

# Parental Defense Alliance of Utah



Annual Report

FY 2020

## Executive Summary

The Parental Defense Alliance of Utah (PDA) is a non-profit organization created to provide training and assistance to attorneys who represent parents in Utah's child welfare proceedings. Since 2005, the PDA has exclusively fulfilled the contract described in Utah Code Section 78B-22-802 to provide training, support, and other resources to parental defenders across the State. We have secured that contract through 2022. From removal to reunification, or even at termination of parental rights, parental defense attorneys are dedicated advocates, well-versed in the laws and practice of child welfare law in Utah courts. The PDA is proud to support its members, and is ever seeking to provide them with resources in substantive, meaningful, and creative ways. Although FY2020 presented daunting and unique challenges, the PDA was still able to deliver high-level training events and provide ongoing support to its members in the face of a world-wide pandemic that has impacted almost every facet of practice for our members.





## Year in Review

It goes without saying that FY 2020<sup>1</sup> was unprecedented in myriad ways. Though the first half of the fiscal year essentially proceeded according to plan, starting in February 2020, the impacts of a worldwide pandemic and its accompanying social distancing measures drastically shifted the PDA's calendar of events and methods of training delivery. Fortunately, in large part the PDA was able to pivot in ways that allowed us to continue to provide our members with training and support, and many of these strategies continue to prove useful as the effects of the pandemic continue to impact every facet of practice, and indeed life, for our members.

One key shift that occurred prior to the pandemic was that the PDA once again moved our administrative "home" from the Commission on Criminal and Juvenile Justice (CCJJ) to the Indigent Defense Commission (IDC). That shift became effective towards the end of FY2020, though preparations for the move began much earlier. As the missions of the PDA and the IDC are very similarly aligned, the IDC has already been instrumental in helping the PDA get projects off the ground to improve practice for parental representation and outcomes for families, and we look forward to building on that momentum.

Throughout the novel challenges presented by FY2020, the PDA was incredibly fortunate to retain the composition of our Board of Directors. This organizational stability this has enabled the PDA to swiftly make the necessary changes presented by the pandemic, while utilizing the ongoing grassroots reach of our Board of Directors to quickly and efficiently address the training gaps and concerns of our members.

The major change in these events, of course, was that after February 2020, all of our training events moved online, including our two-day Annual Conference. This change in format has allowed us to host an increased number of training events, which we believe ultimately will lead to overall higher numbers of parental representation attorneys receiving quality training.

Despite the daunting challenges presented in the past year, FY2020 provided many exciting opportunities for the PDA to positively impact and change child welfare practice for the better, including the following:

- Participating with a state-wide group of child welfare stakeholders (including leadership from DCFS, the AG's office, the GAL's office, the courts, and other community partners) to draft a list of shared Core Principles, and an accompanying practice guide;
- At the request of the Utah Supreme Court, successfully briefing and participating at oral argument as amicus curia at the Utah Supreme Court for in re BTB, and assisting to secure an optimal outcome in that case ;

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<sup>1</sup> The PDA's fiscal year tracks the State's fiscal year, spanning from July 1, 2019 through June 30, 2020.

- Increasing the PDA’s visibility in the legislative process, which has resulted in more invitations to work with legislators on bills that impact child welfare;
- Increasing communication and cooperative projects with our community partners, particularly pertaining to coordinated training efforts, input on legislation impacting child welfare, and navigation of Title IV-e funding per the Family First Act;
- Working extensively with other agencies and offices to elevate practice in child welfare, most particularly the Court Improvement Program and Indigent Defense Commission;
- Providing a number of in-person and online trainings, including a successful annual conference;
- Continuing utilization of the PDA website and email database to keep members aware of important changes in the child welfare community;
- Participating in trainings both locally and nationally, along with other statewide committees related to child welfare; and
- Reaching out to be included as an organization in a robust and ongoing national dialogue about the status of the practice of parental defense, in our jurisdiction and others.

The balance of the Annual Report will address these opportunities in greater detail, as well as outline the allocation of our annual budget.

