
FISCAL TOPICS

Fiscal Services Division

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Title IV-E Juvenile Justice Improvement Fund

Background and Purpose

The Title IV-E Juvenile Justice Improvement Fund was created in [HF 2559](#) (FY 2023 Justice System Appropriations Act) during the 2022 Legislative Session. The purpose of the Title IV-E Juvenile Justice Improvement Fund is to hold moneys received by the Office of the State Public Defender pursuant to Title IV-E of the federal Social Security Act that are unexpended at the end of a fiscal year. A federal mandate regarding the use of federal Title IV-E funds requires savings to be reinvested and used for child welfare services instead of reverting to the General Fund. Title IV-E funds must be used to supplement and not to supplant existing funding. Moneys deposited in the Fund are available for expenditure in succeeding fiscal years for the purposes allowed by Title IV-E of the federal Social Security Act.

Title IV-E Funds

Title IV-E funds are matching funds the Office of the State Public Defender receives through Title IV-E of the federal Social Security Act. These matching funds help to fund the cost of providing legal representation for certain children and their parents in child welfare legal proceedings. The Office receives a percentage of the funds it expends for providing legal services in cases in which children may be eligible for foster care. This includes funding expended both through the State Public Defender operations budget and the Indigent Defense Fund. The amount of reimbursement received is calculated as the total amount expended for this purpose divided by two and multiplied by the State's penetration rate. The State's penetration rate varies, but is usually between 50.0% and 60.0%.

The Office of the State Public Defender began receiving Title IV-E funds in FY 2020. **Table 1** below shows the amount of Title IV-E funds the Office of the State Public Defender has received since then.

Table 1 — Title IV-E Funds Received by the Office of the State Public Defender

	FY 2020	FY 2021	FY 2022
State Public Defender Operations	\$ 187,000	\$ 724,000	\$ 692,000
Indigent Defense Fund	1,395,000	2,766,000	2,947,000
Total	\$ 1,582,000	\$ 3,490,000	\$ 3,639,000

Note: The Office started receiving funds in the third quarter of FY 2020.

The Office uses the Title IV-E moneys it receives for the following purposes:

- As a funding source for the Project to Preserve Families. This is currently the primary use of the Title IV-E reimbursement.
- For training juvenile attorneys.

More Information

Office of the State Public Defender: spd.iowa.gov

Judicial Branch: iowacourts.gov

Department of Human Services: dhs.iowa.gov

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The Project to Preserve Families is a pilot project created in Iowa Code section [13B.13](#). It is operating in six counties, including Appanoose, Emmet, Fayette, Linn, Pottawattamie, and Woodbury counties. According to Iowa Code section 13B.13, the Office of the State Public Defender may establish a pilot project to implement innovative models of legal representation in order to assist families involved in the child welfare system. The purpose of the project is to implement and study innovative ways to achieve positive outcomes for families, reduce trauma to young children, and deliver financial benefits to families and their communities. As part of the project, the Office may appoint an attorney to represent an indigent person prior to the initiation of formal proceedings, without court order, if such representation is deemed appropriate by the Office and relates to the purposes of the pilot project. Through the authorization of this Iowa Code section, the Office started the Project to Preserve Families, which is designed to provide legal and community support to indigent clients to prevent Juvenile Court involvement and the removal of a child from the family home.

Funding

The moneys deposited in the Title IV-E Juvenile Justice Improvement Fund consist of moneys received by the Office of the State Public Defender pursuant to Title IV-E of the federal Social Security Act that are unexpended at the end of a fiscal year. Moneys deposited in the Fund are appropriated to and administered by the Office of the State Public Defender. Moneys are available for expenditure in succeeding fiscal years for the purposes allowed by Title IV-E of the federal Social Security Act. The first year that moneys may be deposited in the Fund is FY 2023.

Other Agencies

The Department of Human Services (DHS) and Judicial Branch both also receive Title IV-E funding. The DHS receives Title IV-E funding for child welfare services. For several years, the annual Health and Human Services Appropriations Act has contained non-reversion language for unexpended funds that come from savings from the use of Title IV-E funding.

The Judicial Branch recently started receiving Title IV-E funding. The Judicial Branch became eligible in January 2021 for both prevention services reimbursement and administrative reimbursement. The Judicial Branch has not yet received prevention services reimbursement, but it received its first administrative reimbursement in March 2022. The Judicial Branch expects to use the Title IV-E funding to improve and expand prevention services and ensure compliance with federal requirements.

Related Statutes

Iowa Code chapters [13B](#), [232](#), and [815](#)
Iowa Code section [13B.13](#)

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