertained a motion.

Justice Saitta added one addition to the motion, Brigid Duffy suggested to include housing to support sex trafficking victims.

Judge Michael Montero made a motion, seconded by Brigid Duffy. Judge Michael Montero stated he would hate to limit the housing to sex trafficking victims.

Justice Saitta asked Ross Armstrong if he would consider a friendly amendment.

Ross Armstrong stated it could be framed to housing for vulnerable family populations including CSEC.

Senator Keith Pickard amended the motion to include housing for vulnerable family populations including CSEC.

Judge Michael Montero asked if it would be possible to have 24-48 hours to think about the priorities and talk to partners to make other suggestions to include in the letter.

Ross Armstrong stated the Commission would like to take action in the open meeting process. Any entity is welcome to submit a similar letter or through the portal.

Judge Michael Montero thanked Ross Armstrong. Judge Michael Montero stated they have submitted something on behalf of their Judicial District however it was not specific to the needs for children and families, or dependency/delinquency cases. Judge Michael Montero withdrew his request.

Senator Keith Pickard stated he had interpreted the letter to be broad in scope and not that specific. In crafting the letter, Judge Michael Montero makes an excellent point, and he does not think it is excluded from the content of the letter. Much of Judge Michael Montero's intent can be captured in the letter as authorized.

Action: Senator Keith Pickard reissued the amended motion to include housing for vulnerable family populations including CSEC, seconded by Brigid Duffy. The motion passed unanimously.

10. For Information: COVID-19 Awareness

Justice Saitta asked if there were any COVID updates.

There were no updates.

11. For Possible Action: Discuss and Decide Upon Next Steps - Justice Nancy Saitta

- Assign Tasks to Committee Members (if needed)
- Specify Agenda Items for the Next Meeting
 - i. Trial by Peers presentation
 - ii. Kimberly Palma-Ortega suggested a CSEC update and COVID updates relating to education concerns for those in foster care and the juvenile justice system who currently have IEPs.
 - iii. Update on American Rescue Plan Act funding
- Confirm Next Meeting Date/Time
 - i. Friday, December 17, 2021 at 10:30 a.m.

12. Public Comment and Discussion:

There was no public comment.

Adjourn

A motion was made to adjourn by Judge Michael Montero, seconded by Shannon Gildea, and carried to adjourn the meeting.

The meeting adjourned at 12:34 p.m.