## Board Members

As indicated previously, the PDA was able to enjoy organizational stability within our Board of Directors during FY2020, with all of its current directors retaining their geographic assignments. Accordingly, since September 2017, the PDA Board of Directors has consisted of 6 members (5 voting members and one Executive Director). Jordan Putnam continues in his role as our President and Jason Richards continues to be our President Elect

Thus, our current board structure is as follows:

Name	Judicial Districts	Representative
1 <sup>st</sup> District	1 <sup>st</sup>	Carol Mortensen
2 <sup>nd</sup> District	2 <sup>nd</sup>	Jason Richards (President Elect)
3 <sup>rd</sup> District	3 <sup>rd</sup>	Jordan Putnam (President)
4 <sup>th</sup> District	4 <sup>th</sup>	Margaret Lindsay
Southern	5 <sup>th</sup> and 6 <sup>th</sup>	Michael Rawson
Eastern	7 <sup>th</sup> and 8 <sup>th</sup>	Mark Tanner (treasurer)
Executive Director	All districts	Kirstin Norman

Specific duties of board members include liaison with PDA members in their districts, liaison with court clerks in their districts, planning at least one lunch CLE for their region per year with the Executive Director, observing court with the different judges in their region, and providing mentoring and guidance for attorneys who reach out to the Board with practice related questions. As a reminder of our internal practices, the Executive Director is not a voting member of the Board, except in the event a tie-breaking vote is needed to facilitate a decision.



Truly, one of the greatest benefits the PDA is able to provide to its members is the concentrated assemblage of talent and perspectives on its Board of Directors. All six have been recognized by their peers for the excellence of their practice, with multiple winners of PDA awards for Trial Attorney of the Year, Appellate Attorney of the Year, and Lifetime Achievement Award recipients all in the mix. The institutional knowledge and buy-in this affords the PDA is immeasurably beneficial in helping us to tailor training events to fit specific needs, as well as allow us to be responsive to questions and concerns from members across the state.

## Trainings, Seminars and Conferences

One of the main charges of the PDA is to provide training opportunities for continuing legal education credit (CLE) to parental representation attorneys in the state of Utah. This past year, we provided one in-person training event and three virtual events, including our Annual Conference. It is worth noting that all of this training must be independently accredited by the Utah State Bar Association, and that every application we have submitted to the MCLE department has been approved.

### ***November 15, 2019***

Event: Multi-Hour CLE Event  
Location: Salt Lake Community College Miller Campus, Draper  
Topic: *Medical Marijuana and Your Client*  
Presenter: Connor Boyak, President of the Libertas Institute

Number of Registrations: Approximately 50

The focus of our fall multi-hour training event was Medical Marijuana and Your Client. Connor Boyack gave the keynote address on how medical marijuana use impacts child welfare case. Mr. Boyack founded the Libertas Institute in 2011 and serves as its president. He has spearheaded a number of significant legal reforms, one of which was medical cannabis legalization, and he is a well-regarded state expert in this field.

We had approximately 40 people attend this in-person training event, including one Guardian ad Litem. This suggests that the training topic was so timely and necessary that our community partners who host their own training events found it useful. The in-person feedback was completely positive, with so many individuals reaching out to ask for the presentation slides that we ultimately made them available on the PDA website.

The PDA received approval for 2 hours of CLE credit for the event from the Utah Bar.

### ***May 6, 2020***

Event: One Hour Lunch Event  
Location: Zoom Webinar  
Topic: Understanding the New Administrative Order for Court Operations During Pandemic  
Presenter: Janell Bryan, Jason Richards, and Jordan Putnam  
Number of Attendees: 16

When it became apparent we would need to shift our remaining events of the year to online learning opportunities, the PDA Board of Directors determined that the Zoom Webinar platforms would be the best fit for our organization for the foreseeable future. With our Annual Conference quickly approaching, the board determined it would be beneficial to have a smaller event to make sure we were all comfortable with the new format and could replicate our efforts easily for future events. Additionally, the Courts had just released a new Administrative Order outlining Court Operations During Pandemic. Long term PDA member Janell Bryan had recently scheduled a virtual evidentiary hearing, and so we intentionally scheduled the event after her hearing so she could report to our members on what those types of hearings looked like. Board member Jason Richards had recently scheduled an in-person evidentiary hearing with social distancing measures, so we planned for him to present on that experience as well. PDA president Jordan Putnam planned to give a review of the Court's Order During Pandemic and discuss potential constitutional or procedural issues with virtual hearings, as well as advice on how to push back when necessary.

