

Keeping Current

November 2010

This publication, which is posted on the Family Law page of ProBono.net/dc and our web page, www.childrenslawcenter.org, is a compilation of relevant news and information, including trainings and events. Practitioners should also be sure to review the weekly CCAN e-mail for up-to-date information or changes. If you have suggestions or comments for future publications, please contact Nancy Drane, Training Director, at ndrane@childrenslawcenter.org or 202-467-4900 ext. 502.

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District of Columbia Court of Appeals News

Isaac Hargrove and Juanita Handon v. D.C., 05-CT-256, 05-CT-257 – Criminal conviction for failure to comply with the mandatory reporting statute overturned. Legislative history and statutory interpretation of the neglect statute included in discussion. Available at: <http://www.dccourts.gov/dccourts/appeals/pdf/05-CT-256+MTD.PDF> or <http://tiny.cc/4qwnc>.

Upcoming DC Court of Appeals Matters of Interest:

In re P.D. (09-FS-1360) — Friday, November 12, 2010 at 9:30 AM

In re K.J., K.J. (09-FS-1351, 1352) — Wednesday, November 17, 2010 at 9:30 AM

In re Petition of J.A.C. (10-FS-456) — Wednesday, November 17, 2010 at 9:30 AM

Oral arguments are broadcast on the DC Court of Appeals website:

www.dccourts.gov/dccourts/appeals/calendar/index.jsp

REMINDER for CCAN GAL PANEL!

Children's Law Center **HELPLINE** provides GALs 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 4) — Monday-Friday, 9:00 a.m. to 5:00 p.m.

The materials referenced in *Keeping Current* are intended to be additional resources for consideration by members of the CCAN community. 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.

DCPS and DC Schools News

[Judge Rejects DC Bid to Dismiss Special Ed Case](#) (Washington Post) *A federal judge has denied the District's motion to drop the 15-year-old injunction that oversees payments to private special education schools attended by the city's schoolchildren at public expense.* Available at: <http://tiny.cc/sc0kd>.

[Q&A With Michelle Rhee's Replacement, Kaya Henderson](#) (WTOP.com)
Available at: <http://tiny.cc/glcfx>

[Special Education Atop DC 'To Do' List](#) (Washington Examiner) Available at: <http://tiny.cc/z8yix>.

Child Welfare and Juvenile Justice in DC

[Judge sanctions District in Child Welfare Case](#) (Washington Post) Available at: <http://tiny.cc/px2r0>

[Condemning DC Leaders' Inaction, Federal Judge Orders Immediate Funding for Teens Aging Out of DC Foster Care](#) (Children's Rights Press Release) Available at: <http://tiny.cc/mn596>

[Queer and Loathing: Does the Foster Care System Bully Gay Kids?](#) (Mother Jones)
Available at: <http://tiny.cc/bl8x6>

[DC Council Seeks to Name Young, Violent Criminals](#) (Washington Examiner)
Available at: <http://tiny.cc/ltkof>

Reports and Publications

[CHILD WELFARE](#)

[Statistics Show Drop in Children in Foster Care, Increase in Adoptions](#)

The U.S. Children's Bureau has released updated Adoption and Foster Care Reporting and Analysis System (AFCARS) statistics, including the following documents: Trends in Foster Care and Adoption for FY 2002 - FY 2009; AFCARS Report #17 with estimates for FY 2009 data; and State Specific Foster Care Statistics for FY 2002-2009 Entries, Exits, and Numbers of Children In Care. These data show a decline of children in care, from 523,000 in FY02 to 424,000 in FY09. Adoptions have increased in recent years to a high of 57,000 in FY09. For this information, go to: <http://bit.ly/b88zkj>

Reports and Publications (cont.)

[CHILD WELFARE \(cont.\)](#)

[Handling Crossover Cases in Child Welfare and Juvenile Delinquency](#)

The need for collaboration and coordination among public agencies, attorneys, judges, and court-appointed special advocate (CASA) volunteers involved in crossover cases is the focus of the *Judges' Page Newsletter*. Crossover cases are those involving children and youth who have a case in the dependency court as well as the delinquency court. Crossover cases may also include children and youth who have committed a status offense or a child in need of care or supervision offense. In some States, the same court will have jurisdiction over both kinds of cases. In other States, there are two court systems involved with different judges having jurisdiction. In this newsletter, experts from the field discuss cross-systems approaches to handling these cases that can help ensure that youth receive needed services and supports. The *Judges' Page Newsletter* is a publication of the National CASA Association in partnership with the National Council of Juvenile and Family Court Judges, and is available at: <http://tiny.cc/jpr4z>

