

KEEPING CURRENT

July 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 D.C. Superior Court

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

In re Herschel Shirley (No. 09-FM-1182) Decided June 16, 2011. This CPO criminal contempt case discusses jurisdiction and consent as a defense. The Court issued an amended opinion on June 23, 2011. The amended opinion is available at: <http://tiny.cc/fqbz3>

Child Welfare News (Local and National)

Adoptions Rise by Same-Sex Couples, Despite Legal Barriers (NY Times) Available at: <http://nyti.ms/IIUSBw>.

Coverage of DC Superior Court's and CFSA's **First Annual Family Celebration Day (aka Reunification Day)** Available at: <http://tiny.cc/on5qi>.

More Coverage of DC Superior Court's and CFSA's **First Annual Family Celebration Day (aka Reunification Day)** Available at: <http://tiny.cc/eko2b>

The Gift of Time (Washington Life) An article from NBC's David Gregory about mentoring. Available at: <http://tiny.cc/lkx89>.

Budget Cuts Mean Shrinking Access to Mental Health Services for DC's Children (DC Fiscal Policy Institute) Available at: <http://tiny.cc/qj3zf>.

A Morbid Update: The DC Child Fatality Review Board (Washington City Paper) Available at: <http://tiny.cc/vthe2>.

Is DC Neglecting Neglect: Why Does DC Continue to Send Youth to Troubled Facility [The Pines] (Washington City Paper) Available at: <http://tiny.cc/isi34>.

Cultural Changes Can Save Young Lives (Washington Examiner, Harry Jaffe Opinion Piece) Available at: <http://tiny.cc/5525c>.

Education News (Local and National)

PG County to Charge for Sports (Washington Examiner) Available at: <http://tiny.cc/uzsje>.

Testing Students to Grade Teachers (NY Times) What do we know about using student achievement tests to judge teacher performance? Available at: <http://tiny.cc/73sg0>

DC Councilmembers Don't Send Their Kids to DC Public Schools (Washington Examiner) Available at: <http://tiny.cc/11pbh>.

DC Schools Investigating Principal; Parents Cite Scrapes with Students (Washington Post) Available at: <http://tiny.cc/xsfhx>.

Story of a NY Special Education Teacher Losing His Job (Huffington Post) Available at: <http://tiny.cc/uzxwy>.

5 DC Schools to Get Library Makeovers (Washington Post) Available at: <http://tiny.cc/v97u5>.

Other News (Local and National)

Children on Medicaid Shown to Wait Longer for Care (NY Times) Available at: <http://nyti.ms/ivyR5R>

A Disabled Boy's Death and a System in Disarray (NY Times) Available at: <http://tiny.cc/pq8um>.

Sex Trafficking of Americans -- The Girls Next Door (Vanity Fair) Available at: <http://bit.ly/jYI5er>

10,000 District Youth Without Jobs, School in Heat of Summer: A Costly Formula (Washington Informer) Available at: <http://tiny.cc/ihinf>.

Risks: Hypertension Lurking in Young Adults (NY Times) Earlier estimates from a much smaller study indicated that only 4 percent of adults 24 to 32 had hypertension. Available at: <http://tiny.cc/eurk7>.

Teenage Crime Spiking in DC (Washington Examiner) Available at: <http://tiny.cc/u0r6s>.

Judge, Reporters and Youth Advocates Debate Access to Juvenile Records (Legal Times) Available at: <http://tiny.cc/0s83c>.

Gay Transgender Teens Find Refuge at Home Created for Them (Washington Post) Available at: <http://tiny.cc/f8mlf>.

Coming Out: Interactive Series with Teens' Stories (NY Times) Available at: <http://tiny.cc/fz44g>.

Need Therapy? A Good Man is Hard to Find (NY Times) Available at: <http://tiny.cc/z3hzh>.

Reports and Publications

CHILD WELFARE

Trial Skills for Child Welfare Attorneys -- The National Institute for Trial Advocacy (NITA) hosted Juvenile Law Society (JLS) Director Marvin Ventrell in NITA's "Studio 71" Training Studio. The topic was trial skills for the child welfare attorney. Go to <http://tiny.cc/758za> for a brief interview with Mr. Ventrell on the new book, "Trial Advocacy for the Child Welfare Attorney: Telling the Story of the Family." Go to <http://tiny.cc/4qeo3> for a 1 hour training session on making and meeting objections in child welfare court.

NRCPPFC Placement Stability: A Web-based Practice Toolkit

NRCPPFC reviewed current research and documentation on placement stability. Our goal is to provide the field with information on the three core components that support placement stability practice: Individualized assessment and placement services for children and youth; Recruitment, assessment, selection, and support of caregivers; and, Placement stability policies and practices for child welfare organizations. The toolkit provides a broad array of resources from research, state policies, procedures and practices, and curricula, as well as an organizational self study guide. The Toolkit is available at: <http://www.nrcpfc.org/pst/>.