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The first thing this event taught us was that during the pandemic, we would need to be comfortable with shifting events potentially at the last minute. Though we had planned on hearing from Ms. Bryan on how her virtual evidentiary hearing played out, that hearing ended up getting cancelled at the last minute and rescheduled. Instead, Ms. Bryan offered insight on other types of virtual hearings she had participate in lately. Similarly, Mr. Richards' in-person trial was rescheduled due to the health of one of the participants being implicated. Ultimately, the information was useful and timely, and the chat and Q&A functions were robustly used by participants.

### **May 14-15, 2020**

Event: Annual Parental Defense Conference  
 Location: Zoom Webinar (Originally scheduled for the Grand Summit)  
 Number of Registrations: 115  
 Presenters:

- **Keynote Address: Parental Defense- The Most important Civil Rights Field Nobody Knows** by Martin Guggenheim
- **Safe Children, Strengthened Families: The Road Ahead for Our Integrated Child Welfare System** by Diane Moore, Division of Department of Child and Family Services Director
- **Professionalism and Civility Challenge** by Grant Dickinson (Professionalism and Responsibility Hour)
- **Building Hope & Resiliency Using the ABA Child Safety Guide** by Robert Wyman, Attorney Consultant, Judicial Engagement Team, Casey Family Programs. JD/MSW
- **Case Law Update** by Emily Adams
- **Defense-side Social Workers And Expanding Advocacy Resources** by Adam Trupp, Assistant Director of the Indigent Defense Commission, Margaret Lindsay, Assistant Director of the Utah County Public Defender Association, Sheryl St. Clair UCPD Social Worker, Mandy Adams, UCPD Social Worker, Jordan Putnam, PDA President and Lokken & Associates Attorney, Melissa Foulger, Lokken & Associates Social Worker

Unequivocally, the pandemic impacted our Annual Conference more than any other PDA event during FY2020. When shutdowns began in mid-March, the PDA already had plans in place for a two-day, in person event with 11 hours of speakers lined up. Approximately half of our expected attendees had already registered and paid to attend when the Board made the decision to cancel our in-person event. Fortunately, we were able to work with our venue to cancel without penalty and ultimately (though it took several months) get refunded our initial deposit. Although the decision to cancel the in-person event was practically a foregone conclusion, what remained less clear at the time was what exactly to do instead. The PDA Board was deeply committed to offering a virtual conference in place of the event we had to cancel, but it seemed unlikely that participants would want to sit in front of their computers for eleven and a half hours of training we had planned for the live event. We ultimately made the determination to drastically scale back the hours to three hours each day, for a total of six hours of CLE credit. This seemed like a much more manageable amount of time. We made program cuts to presentations that were likely to be less impactful online than they would have been in person, with an eye to keeping programs that are typically hard to find, such as professionalism and civility credits.

The next difficult decision we faced was what to charge for this reduced online event. We typically charge \$125 for contract attorneys and \$150 for non-contract attorneys for our two-



day, in person event. This amount doesn't even begin to cover the hotel room costs for the event; rather it simply helps supplement the cost of the venue, which is by far our biggest single expense in any given year. Because of that, it made it very difficult to ascribe a monetary value to the training in a vacuum; we'd never been asked to consider what the value of our training events were simply for the worth of the knowledge imparted. Given the extraordinary and unique circumstances and wanting to be the very best community partners we could be to our members, we ultimately decided to refund 100% of the registrations we had received to that point and charge nothing for attorneys to attend the Online Annual Conference. Due to not needing to pay for an in-person venue, we knew our costs would be much lower, and we anticipated our annual budget could handle the loss of this revenue stream. This ultimately proved to be correct, though the balance was much closer than originally anticipated. The financial impact of this decision will be discussed further later in this report.

109 attorneys registered for the virtual annual conference. This is drastically fewer than our typical attendance, which normally hovers between 150 and 170. Of those 109, 106 actually attended, which is the highest attendance percentage we may have ever had at one of our conferences. Presentations went smoothly, participants submitted questions for the presenters in the chat and Q&A functions, which were relayed by board members who served as panelists to help facilitate the entire event.

Of those surveyed, 22.2% reported that this was the first year they had attended the conference, which tracks slightly higher than most previous years, (15-18%) We feel this reflects that we continue to provide useful education to our target audience, while still capturing those new to this area of law. It also means that the vast majority of attorneys who attend our conference do so year after year because we believe they find the material to be relevant and useful to their practices. All of these factors encourage the Board that the focus and quality of the conference is resonating well with our members.