[Study: Why Child Abuse Investigations Don't Help Kids](#) (TIME) Available at: <http://tiny.cc/4kcbq>

[We Can Do Better: Child Abuse and Neglect Deaths in America](#)

This report estimates that more than 12,000 preventable child abuse deaths occurred between 2001 and 2008. Official estimates are 5 deaths per day, but the actual number of children who die from abuse or neglect may be as much as 50% higher. Available at: <http://tiny.cc/ogdn407gsv>

[NRCPCF Concurrent Planning Toolkit](#)

This toolkit is intended as an online tool for states and tribes where promising practices, programs and resources are made available. Since this publication is a web-based toolkit NRCPCF plans to regularly update it as new programs, practices, publications and policies that focus on Concurrent Planning become available. In putting together this toolkit, the authors reviewed current research and documentation on concurrent planning. Available at: <http://www.nrcpcf.org/cpt>

[Clinical Report: The Pediatrician's Role in Child Maltreatment Prevention](#)

It is the pediatrician's role to promote the child's well-being and to help parents raise healthy, well-adjusted children. Pediatricians, therefore, can play an important role in the prevention of child maltreatment. Previous clinical reports and policy statements from the American Academy of Pediatrics have focused on improving the identification and management of child maltreatment. This clinical report available from the American Academy of Pediatrics outlines how the pediatrician can help to strengthen families and promote safe, stable, nurturing relationships with the aim of preventing maltreatment. After describing some of the triggers and factors that place children at risk for maltreatment, the report describes how pediatricians can identify family strengths, recognize risk factors, provide helpful guidance, and refer families to programs and other resources with the goal of strengthening families, preventing child maltreatment, and enhancing child development.

Available at: <http://tiny.cc/m3gesd43a0>

Reports and Publications (cont.)

CHILD WELFARE (cont.)

Practice Principles for the Recruitment and Retention of Kinship, Foster and Adoptive Families for Siblings

Effective recruitment of families for siblings is driven and supported by an attitude of abundance regarding the availability of families to keep siblings together. This includes having a belief that kinship, foster and adoptive families are willing to step forward to assist the agency in keeping siblings together. This resource offers principles -- which grow out of, and align with, these attitudes -- to frame an agency's recruitment and retention practices related to siblings. This resource is by AdoptUSKids, and is funded through a Cooperative Agreement with the Department of Health and Human Services, Administration for Children and Families, Children's Bureau.

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

LGBT Foster and Adoptive Parenting Information Packet

This new National Resource Center for Permanency and Family Connections information packet, authored by Teija Sudol, provides information on Foster and Adoptive Parenting by LGBT (Lesbian, Gay, Bisexual, and Transgender) individuals and families. It includes a summary of issues, and reviews facts and statistics, policy and legislation, and best practices and promising approaches to work with LGBT foster and adoptive parents. It also includes a listing of online resources.

Available at: <http://tiny.cc/q1f3w>

AGING OUT AND OLDER YOUTH

Webinar Recording: Subgroups of Transitioning Foster Youth

The Chapin Hall and National Governors Association Center for Best Practices webinar series kicked off with a discussion on identifying distinct subgroups of foster youth making the transition to adulthood. This can help inform efforts to design and target policies, programs, and best practices. Practitioners working with vulnerable populations know that a one-size-fits-all approach seldom meets the needs of a population that exhibits great diversity. View a recording of the webinar at

<http://tiny.cc/v9krx>

Report Details Experiences of Foster Youth in an Employment Training and Job Placement Program

This report documents focus groups with foster youth participating in Community Assistance Programs (CAPs), a community-based employment training and job placement program for Cook County foster youth. In particular, researchers wanted to know (1) why foster youth participate in the program; (2) what the program does to help foster youth become employed; and (3) how foster youth would change the program to better address their needs. Read "Experiences of Foster Youth in an Employment Training and Job Placement Program" by Amy Dworsky and Judy Havlicek, available at: <http://tiny.cc/6kmdu>

Reports and Publications (cont.)

