

Submitted by:
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Thank you for seeking the input of current CI's regarding proposed changes to ACJA 7-203. The following are comments by a Certified Confidential Intermediary of nearly 20 years.

The majority of the proposed changes do appear to address correcting errors, using consistent language and wording, eliminating repetition of statutory language, and providing clarity. This makes the code easier to read, to interpret, and provides for consistency. These are welcome changes.

Sections that may benefit from some additional fine tuning are as follows:

F.5 Notice of Withdrawal and 8.a-b Voluntary Surrender or Request for Inactive Status. Both of these sections address the withdrawal form. There is a lack of consistency across these sections, as to whom is to receive a copy of the withdrawal notice/form. There have been at least 2 versions of "the" withdrawal form", neither of which is currently on the website/accessible to CI's. One version indicated a finalization report "is attached", another version indicated it is to "be provided within 45 days..." As proposed, section F.b provides that a copy of "the notice of withdrawal" is to be provided to the client. It is certainly important and necessary that the client be told of the withdrawal. However, this wording could mean that a client is to receive a copy of the withdrawal, AND the attached finalization report—which would contain information to which the client is not entitled, as consent for exchange would have not yet been received.

J.1.h Confidentiality. This section addresses using a mentor, and that the "request for appointment" must designate any mentoring CI. The "request for appointment" form was eliminated many years ago. (The mentor relationship is included in the finalization report, providing the necessary record of another CI working on the case.)

J.2 Skills and Knowledge. Subsection h addresses "discharge summaries"—consistent language will have this as "finalization reports".

L. Continuing Education. Sections 4b through f may need strike out/renumbering correction. Subsection e addresses Self-Study. It would seem that the definition addressing "real time interactions would be best enumerated in its own subsections. L.8.f requires "Signature of the sponsor or an official document from the sponsoring entity." In light of the move to remote educational opportunities, a signature or "official document" is often difficult to obtain. Could this be edited, allowing electronic communication as proof of attendance?

Of substantive concern to this CI are the sections regarding the Board, and the renewal of certification for CI's.

D.5 3: Confidential Intermediary Board. A board of 11, as currently exists, may be excessive, however reduction to a mere 5, seems excessively small. It will be more difficult to get a majority attendance from a smaller board. A larger than 5 member board would support more

than 2 CI's, which would provide the board with more members with direct CI experience. As proposed, the "public" and "additional member" may or may not have any experience related to the field. More than one board member ought to have (non-CI) experience with the legal or social aspects of dependent children, adoption, search techniques or court proceedings. It appears the Administrative Office (AOC) has had difficulty filling the board vacancies. As opposed to eliminating members, the board would be better served by the AOC enhancing recruiting efforts such as through information sharing within the various related committees and meetings in which the AOC participates or has a liaison.

D.4 Meetings, and G Renewal of Certification. The proposal is to have an annual, rolling renewal period, and changing the renewal period to one year, versus two. What is the rationale for changing renewal period from 2 years to 1? This change does adjust the educational hours per renewal period, yet does not change the fee, thereby doubling the fee for CI's. Many of the CI's provide many or all of their services for no fee to the clients. This doubling of certification fee may further discourage participation by an already dwindling number of CI's. The "rolling renewal" period could potentially have a CI due for renewal each month, requiring board action every month. Both the annual renewal and the rolling renewal would actually increase the workload on the CLD staff.

I, and perhaps other CI's would be happy to meet with the staff and/or committee to further discuss the actual CI practices, and evaluate potential changes.

Thank you for considering these comments as you continue to refine and improve the rules for Confidential Intermediaries.