

## KEEPING CURRENT

August 2011

*Keeping Current* is a compilation of relevant news and information, including trainings and events. The materials referenced in *Keeping Current* are intended to be additional resources for consideration by members of the CCAN community, and Children's Law Center cannot verify the quality of all the materials or events referenced herein. CCAN attorneys should conduct their own independent research when reviewing these materials, and should review the weekly CCAN e-mail for current information. Please contact Nancy Drane, Training Director, with comments or suggestions. *Keeping Current* is also posted on the Family Law page of ProBono.net/dc and www.childrenslawcenter.org.

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## D.C. Court of Appeals and U.S. Supreme Court

### New Opinions from the D.C. Court of Appeals:

*Terry Hedgepeth v. Whitman Walker Clinic and Mary Fanny, M.D.* (CA-6244-05)

Court expands past "zone of physical danger" test for harm in NIED cases, so long as there's a particular relationship present.

Available at: <http://tiny.cc/hrqul>

### New Opinions from the U.S. Supreme Court :

*Turner v. Rogers: Decided June 20, 2011*

In a 5-to-4 decision, the Court said there is no automatic right to counsel for people charged with civil contempt.

Available at: <http://tiny.cc/gacmq>

## Child Welfare News (Local and National)

**Investigative Series on Post-Death Investigations, including forensics in child deaths** (NPR) Available at: <http://tiny.cc/iiv25>

**Adoptions by Gay Couples Rise, Despite Barriers** (NY Times) Available at: <http://tiny.cc/cssji>

**State Intervention in Life-Threatening Childhood Obesity** (JAMA) Available at: <http://tiny.cc/wwma8>

**Montgomery looks to impose youth curfew** (DC Examiner) Available at: <http://tiny.cc/l3x9q>

**D.C. foster kids get a glimpse of life beyond the system** (Washington Post) Available at: <http://tiny.cc/79sum>

## Education News (Local and National)

**D.C., Teachers in Court Fight Over Evaluations** (Washington Post) Available at: <http://tiny.cc/on02y>

**Anonymous \$1.5 million donation to save D.C. school sports** (Washington Post) Available at: <http://tiny.cc/1bkwd>

**Scores Inch up on Maryland Exams** (DC Examiner) Available at: <http://tiny.cc/vhkhn>

**Teacher Grades: Pass or Be Fired** (NY Times) Available at: <http://tiny.cc/bnba5>

**Area schools spread awareness of concussions** (DC Examiner) Available at: <http://tiny.cc/q6yv0>

**D.C. public school students attacked by teachers 64 times this school year** (DC Examiner) Available at: <http://tiny.cc/fkxwg>

**Teacher layoffs continue Rhee's reforms** (DC Examiner) Available at: <http://tiny.cc/o7sh7>

**More than 200 D.C. Teachers Fired** (Washington Post) Available at: <http://tiny.cc/45ioe>

**Report: MCPS students, parents unsatisfied with school lunches** (DC Examiner) Available at: <http://tiny.cc/29m11>

**School Discipline Study Raises Fresh Questions** (NY Times) Available at: <http://tiny.cc/nrcf7>

## Other News (Local and National)

**Court Issues Split Ruling on Poor's Right to Counsel** (NY Times) Available at: <http://tiny.cc/lfquy>

**Summer Camps Open to Swarms of Kids** (DC Examiner) Available at: <http://tiny.cc/jdjsxg>

**Criminal charges not unusual in child heat-death cases** (DC Examiner) Available at: <http://tiny.cc/bs4eq>

**First Study of Its Kind Shows Benefits of Providing Medical Insurance to Poor** (NY Times) Available at: <http://tiny.cc/it8kc>

