

APPENDIX AS TO THE 2009 STATE AND COUNTY CONTRACT
FOR SOCIAL SERVICES AND COMMUNITY PROGRAMS

Appendix Title: Title IV-E Reimbursement for Legal Services

This attachment to the CY 2009 "State and County Contract Covering Social Services and Community Programs" includes program, reporting and payment information for the period January 1, 2009 through December 31, 2009.

If Applications for Title IV-E Reimbursement for Legal Services were not received by October 1, 2009 funding will be awarded through a unilateral amendment process once the County has submitted an approved budget, under the terms and conditions identified in DCFS Memo Series 2005-13 and/or updates.

It is further understood and agreed by both parties that:

I. Additional Funds Provided/Period Covered

Contracts for the CY 2009 are effective January 1, 2009 but reimbursable costs may only be incurred retroactive to the effective date of the agreement between the County and the Office of the Corporation Counsel, District Attorney or private providers.

Any unused funds from the CHIPS Legal Services federal profile or the TPR Adoption Services Federal profile, may be transferred between lines following a written request by the County to the Department.

All adjustments to the contract levels will be provided to the County through a contract amendment from the Division of Children and Family Services Administrator.

II. Purpose and Service Conditions on the Use of the Additional Funds

These additional funds may be used by the County only for the following purposes and under the following service conditions:

These funds are for IV-E Reimbursement for Legal Services, under the terms and conditions identified in DCFS Memo Series 2005-13, 2006-03 and/or updates.

The attorney shall represent the child welfare agency regarding children in out-of-home care in pursuing permanence for those children in accordance with established permanence goals, including the diligent pursuit of termination of parental rights, adoption and guardianship, as requested by the agency and in accordance with professional legal judgement.

Legal Services staff used as match or funded with IV-E funds must do time reporting to support the amount of costs reported to the IV-E contract.

Criminal prosecution of persons charged with child abuse and neglect does not qualify for the IV-E reimbursement program. Attorneys that handle both criminal prosecutions and Child in Need of Protection or Services (CHIPS) petitions may only charge time associated with the CHIPS activity to the contract.

Failure to meet these purposes and conditions will result in the loss of these funds by the County and their repayment by the County to the Department.

III. Fiscal Conditions on the Earnings of the Additional Funds

These additional funds are earned under the following conditions:

The County will provide the matching funds and the Department will pass through earned federal funds for legal services associated with these activities.

The Department shall apply these conditions in determining the close of the contract. The amount of a subsequent audit adjustment on the funds in this contract shall be based exclusively upon these conditions.

IV. Fiscal and Client Reporting on the Use of the Additional Funds

The County shall report 100% of their costs on the DMT 600 Profile 3553 (CHIPS Legal Services). Expenditures reported on Profile 3553 will be paid by the Department on Profile 3554 (CHIPS Legal Federal) and will be limited to 27% of the total costs reported. The remaining 73% of reported expenses will be allocated to Profile 3555 (CHIPS Legal Match). This is a non reimbursable line used to show the County's local share.

Further, for the TPR Adoption Services, the County shall report 100% of their costs on the DMT 600 Profile 3573. Expenditures reported on Profile 3573 will be paid by the Department on Profile 3574 (TPR Adoption Federal) and will be limited to 40% of the total costs reported. CARS will allocate the remaining 60% of reported expenses to Profile 3575 (TPR Adoption Match). This is a non-reimbursable line used to show the County's local share.

Failure to report these funds and the clients served by them as specified above will result in the loss of these funds by the County and their repayment by the County to the Department.

V. Payment Procedures

These funds shall be paid on a reimbursement basis only. There are no advance payments.