Our feedback for this year's conference was overwhelmingly positive: 88.9% of those surveyed rated the conference as either "Excellent" or "Good" (slightly down from last year's 97.3%, but understandable given the entirely online format). All of those surveyed indicated that the conference was relevant to their daily practice. Additionally, 100% of those surveyed indicated they strongly approved or approved of the functionality of the online format. This was encouraging, because although we knew there would be no way to replicate the experience of an in-person event, we still made the training as functional as possible and easy to utilize for our members. In responding to a question that asked which portions of the conference were most useful to your practice, many responses specifically called out our keynote address by Martin Guggenheim, as well as the case law update. This was a highlight, as in past years this was one of the hardest presentations to make interesting for participants, despite it being one of the most crucial training topics. We will happily invite Emily Adams back to do case updates in the future due to this success. Although all the presentations rated high on our surveys, the two highest ranked presentations were our keynote address and the panel discussion from our

Defense Side Social Workers. This may speak to the novel nature of this topic and the interest shared by parental defenders in having social workers on “our side.”

This year, two participants rated the conference as “fair.” This seems to be a negative result after the two previous years only having 1 participant each year indicating the conference was “fair,” despite higher attendance. However, it isn’t a stretch to attributed it to the change to a solely online format for an event that participants rely on so heavily for networking opportunities year after year. Comments at the end of the survey indicated some participants felt passionately about still holding the conference in-person, despite the pandemic. With the divided public opinion surrounding the safety of in-person events, it is not surprising that we deeply disappointed some of our members with the decision to move online. However, it was the only conscionable decision we could make at the time. As the pandemic stretches on, this same question will continue to be difficult to address, though the safety and health of our members, as well as the most reliable scientific data available at the time, will govern these decisions.

Despite the challenges we encountered, we are proud of the positive survey results and our ability to continue to meet the needs of our members, even under extraordinary circumstances. We will apply the lessons learned from this event to all of our online programs in the future, while looking hopefully forward to a time when it will once again be safe to hold in-person events.

### ***June 24, 2020***

Event: One Hour Lunch Hour Event  
 Location: Zoom Webinar  
 Topic: *Judges Panel: First and Second District*  
 Presenter: Judge Bryan Galloway, Judge Michelle Heward, and Judge Jeffery Noland  
 Number of Attendees: 39

In continuing the pattern of rotating lunch CLE events, we determined it would be useful to try to address localized concerns of our members by specifically hosting a Judges Panel entirely of judges sitting in the 1<sup>st</sup> and 2<sup>nd</sup> Districts. We asked our judges to specifically address best practices in their virtual courtrooms and give any practical advice for parental representation attorneys in their courtrooms. This event was a particularly useful opportunity to get to know Judge Bryan Galloway, who had recently been elevated to the bench. Typically, our localized events see 15-20 participants. This event had much higher participation, though a significant percentage of the attorneys who attended actually practice in different parts of the state. We believe this can be attributed to the ease of utilizing the online format (no need to travel to a location), and a curiosity amongst our members about how judges in 1<sup>st</sup> and 2<sup>nd</sup> districts handle cases differently from the judges in other judicial districts. We will continue to watch for similar attendance trends as we extend this webinar series to different judicial districts in FY2021, starting with 3<sup>rd</sup> District in November 2020.

### ***Other Training Opportunities***

The PDA continues to work closely with the Court Improvement Program to help plan training opportunities that will be useful to parental defenders and other stakeholders in Utah's juvenile courts. This year, the PDA helped to implement the CIP's Online Summit. Some 660 child welfare practitioners attended the event. Significant emphasis was placed on Utah's Core Principles and Guiding Practices for a Fully Integrated Child-Welfare System, which will be discussed in greater detail below.