**Medical-Legal Partnerships Help Kids Succeed** (The Shriver Brief) Available at: <http://tiny.cc/ev7fm>

# Reports and Publications

## CHILD WELFARE

### Services for Pregnant and Parenting Youth In or Exiting Substitute Care - Bibliography

This annotated bibliography from the National Resource Center for In-Home Services describes resources to assist public and private agencies in designing and implementing services for pregnant and parenting youth in and exiting substitute care. It includes the following categories of resources: General Issues Related to Pregnant and Parenting Youth in Care; Assessing the Needs of Pregnant and Parenting Youth in Care; Programs and Services; Comprehensive Services Framework; Home Visiting/Prevention; Parent Training; Permanency Planning; Health and Developmental Services; Mental Health Services; Housing Services; Services Targeted for the Child; Social Support; Legal Status and Advocacy; and, Training Curricula.

[http://www.hunter.cuny.edu/socwork/nrcfcpp/info\\_services/download/PregnantandParentingTeenServices.pdf](http://www.hunter.cuny.edu/socwork/nrcfcpp/info_services/download/PregnantandParentingTeenServices.pdf)

### Promising Practices Toolkit: Working with Drug Endangered Children and Their Families

This toolkit was developed by the Federal Interagency Task Force on Drug Endangered Children. The DEC Task Force Federal Partnerships Subcommittee conducted an assessment of promising practices in the field and of training modules provided by federal, state, local, tribal, and community-based providers across the country. This toolkit is a compilation of many of those practices, separated into three categories: (1) increasing DEC awareness, (2) fostering community collaboration, and (3) creating a more effective response. The intent of this toolkit is to provide guidance and resources to professionals in identifying, responding to, and serving drug endangered children. The Task Force is committed to identifying ways to better serve and protect drug endangered children by building partnerships on the federal, state, tribal, and local levels. For each practice identified, the toolkit provide information about the practice (what is working), how the practice can be helpful (why it works), and resources to assist in implementing the practice in your community (how to get started). (May 2011)

[http://www.whitehousedrugpolicy.gov/publications/pdf/promising\\_practices\\_toolkit.pdf](http://www.whitehousedrugpolicy.gov/publications/pdf/promising_practices_toolkit.pdf)

**The Office of Youth Empowerment (OYE) invites you to review the new [OYE Practice Operational Manual](#)**, now on CFSA website. The *OYE Practice Operational Manual* is a uniform guide for social workers, support workers, supervisors, community partners, and stakeholders who support the mission of CFSA and its contracted private agency partners. The *Manual* also outlines procedures for ensuring that CFSA and its partners are meeting the unique needs of older youth. It is further designed to articulate the major components and functionalities of OYE's structure and support services. As well, the *Manual* examines the OYE service delivery model, including the highly individualized life skills training provided for each participating youth through the assistance of Independent Living (IL), vocational, and educational specialists.

### Openness Promotes Family Conversation and Adoptive Identity

A longitudinal study of openness in 184 families involving in-depth interviews and questionnaires – when adopted youth were adolescents and again as young adults - found that contact with birth relatives assisted adopted persons in their development of a coherent adoptive identity, in part because this contact promoted more frequent adoption-related conversation within the adoptive family. "Contact in Adoption and Adoptive Identity Formation: The Mediating Role of Family Conversation," by Lynn Von Korff and Harold Grotevant (an Institute Senior Research Fellow), is in the June issue of the *Journal of Family Psychology* (Volume 25, Issue 3). The study assessed three aspects of adoptive identity narratives (depth of exploration, internal consistency, and flexibility) and found that female adolescents had higher levels of adoptive identity than males. To access an abstract, go to: <http://bit.ly/l72JIY>. To read the Institute's study on positive identity formation in adoption, go to: <http://bit.ly/cqvnBY>.

### Archived Teleconference on Reinstating Parental Rights

On April 11, the National Resource Center for Permanency and Family Connections offered a teleconference entitled "Reinstating Parental Rights for Youth in Care" – an alternative approach to achieving permanency for older youth in care whose original parents are now capable of parenting. The archived presentation by attorneys Karen Sabo and LaShanda Taylor, as well as the Power Point and an annotated bibliography, may be accessed on the Resource Center's website: <http://bit.ly/jKrD2r>.