EDUCATION

Meeting the Education Requirements of Fostering Connections: Learning from the Field

The Fostering Connections to Success and Increasing Adoptions Act of 2008 created a new mandate for education enrollment and stability for children and youth in foster care. This brief aims to help agency leaders, policymakers, judges, and their partners understand and respond effectively to the education requirements of Fostering Connections by reflecting on lessons learned from initiatives to improve education outcomes for youth in and leaving foster care during the past decade. It focuses on how policies and practices implemented in response to Fostering Connections can provide the foundation for collaborative education supports that lead more youth in foster care to complete high school and pursue and succeed in postsecondary education. The brief is organized in alignment with lessons learned from innovative education projects around the nation. Following an overview of the requirements of Fostering Connections, the brief includes a framework for effective cross-system coordination and highlights actions that leaders of the child welfare system, education system, and courts can take to promote education success for youth in care. The brief also provides examples of existing state and local efforts to improve the education continuity and stability of older youth in foster care. Available at: <http://tiny.cc/9hgry>

Increase in Homeless Pupils Poses Unique Challenges to Public Schools (PBS NewsHour)

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

POVERTY

Poverty and Student Achievement (Washington Post) Available at: <http://tiny.cc/mhj9g>

Poverty Numbers Rise (Washington Post) *Three out of 10 children in the nation's capital were living in poverty last year, with the number of poor African American children rising at a breathtaking rate, according to [census statistics](#) released recently.* Available at: <http://tiny.cc/du90u>

MENTAL HEALTH

Mental Health Providers Grapple with Medicaid Expansion (Washington Post)

Available at: <http://tiny.cc/ayor1r2dx4>

Reports and Publications (cont.)

ADOPTION

Barriers and Success Factors in Adoption from Foster Care: Perspectives of Lesbian and Gay Families

This report reviews findings from interviews and thematic analysis findings from focus groups, as well as examples of family recommendations for agencies and for prospective families.

Available at: <http://tiny.cc/tociw40p1m>

Ten Myths and Realities of Sibling Adoption

This resource reviews ten myths and realities of sibling adoption and provides resources on each topic. It also includes a brief overview of guidance on sibling placements as outlined in the Fostering Connections to Success and Increasing Adoptions Act. Available at: <http://tiny.cc/xqhsy>

The Critical Need for Post-Adoption Services to Enable Children and Families to Succeed

An extensive examination of adoptive families in the United States concludes that too many are not receiving the essential services they need, and calls for a reshaping of national priorities and resources to develop and provide such services. welfare systems). The Adoption Institute report, which is the most comprehensive compilation of knowledge about post-adoption services to date, recommends that "the paradigm has to shift" from simply forming families to providing the supports needed to raise children to healthy adulthood, and provides recommendations for achieving this shift.

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

Upcoming Trainings and Events

CCAN Brown Bag on Representing Adoption Petitioners

Wednesday November 3, 12:30 to 2:00, Room 3300

The presenters will go over the nuts and bolts of representing the adoption petitioner, including counseling your client, entering into a representation agreement, and preparing, filing, and going forward with your adoption case. Information will include the basics of adoption law, recent changes to the law, new cases in the adoption area, adoption subsidy, post adoption issues, and adoption agreements. Judge Juliet McKenna, presiding judge of the Adoption Calendar, will give a welcome presentation, and Wilma Brier and Rebecca Goldfrank will present the materials. An adoption materials manual will also be distributed.

Kinship Care: What Does the Research Tell Us?, sponsored by the Child Welfare League of America

Friday, November 5, 1:00-2:30 p.m. - WEBINAR

This webinar provides a critical review of research-generated knowledge about kinship care, with a particular focus on the most recently published research findings. The presenter will define and distinguish what the research tells us about formal (public) as well as informal (private) kinship care arrangements and the well-being of children in kinship care, their kinship caregivers, and their parents. The webinar will end with presenter and participant discussion of implications of these research findings for policy and practice with families involved in various forms of kinship care. Register at <https://www1.gotomeeting.com/register/865766048>.

There is no registration fee for this FREE webinar. After registering you will receive a confirmation e-mail containing information about joining the webinar.

Upcoming Trainings and Events (cont.)

A Lawyer's Guide to Statutory Interpretation and Statute Drafting, sponsored by DC Bar

Tuesday, November 9, 2010 from 6:00-9:15 PM – DC Bar, 1101 K Street NW

This introductory course will cover the fundamentals of dealing with statutes, statute drafting, and statutory interpretation. The course will discuss the theories, principles, and methods of drafting and interpreting statutes in a way that is practical and relevant to practicing lawyers. The objective is to develop certain methodologies that practitioners can apply in dealing with statutes and statutory interpretation. Speakers include Nicholas Karambelas, Sfikas & Karambelas LLP. Register at www.dcbbar.org.