### ***Videos/On-Demand Training Events***

Since the PDA began using the Zoom platform to host our webinars, every training event we have hosted has been recorded to be used for later on-demand viewing by our members. This is an exciting development as we had made the decision last year to stop paying for the online platform to host our three recorded training events prior to this year. We now have as many on-demand programs available for our members to view from one year of events than we had in the entire previous history of the PDA, and that number will only continue to increase. All of our programs have been approved for self-study credits, and the Bar has waived the in-person requirements for the foreseeable future due to COVID-19 concerns. Due to the exponentially expanding size of our virtual library, we are now reporting CLE hours only for attorneys who attend events live according to the reports generated by Zoom. Any attorney who watches the programs on-demand and requests CLE credit is directed to the Bar website to fill out self-study forms, though we do provide the approved CLE application for their convenience.

### **Website, Outreach and Counseling**

#### ***Website—[www.parentaldefense.org](http://www.parentaldefense.org)***

The PDA continues to look for ways to improve the website so that it is a useful resource to parental defense attorneys around Utah. It proved to be a valuable tool to quickly communicate major changes to our members during the pandemic, particularly with respect to last minute changes made to the Annual Conference. All of our training events are published on the website, with their accompanying registration links. Also, members can review a host of online resources available to them, including our video on-demand trainings, apply for PDA membership, and update their directory records. The PDA is continuing to work on updating our Forms database, which was somewhat out-of-date.

#### ***Parental Defense Database and Emails***

The PDA's contract requires it to maintain a database of parental defense attorneys and to use emails to provide updates. We continue to utilize a member management software called WildApricot to provide this service.

At the end of the fiscal year we had 396 contacts in the database and 282 of those were considered members. The members have their information displayed on our website as part of the directory, while the contacts do not. Members can manage any changes to their personal information by logging into the database which is linked to the website.

During the fiscal year the PDA sent 31 emails out to all the contacts, which averages approximately 3 emails per month, with many of these emails focusing around specific events, such as the conference. It should be noted that these are the emails that come directly from the PDA's email blasts, and does not include direct email outreach from our board members to individual practitioners.

### ***Consulting***

The PDA continues to act as a resource to parental defense attorneys who may need direction or insight regarding a particular case. Our enlarged board has particularly increased the efficacy of this process. PDA Members at large are able to connect with the board member that represents their region to report issues or challenges they are facing. This increases the channels by which the PDA is able to receive information from its members, and allows us to become more responsive to their needs. Throughout the year, the board has consulted with a number of attorneys regarding various issues relevant to child welfare and juvenile court practice, directing them to resources or trainings that might be of assistance.

### **Other Activities**

As mentioned previously, the PDA maintains a statewide presence in the practice of parental defense by sitting on the CIP Committee, the CIP Training and Steering Committee, as well as by appointing members to the Indigent Defense Commission and its subcommittees. Additionally, this year we were asked to participate in a group of child welfare stakeholders coming together to create a collaborative, cross-system, statewide child-welfare transformation in the State of Utah. The group's focus was to find ways to move Utah's child-welfare and legal communities toward a fully integrated child-welfare system that was focused on best practices. To accomplish this goal, the group collectively drafted seven Core Principles that reflected members' overarching goals of child safety, well-being, and permanency. The group also drafted a practice guide, with detailed action steps on how the principles could immediately be implemented in everyday practice. This group included the following Utah child-welfare professionals:

- Board of Juvenile Court Judges
- Juvenile Court Improvement Program
- Office of Guardian ad Litem and Court Appointed Special Advocates
- Utah Attorney General's Office, Child Protection Division
- Parental Defense Alliance of Utah
- Division of Child and Family Services
- Lokken & Associates, P.C.

The group worked tirelessly at over the span of almost the entirety of FY2020 to refine the language of the Core Principles and the accompanying Practice Guide. The PDA was integral to

the drafting process, with Executive Director Kirstin Norman and PDA President Jordan Putnam present at every single meeting in the process. As such, we are supremely confident that these Core Values reflect an aspirational yet totally achievable set of recommendations that will drastically improve families' experiences within our child welfare system. The Core Principles, as mentioned earlier, were formally introduced at the CIP Online Summit this past year. The Principles are designed to be a living document that will be continually updated to reflect best practices as they evolve. The PDA anticipates being intensely involved in this process in the future as well.

### ***Other Conferences and Trainings***

There are numerous local and national conferences and trainings on subjects relevant to child welfare. These events provide great opportunities for the PDA to scout potential presenters for our conferences, as well as to stay up to date on trends impacting the practice of parental defense nationally. This year, we were able to send board members to two different national conferences.

