



# COUNTY OF HUMBOLDT

## Legislation Details (With Text)

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**File created:** 4/25/2023      **In control:** DHHS: Administrative  
**On agenda:** 5/16/2023      **Final action:** 5/16/2023  
**Title:** Professional Services Agreement with Richard England Regarding the Provision of Expert Witness Services in Accordance with the Indian Child Welfare Act

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Staff Report, 2. ICWA Expert Witness Services Agreement FY 23-25 Richard England, 3. Executed Agreement with Richard England.pdf

Date	Ver.	Action By	Action	Result
5/16/2023	1	Board of Supervisors	approved	Pass

**To:** Board of Supervisors

**From:** DHHS: Social Services

**Agenda Section:** Consent

**Vote Requirement:** Majority

### SUBJECT:

Professional Services Agreement with Richard England Regarding the Provision of Expert Witness Services in Accordance with the Indian Child Welfare Act

### RECOMMENDATION(S):

That the Board of Supervisors:

1. Approve, and authorize the Chair of the Board to execute, the attached professional services agreement with Richard England regarding the provision of expert witness services in accordance with the Indian Child Welfare Act in an amount not to exceed One Hundred Forty Thousand Dollars (\$140,000.00) for the period of July 1, 2023 through June 30, 2025; and
2. Authorize the Department of Health and Human Services - Child Welfare Services Director, or a designee thereof, to execute any and all subsequent amendments to the attached Professional Services Agreement with Richard England, after review and approval by County Counsel, Risk Management and the County Administrative Office; and
3. Direct the Clerk of the Board to return one (1) fully executed original copy of the attached Professional Services Agreement with Richard England to the Department of Health and Human Services - Contract Unit for further processing.

### SOURCE OF FUNDING:

Social Services Fund (1160-508)

**DISCUSSION:**

Since 2013, Richard England has provided expert witness services as required by the Indian Child Welfare Act. The expert witness services provided by Richard England include, without limitation, reviewing case records, police reports and case notes and conducting interviews as necessary to complete an evaluation. The expert witness opinion reports prepared by Richard England are used by the Humboldt County Department of Health and Human Services - Child Welfare Services (“DHHS - Child Welfare Services”) to determine whether: continued custody by the parents or Indian custodian will likely result in serious physical or emotional harm to the child; placement preference has been followed in accordance with the Indian Child Welfare Act; and active efforts were taken to prevent the breakup of an Indian family as required by the Indian Child Welfare Act.

The attached professional services agreement with Richard England will allow for the continued provision of expert witness services in accordance with the Indian Child Welfare Act for the period of July 1, 2023 through June 30, 2025.

Accordingly, DHHS - Child Welfare Services recommends that the Board approve, and authorize the Chair of the Board to execute, the attached professional services agreement with Richard England regarding the provision of expert witness services in accordance with the Indian Child Welfare Act for the period of July 1, 2023 through June 30, 2025. It is also recommended that the Board authorize the DHHS - Child Welfare Services Director, or a designee thereof, to execute any and all subsequent amendments to the attached professional services agreement with Richard England, after review and approval by County Counsel, Risk Management and the County Administrative Office, in order to avoid any unnecessary delays in the provision of needed expert witness services.

**FINANCIAL IMPACT:**

<b>Expenditures (Fund, Budget Unit)</b>	<b>FY22-23 Adopted</b>	<b>FY23-24 Projected</b>	<b>FY24-25 Projected</b>
Budgeted Expenses	\$60,000.00	\$70,000.00	\$70,000.00
<b>Total Expenditures</b>	<b>\$60,000.00</b>	<b>70,000</b>	<b>\$70,000</b>
<b>Funding Sources (Fund, Budget Unit)</b>	<b>FY22-23 Adopted</b>	<b>FY23-24 Projected*</b>	<b>FY24-25 Projected*</b>
State/Federal Funds	\$60,000.00	\$70,000.00	\$70,000.00
<b>Total Funding Sources</b>	<b>\$60,000.00</b>	<b>\$70,000.00</b>	<b>\$70,000.00</b>

*\*Projected amounts are estimates and are subject to change.*

The attached professional services agreement with Richard England has a maximum amount payable of One Hundred Forty Thousand Dollars (\$140,000.00) for the period of July 1, 2023 through June 30, 2025. In no event shall the maximum amount paid under the attached professional services agreement with Richard England exceed Seventy Thousand Dollars (\$70,000.00) fiscal year for fiscal years 2023-2024 and 2024-2025. However, in the event local, state or federal funding is reduced or eliminated, the County of Humboldt may reduce the above-referenced maximum amount payable or terminate the attached professional services agreement with Richard England in its entirety.

Expenditure appropriations related to the attached professional services agreement with Richard England have been included in the proposed fiscal year 2023-2024 budget for DHHS - Social Services budget unit 1160-508. Funding for the attached professional services agreement with Richard England is available through state and local realignment revenues received by DHHS - Child Welfare Services. As a result, approval of the attached professional services agreement with Richard England will not impact the Humboldt County General Fund.

STRATEGIC FRAMEWORK:

The recommended actions support the Board of Supervisors' Strategic Framework by protecting vulnerable populations, creating opportunities for improved safety and health, enforcing laws and regulation to protect residents and providing community-appropriate levels of service.

OTHER AGENCY INVOLVEMENT:

Various local tribal organizations

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board may choose not to approve the attached professional services agreement with Richard England regarding the provision of expert witness services in accordance with the Indian Child Welfare Act. However, this alternative is not recommended as it would severely limit DHHS - Child Welfare Services' ability to meet the requirements of the Indian Child Welfare Act.

ATTACHMENTS:

1. Professional Services Agreement with Richard England Regarding the Provision of Expert Witness Services in Accordance with the Indian Child Welfare Act

PREVIOUS ACTION/REFERRAL:

Board Order No.: C-25; C-12

Meeting of: 12/16/2019; 12/14/2021

File No.: 19-1677; 21-1742