Roundtable on Teen Pregnancy Prevention in DC: Federal Funding, Priorities and Grantees, sponsored by DC Campaign to Prevent Teen Pregnancy

Tuesday, November 9, 2010 from 9:00 AM – 12:30 PM – American Public Health Association, 800 I St. NW

You will learn more about plans and priorities of the federal government to prevent teen pregnancy and collaborating to create change in the District. Panelists include local and federal experts. Register at: <http://events.r20.constantcontact.com/register/event?oeidk=a07e32gf1io88fc6768&llr=cnx94scab> or <http://tiny.cc/ga672>.

Kinship Care: What is the Law and What Does it Mean For Private Kinship Care?, sponsored by Child Welfare League of America

Friday, November 12, 1:00-2:30 p.m. - WEBINAR

This presentation will review federal and state policies/laws on private kinship care, including the Older Americans Act, Fostering Connections Act, Social Security, and public assistance, as well as conflict between family value and legal value of "kinship." Participants will be introduced to recent models of legal assistance to kinship families. The webinar will conclude with a discussion of recommendations for next steps in advocacy at state and federal levels. Register at <https://www1.gotomeeting.com/register/685709089>. There is no registration fee for this FREE webinar. After registering you will receive a confirmation e-mail containing information about joining the webinar.

Public Benefits Series: MEDICARE: Medicare Parts A, B, C, & D & QMB

Tuesday, November 17, 2010 from 12:00-2:00 PM – DC Bar Conference Center, 1101 K St. NW, 1st Floor

To prepare for Medicare Part D's annual open season, join Jennifer Mezey (Legal Aid Society of the District of Columbia) and Erin Loubier (Whitman-Walker Clinic) for an overview of Medicare eligibility and benefits and how to help clients choose the right Medicare Part D prescription drug plan for 2011. The presenters will discuss the importance of an annual drug plan "check up" for all who get their prescriptions through Part D. Also, they will discuss options to lower Medicare beneficiaries' out-of-pocket costs through the QMB program. FREE. Lunch is not provided, but feel free to bring your lunch. Registration required by e-mail to Jeremy Strauss at jstrauss@legalaiddc.org.

The Story of the Luzerne County "Kids for Cash" Scandal

Thursday, November 18, 2010 from 6:00-7:30 PM – Jones Day, 300 N.J. Ave NW, 7th Floor

Three years ago, a mother from Luzerne County, Pennsylvania, asked Juvenile Law Center to help her 15-year old daughter, who had been sent to a for-profit detention facility after a sham juvenile court hearing, without the benefit of counsel. Juvenile Law Center's lawyers took the case, not knowing that their work would reveal the largest juvenile justice scandal in U.S. history. Please join Juvenile Law Center Board Members Jonathan Cuneo, Peter Edelman, Eric Koenig, Robert Reinstein, Ann Rosewater and Juan Williams, with co-founders Bob Schwartz and Marsha Levick as they share the story of the Luzerne County 'kids-for-cash' scandal and describe how Juvenile Law Center pursued justice for 4,500 wrongfully convicted youths and their families. RSVP to Rosie McNamara Jones at 215-625-0551 or rmcnamara-jones@jlc.org.

Upcoming Trainings and Events (cont.)

Effective Writing for Lawyers Workshop, sponsored by the DC Bar

Friday, November 19, 2010 from 9:30 AM-4:30 PM – DC Bar Conference Center, 1101 K St. NW, 1st Floor

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 untangle sentences and 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 limited to 24 registrants. FEE = \$279. Register at www.dcbbar.org.

Save the Date

CCAN Brown Bag on CASA Dual Jacketed Youth Initiative and Other CASA Programs

Tuesday, December 1, 2010 from 12:30-2:00 PM – Location TBA

The D.C. Court Appointed Special Advocate (CASA) staff will present information about the programs offered by their office, including the new program working with dual jacketed (neglect and delinquency) youth. This is a great opportunity to find out more about what CASA does and when it would benefit your clients to have a CASA volunteer involved in their case. You'll also hear from attorneys who have worked successfully with CASAs in their cases.

CCAN Brown Bag on Internet Research

Monday, December 7, 2010 from 12:30-2:00 PM – DCSC, Room 3300

Please join Laura Moorer, Esq., Legal Reference Specialist, for a brown bag training session focusing on using the internet for legal research. Laura will provide practitioners with an overview of legal resources available on the web, and advice for developing comprehensive research skills, and practical tips. Practitioners are encouraged to share information in advance of the session regarding their access to Lexis/Nexis services, and email questions they would like Laura to address in the session to sharrison@pdsdc.org.