- August 26-28, 2019: *National Association of Counsel for Children Annual Conference*, Anaheim, CA; attended by Board Member Michael Rawson
- NACC Redbook Training (On-Demand): entire PDA Board of Directors registered to view the training as their schedules permit.

### **Assistance on Appeal**

One of the PDA's contractual responsibilities involves making expenditures from the Child Welfare Parental Defense Fund (Fund 2090) for the purposes articulated in Utah Code Section 63A-11-203. Those purposes are:

- (a) to pay for the representation, costs, expert witness fees, and expenses of contracted parental defense attorneys who are under contract with the department to provide parental defense in child welfare cases for the indigent parent or parents that are the subject of a petition alleging abuse, neglect, or dependency;
- (b) for administrative costs under this chapter; and
- (c) for reasonable expenses directly related to the functioning of the program, including training and travel expenses.

A parental defense attorney representing a parent or parents that are the subject of a petition alleging abuse, neglect, or dependency under the provisions of Title 78 Chapter 3a, Juvenile Courts, Part 3 or 4 and who have been determined by the court to be indigent pursuant to the provisions of Utah Code Section 77-32-202, may apply to the Parental Defense Alliance for reimbursement of those particular costs. Historically, the PDA has determined that a parental defense attorney whose clients meet the requirements may be reimbursed for the costs of procuring expert witness services, paralegal services on appeal, and court transcripts for appeals, in order to assist in providing an effective defense. However, more recently, the

counties have almost entirely assumed the responsibilities of reimbursing expert witness and court transcript costs. Accordingly, the 2090 Funds was historically used primarily for reimbursing paralegal assistance costs, though the PDA retained the ability and discretion to use them for other purposes articulated in the statute, insofar as doing so would increase the likelihood of success on appeal for those cases deemed by the PDA Board of Directors as being central to our mission.

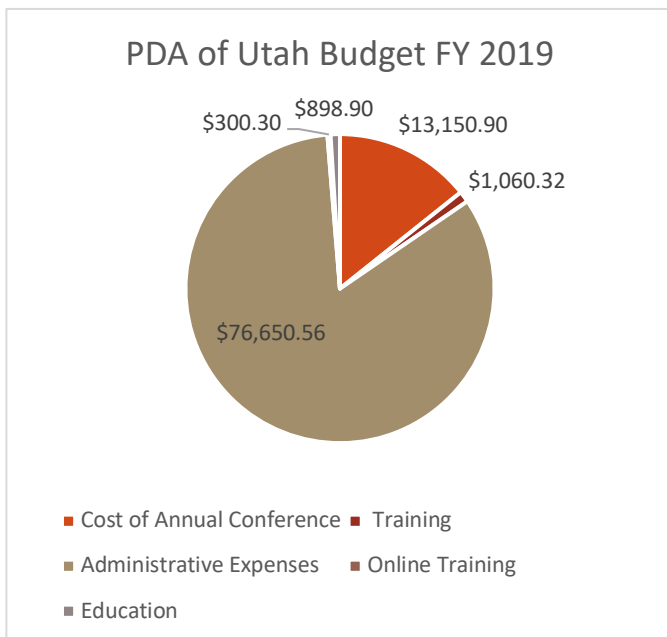
As indicated in last year's Annual Report, the creation of a Child Welfare Appellate Roster changed practice surrounding these appeals for the better. The roster rules required that once a case made it to full briefing, an additional, vetted attorney with significant appellate experience had to join these cases as co-counsel. With qualified roster attorney appointed to each case, need for the 2090 funds drastically diminished over the past two years. Accordingly, the PDA searched for ways to utilize the funds more efficiently for child welfare appeals.

One such opportunity was the opportunity to participate as amicus counsel at the invitation of the Utah Supreme Court the landmark case, *In re BTB*. Margaret Lindsay and Kirstin Norman authored the amicus brief, as both attorneys had significant appellate writing experience, Ms. Norman presented oral arguments in January 2020. The results of the case were more than we could have possibly hoped for. In June 2020, the Utah Supreme Court issued its opinion affirming the Court of Appeals' decision, which was the outcome the PDA had zealously advocated. Additionally, in its decision, the Supreme Court specifically thanked amicus counsel for its "excellent briefing and thoughtful input." *In re BTB*, 2020 UT 36, footnote 3.