## Reports and Publications (cont.)

### CHILD WELFARE (cont.)

#### Children's Understanding of Adoption

"Children's Understanding of Adoption: Developmental and Clinical Implications," by David Brodzinsky (a staff member of the Adoption Institute), is in a recent issue of *Professional Psychology: Research and Practice* (Volume 42, Issue 2). This article presents information for psychologists related to children's understanding of adoption at different developmental stages, and offers guidelines for assisting parents in talking to their children about adoption. It would also be useful in training or working with adoptive or pre-adoptive parents. To access an abstract, go to: <http://bit.ly/iVBcU9>.

#### NRPCPFC Adds "Hot Topic" Webpage on Child Welfare and Technology

The National Resource Center for Permanency and Family Connections recently added a "Hot Topic" webpage containing resources that explore the implications for new technology and child welfare practice, including resources related to using social networking sites in adoption recruitment. This page will be updated regularly. To access the site, go to: <http://bit.ly/iMlo7d>.

#### NACAC Establishes New Advocacy Toolbox for Adoption Advocates

The North American Council on Adoptable Children has established an online resource for adoption advocates with resources in five primary categories: Advocacy Basics, Sample Advocacy Strategies, Post-Adoption Advocacy Toolkit, Special Topics, and Links & Newsletter. To access the information, go to: <http://bit.ly/mCnOH2>.

#### Children's Bureau Releases Report on Kinship Licensing Standards Waivers

The U.S. Administration on Children, Youth, and Families recently released a report on state usage of waivers of nonsafety licensing standards in kinship care authorized in the Fostering Connections to Success and Increasing Adoptions Act. The 2008 law allowed child welfare agencies to waive licensing standards not related to safety for kinship arrangements when needed in an effort to make placements with relatives easier when a child is removed from their home. It also required follow-up analysis of state usage of the waivers, which was the subject of this report. Information tracked for the report includes fiscal year 2009 data on: (1) the number of children in both licensed and unlicensed relative foster homes; (2) the frequency of waiver usage and which standards were waived; (3) an assessment of how waivers have impacted the safety, permanence, and well-being of children in care; and (4) an analysis of the remaining obstacles to kinship placements and potential regulatory and legislative solutions. It is difficult to provide national estimates on licensed and unlicensed kinship care arrangements because of lack of uniformity in state definitions of licensed and unlicensed placements and the fact that not all of the relevant data was tracked by the states. Still, the report provides an important glimpse into the use of kinship care placements and nonsafety licensing standard waiver usage around the country and also highlights the continuing obstacles to kinship care placements. Finally, the report discusses a number of potential solutions to these obstacles.

<http://www.acf.hhs.gov/programs/cb/pubs/statesuse/statesuse.pdf>

### EDUCATION

#### Education Provisions of Fostering Connections: State Implementation Toolkit and Issue Briefs

The Legal Center for Foster Care and Education has developed a series of issue briefs analyzing the education provisions of the Fostering Connections Act, and providing examples from states around implementation. These new briefs are part of a larger "State Implementation Toolkit" that includes a basic factsheet on the education provisions of Fostering Connections, a state implementation checklist, and a variety of tools around the overlap with the McKinney-Vento Act. The briefs address the following topics: Making the Case: Engaging Education; Making it Work: Successful Collaboration; Making Best Interest Decisions; Implementing Best Interest Decisions; and, When School Stability Requires Transportation. Additional briefs (on Providing and Supporting Points of Contact and School and Placement Proximity) are being developed and will be available later in 2011. The toolkit and briefs are available at the link below.

