

**Department of Planning and Budget**  
**2025 General Assembly Session**  
**State Fiscal Impact Statement**

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**ORIGINAL**

**Bill Number:** HB1733

**Patron:** Cole

**Bill Title:** Petitions for relief of care and custody of a child; investigation by local department of social services; Office of the Children’s Ombudsman work group; report.

**Bill Summary:** Requires a local department of social services, as a part of its investigation after the referral of a request for a petition for relief of the care and custody of a child, to (i) refer the parent to the local family assessment and planning team and (ii) create a written report. The bill directs the Department of Social Services, in coordination with the Virginia League of Social Services Executives, to create a template for and provide guidance on what should be included in such written report. The bill also changes the evidentiary standard of whether there is good cause shown for the petitioner's desire to be relieved of the child's care and custody from a finding based on preponderance of the evidence to a finding based on clear and convincing evidence.

The bill also directs the Office of the Children's Ombudsman to convene a work group composed of relevant stakeholders to determine the factors a court should consider when determining whether there is good cause shown for a petitioner's desire to be relieved of the care and custody of a child. The bill directs the work group to submit a report of its findings and recommendations to the Virginia Commission on Youth by November 1, 2025. This bill is a recommendation of the Virginia Commission on Youth.

**Budget Amendment Necessary:** No

**Items Impacted:**

**Fiscal Summary:** This legislation is unlikely to result in a fiscal impact to the state, however, utilizing calendar 2023 data, there is a possible exposure of up to \$3.0 million per year if the children impacted by this legislation are not already under the care of a Family Assessment Team and Planning Team and receiving services.

**Fiscal Analysis:** The Department of Social Services (DSS) anticipates the population impacted by the bill are served under the existing Children’s Services Act (CSA) mandate type of “Foster Care Child in Need of Services (CHINS) Prevention”. DSS does not anticipate an increase in workload at the state or local level and, therefore, this legislation will not have a fiscal impact for the DSS or local DSS.

The Office of Children’s Services (OCS) has indicated that most, if not all, of these children are already currently participating in the system and accessing services through a Family Assessment Team and Planning Team. This legislation does not create any new eligibility categories. While this legislation may capture some children who are not currently receiving services through the CHINs mandate, OCS does not believe this figure will be significant. The Virginia Commission on Youth indicates that 382 petitions were filed in calendar year 2023, and of those, 140 cases were dismissed. If the remaining 242 children are not currently receiving any CSA services and would now be served through foster care or residential foster care, the cost would be between \$1.4 million and \$3.0 million.

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		<b>Community-Based Care</b>	<b>Residential Care</b>
Number of Children	242	\$ 8,994	\$27,974
State Match		65%	44%
<b>Total GF Cost</b>		<b>\$ 1,414,756</b>	<b>\$ 2,961,747</b>

The Office of the Children’s Ombudsman has indicated that the costs of convening a workgroup can be absorbed in existing resources.

**Other:** This bill is a companion to SB1372.