The total aggregate amount of grant reimbursements for services cannot exceed the amount available in the "Child Welfare Parental Defense Fund," a restricted fund created by Utah Code. The balance of the restricted fund at the end of the fiscal year was \$43,330.48. Expenditures to the fund in FY2020 totaled \$6,253.79. The entirety of these expenditures went towards the PDA's costs of appearing as amicus counsel in *In re BTB*, including printing and shipping costs of the briefs.

## **Budget**

The PDA of Utah has an annual budget of \$95,200 appropriated from the Utah legislature. In addition to those funds, the PDA typically receives \$13,000 towards the cost of our annual conference from Utah's Court Improvement Program, as well as revenue from the Annual Conference that usually totals approximately \$20,000.00. This year, the CIP did not transfer any funds to the PDA because we did not end up holding an in-person event. Similarly, we did not receive any income for our Annual Conference due to the circumstances described above. Thus, despite initially expecting an Annual Budget of \$122,000 or more, our actual total budget for FY2020 was \$95,200.00, comprised completely of the allotment from the legislature.



During FY2020, the PDA expended \$92,111.35. This means that we did not spend \$3,088.65. Additionally, after FY2020 closed, the PDA finally received a refund for the \$10,000 initial deposit we had paid for our in-person venue for the 2020 Annual Conference that ultimately was cancelled due to COVID-19. That refund, however, remains in our operating account. The PDA sought reimbursement from the State for the deposit in October 2019, when the amount was deducted from our

operating account. Because the State's fiscal year was irrevocably closed by the time we received the refund from our venue, we could not return these funds to the State. As such, we will deduct out ongoing expenses from our operating account until the \$10,000 is fully utilized, and at that point will resume invoicing the state for our ongoing expenses. For ease in understanding this report, and to remain consistent with the State's accounting, the \$10,000 is reflected as an actualized expense for FY2020 in our Conference budget category.

The PDA organizes its expenditures into five categories: Administration (which includes Officers' and Directors' Time and Business Expenses), Conference (which reflects the expenses incurred in putting on the Annual Conference), Education (which includes the expenses incurred sending our board members to national and local training events), Training (which reflects the expenses incurred for in-person training events other than the Annual Conference), and Online Training, (which reflects expenses incurred for training that is only available online.)

Perhaps predictably, there are very pronounced spending differences in FY2020 compared to previous years. The most remarkable difference is in the Conference category. Most years, this figure hovers around \$50,000. This year, that number was \$13,150.90. However, in actuality the amount is even lower since that number still includes the \$10,000 deposit that was ultimately refunded. This means our actual expenditures for the Annual Conference in FY2020 was \$3,150.90. This makes sense since we did not pay for a venue this year as the Annual Conference was moved online due to COVID concerns. It remains to be seen if the conference will be able to be in person in FY2021. As such, it is too early to tell if this trend will continue. However, it should be noted that, because of the significant preference and favorability of an in person conference, it is the intention of the PDA to move back to a two-day, in-person event as soon as circumstances allow. As such, it would be more appropriate to predict future expenditures in the Conference category by tracking previous years rather than FY2020.

It should also be noted that our Administrative expenses increased significantly in FY2020. Last year, those expenses totaled \$63,916.19. This year, that number is \$76,650.56. The increase can be attributed to an increase in the number of hours worked by our Executive Director and certain members of the PDA Board of Directors. These increased expenditures may very well continue, or even increase, as the pandemic remains.

As the PDA is included in more important decision making within our child welfare community, these hours predictably trend upwards. Involvement in projects such as the Core Principles working group, or CIP Bench Card Pilot program takes a significant amount of time, yet the PDA's participation is absolutely critical to ensure parents and their attorneys have their interests represented in the places where the biggest decisions impacting their rights are made. In a year like FY2020 where unique circumstances created a drastic amount of underspending, this kind of increase can easily be handled by the PDA budget, even when we are missing some of our most predictable revenue streams. Further, we have a surplus from previous years that we could continue to draw from as these hours continue to add up in the future as the PDA participates more and more to craft the policy of child welfare law and practice in the State. At some point, this might necessitate an increase in the allotment from the State legislature or permission to increase the amount we charge for our Annual Conference or other training events. However, at the present time, it seems no immediate changes need to be made in order for the PDA to meet the financial requirements of fulfilling its statutory obligations.