[http://www.americanbar.org/groups/child\\_law/projects\\_initiatives/education/state\\_implementation\\_toolkit.html](http://www.americanbar.org/groups/child_law/projects_initiatives/education/state_implementation_toolkit.html)

## Upcoming Trainings and Events

### **Effective Writing for Lawyers**, sponsored by DC Bar

Friday, August 12, 2011 from 9:30AM-4:30PM – DC Bar, 1101 K St. NW

This essential course for new or seasoned attorneys teaches participants how to recognize and correct common writing problems. Through a series of interactive exercises, you will learn how to fix those problems and make dull and bureaucratic language clear and concise. You also will learn about the writing process, including how to edit. The course includes 10 tips for turning ordinary writing into crisp, sharp and convincing prose. This class will help you communicate more effectively with your clients and others in the legal process. Class is limited to 24 registrants. Register at [www.dcbbar.org](http://www.dcbbar.org).

### **Divorce Practice in DC, Maryland and Virginia: Practical Advice and Comparisons**, sponsored by DC Bar Thursday, August 18, 2011 from 6:00-9:15PM – DC Bar, 1101 K St. NW

This course will focus on the basics of divorce practice in these jurisdictions, addressing key substantive and procedural differences among the three jurisdictions and offering pointers for effective practice in each of the major courts in the DC Metro area. The course is geared towards lawyers with basic familiarity with the basics of family law. Register at [www.dcbbar.org](http://www.dcbbar.org).

### **Annual Family Court Multidisciplinary Training**

Friday, October 28, 8:30 to 4:15

The 10<sup>th</sup> Annual Family Court Training is coming up in October. This year's program is "Empowering Fathers: One Size Does Not Fit All." The program will focus on how attorneys, the Family Court, social workers, and other interested parties can help fathers become involved in their children's lives and in their legal cases. As in the past, a limited number of slots will be available to attorneys, judges, social workers, and community agencies and Wilma Brier of the CCAN office will release this information.

#### **REMINDER for CCAN PANEL**

Children's Law Center **HELPLINE** provides CCAN attorneys with legal information and assistance.

- Staffed by CLC attorneys
- Confidential
- Legal information and assistance on general and case-specific topics, such as help identifying resources and services, sample pleadings, and other materials
- All Helpline calls are screened to identify potential conflicts of interest

Call (202) 467-4900 (Option 3) — Monday-Friday, 9:00 a.m. to 5:00 p.m.

## Save the Date

### **34<sup>th</sup> National NACC Conference**

August 29-September 1, 2011 – San Diego, CA

Registration for NACC's 34<sup>th</sup> National Conference in San Diego has opened. The conference brochure is available at: <http://tiny.cc/z1v9f>.

### **2011 National Child Welfare Evaluation Summit**

August 29-31, 2011 — Grand Hyatt Hotel, Washington, DC

The Children's Bureau will be hosting the 2nd National Child Welfare Evaluation Summit, which will build on previous conversations, tackling new questions about evaluation practice and further exploring important issues raised by state and tribal public agency administrators, program directors, academic researchers, program evaluators, advocates, Federal staff, and partners from other fields. This event is designed for professionals interested in: strengthening evaluation practice in child welfare; building evidence about intervention, implementation, and dissemination; and, forging partnerships that improve evaluation, decision-making, and practice. More information is available at: <http://tiny.cc/i6fhr>.

### **Putting the Pieces Together for Children and Families: The National Conference on Substance Abuse, Child Welfare and the Courts**

September 14-16, 2011 — Gaylord National Resort and Convention Center, Washington DC Area

This conference will focus on family based models, the effects of health care reform, ensuring sustainability of effective programs in the midst of a changing fiscal climate and the role of substance use disorders as a central issue in child protection and related child serving agencies. Participants will include service providers and professionals, including child welfare providers, substance abuse treatment providers, juvenile and family court judges and attorneys, law enforcement, prosecutors, probation officers, prevention specialists, maternal and child health agencies, physicians, nurses, researchers and evaluators, educators, Tribal communities, community organizations serving youth and children, and adult mental health providers. More information is available at: <http://tiny.cc/t3dfa>.