Public Benefits Series: Food Assistance—SNAP / Food Stamps, WIC, and Other Food Resources

Tuesday, December 8, 2010 from 12:00-2:00 PM – DC Bar Conference Center, 1101 K St. NW, 1st Floor

In this tough economy, the need for food assistance is increasing. Join Alexandra Ashbrook (DC Hunger Solutions) to learn about SNAP / Food Stamps and other nutrition programs to assist low income DC residents. FREE. Lunch is not provided, but feel free to bring your lunch. Registration required by e-mail to Jeremy Strauss at jstrauss@legalaiddc.org.

DC Bar Family Law Section Holiday Party

Wednesday, December 9, 2010 from 6:00-8:00 PM – Ping Pong Dim Sum

Join the members of the Family Law community, including attorneys and judges practicing in the DC Family Court, to celebrate the holiday season in a festive atmosphere. Registration information forthcoming.

Public Benefits Series: Immigrant Eligibility for Public Benefits

Wednesday, December 15, 2010 from 12:00-2:00 PM – DC Bar Conference Center, 1101 K St. NW, 1st Floor

Eligibility for public benefits for non-citizens is complicated. Su Sie Ju (Bread for the City) will provide an overview of immigrant eligibility for public benefits. FREE. Lunch is not provided, but feel free to bring your lunch. Registration required by e-mail to Jeremy Strauss at jstrauss@legalaiddc.org.

Save the Date (cont.)

FCTLA/CCAN Brown Bag and Holiday Gathering – Annual Case Law Update

Wednesday, December 15, 2010 from 12:30 to 2:00 PM — DCSC, Room 3300

Please join the CCAN Office and your colleagues for the annual Family Court Trial Lawyers Association/CCAN brown bag and holiday gathering. We will be discussing the neglect, adoption, and termination of parental rights cases decided by the Court of Appeals in the past year. Attorneys who argued these cases will also be invited to attend. Following the substantive presentation there will be refreshments and an opportunity to socialize with your colleagues.

Growing Up Online: Helping Teens with Learning Disabilities Navigate Emotions, Behavior, and Relationships in the Digital Age (Part of Lab School of Washington's 2010-2011 Lecture Series for Parents and Professionals)

Wednesday, February 16, 2011 at 7:30 p.m. — Lab School of Washington, 4759 Reservoir Road NW

This lecture will present a framework to help parents and teachers understand and respond to the social demands placed on today's youth. Strategies to help teens make sense of - and be safe in - this complex social arena will be discussed. Speaker: Doug Fagen, Ph.D., Director of Psychological Services, The Lab School of Washington; Nancy Rowland, M.Ed., Associate Head of the Junior High, The Lab School of Washington.

Single lecture: \$15.00. There is no reserved seating. Pre-registration is encouraged, but not required. Register at: <http://www.labschool.org/content/lectureregistrationform>.

Neglect and Delinquency Practice Institute

March 7-8, 2011 | Washington, DC

National Conference on Juvenile and Family Law

March 27-30, 2011 — Reno, Nevada

Ready for Take-off: Getting your Teen with ADHD or LD Off to College (Part of Lab School of Washington's 2010-2011 Lecture Series for Parents and Professionals)

Wednesday, March 30, 2011 at 7:30 p.m. — Lab School of Washington, 4759 Reservoir Road NW

This presentation will help parents evaluate their current interactions to make sure they are helping - not hindering - their child's readiness and successful transition to college. Learn strategies to help teens slowly and systematically develop the skills needed for life in college. Speaker: Patricia Quinn, M.D., Developmental Pediatrician and Director, The National Center for Girls and Women with ADHD, Co-Editor: ADDvance: A Magazine for Women with ADD, Co-Author, Ready for Take-off: Preparing your Teen with ADHD or LD for College. Single lecture: \$15.00. There is no reserved seating. Pre-registration is encouraged, but not required.

Register at: <http://www.labschool.org/content/lectureregistrationform>.

Child Welfare League of American Annual Conference: The State of Children and Families, Building an Effective National Voice

March 27-30, 2011 – Washington, DC

For registration details, go to: <http://bit.ly/9yz8da>

One Child, Many Hands: A Multidisciplinary Conference on Child Welfare

June 8-10, 2011 — Wharton School, University of Pennsylvania, Philadelphia, PA

Geared for professionals reflecting the multiple disciplines in child welfare, this conference is designed for practitioners, policy makers and administrators alike.

For more information, see <http://www.sp2.upenn.edu/onechild/index.html>