Running Away from Foster Care: Youths' Knowledge and Access of Services

New research suggests that youth who have had multiple foster care placements are more likely to run away from their homes than youth who have only been placed once in a foster care setting. The report, "Running Away from Foster Care: Youths' Knowledge and Access of Services," shows that most runaway youth leave within the first 6 months of being placed, and that most of these youth have run away multiple times, with 25 percent running away more than 10 times. The report was funded by Annie E. Casey Foundation, the Chicago Community Trust, and the Family and Youth Services Bureau in the U.S. Department of Health and Human Services, as well as Chapin Hall. The National Runaway Switchboard was a partner on the project. The full report is available at: <http://tiny.cc/fl9zw>

Safety, Fairness, Stability: Repositioning Juvenile Justice and Child Welfare to Engage Families and Communities

Georgetown University Public Policy Institute's Center for Juvenile Justice Reform (CJJR) recently released this paper, co-authored by Joan Pennell, Carol Shapiro, and Carol Wilson Spigner, with Commentaries by Kordnie Jamillia Lee and Trina Osher. The paper was released at a symposium held at Georgetown University on May 13, 2011. Connections to family and community are often severed, at least temporarily, as a result of a youth's involvement in the juvenile justice, child welfare, and/or mental and behavioral health systems. To ensure that these connections are maintained or are not severed permanently, families and communities must be engaged in a more constructive and respectful manner. This paper recognizes that such connections must be supported in a manner that allows families and communities to provide a sense of stability and permanency in a youth's life and the life-long connections that youth will need as they transition into adulthood. The authors reinforce the need for child welfare, juvenile justice, mental and behavioral health, schools, and other child-serving systems to work together, across systems, when engaging youths and families. The paper provides a pathway to improving these systems to strengthen the crucial connections in a youth's life, while also providing greater safety, fairness, and stability. The paper and symposium were sponsored, with support from the Substance Abuse and Mental Health Services Administration and Children's Bureau within the U.S. Department of Health and Human Services and the Office of Juvenile Justice and Delinquency Prevention within the U.S. Department of Justice. The paper and materials from the symposium are now available online.

<http://cjjr.georgetown.edu/resources.html>

New Kinship/Guardianship and Fostering Connections Section of NRCPPFC Website

The new Kinship/Guardianship webpage of the Fostering Connections section of the NRCPPFC website provides a variety of resources, organized into the following sections: Promising Practices and Policies from States and Tribes; T/TA & Web Based Resources from NRCs, Children's Bureau, and the T/TA Network; Resources from Collaborating Organizations; and, Evidence Based Practice, Research and Reports. It also links to the NRCPPFC Kinship, Guardianship, and Family Search and Engagement Hot Topic webpages, which offer additional resources.

http://www.nrcpfc.org/fostering_connections/kinship_guardianship.html

Reports and Publications (cont.)

CHILD WELFARE (cont.)

Outcomes and Lessons Learned from Children's Bureau Discretionary Grants

Find information on Children's Bureau Discretionary Grant project outcomes, products, keys to success and lessons learned by visiting the Child Welfare Information Gateway website. You'll find links to grantee findings in specific research practices, and training areas. Site visit reports and syntheses summarize successes, challenges, and resources used and created. The website includes two site visit reports on subgrants of the National Quality Improvement Center on Non-Resident Fathers and the Child Welfare System. The website also includes the following two syntheses: (1) Developing Models of Effective Child Welfare Staff Recruitment and Retention Training, and (2) Training of Child Welfare Agency Supervisors in the Effective Delivery and Management of Federal Independent Living Services for Youth in Foster Care.

www.childwelfare.gov/management/funding/funding_sources/cbreports.cfm

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>

LGBTQ YOUTH

Videos on Working with LGBT Youth available on SAMSHA's YouTube Channel

Larkin Street Youth Services is an organization in San Francisco that provides homeless, runaway and at-risk youth between the ages of 12 and 24 with the help and comprehensive services they need to rebuild their lives. Larkin Street participated in creating training videos for working with LGBT youth for the Homeless Resource Center, a program of the U.S. Department of Health and Human Services Substance Abuse and Mental Health Services Administration (SAMSHA). The SAMSHA YouTube Channel now features the following Larkin Street Stories:

The Homeless LGBT Experience (Episode 1) <http://www.youtube.com/user/SAMHSA#p/u/11/48mC89f6PgA>

Confronting Hate Speech and Homophobia (Episode 2) <http://www.youtube.com/user/SAMHSA#p/u/10/eNIOqoHYHEo>

Neither/Nor Working with Transgender Youth (Episode 3)
<http://www.youtube.com/user/SAMHSA#p/u/9/12AYR3kMhQ>

Reports and Publications (cont.)

PARENTS

Rise Spring 2011: Raising Children with Emotional and Behavioral Problems

Children who come to the attention of the child welfare system have very high rates of emotional and behavioral problems. Many families, especially those in isolated or poor communities, have trouble accessing effective supports. Above all, families need service providers to listen and become their partners in caring for the children. In this issue of Rise magazine, parents write about caring for their children and themselves. Rise magazine is written by and for parents involved in the child welfare system. Its mission is to help parents advocate for themselves and their children.

http://www.risemagazine.org/PDF/Rise_issue_18.pdf

HEALTH

New Health Care and Fostering Connections Section of NRCPPFC Website

The new Health Care webpage of the Fostering Connections section of the NRCPPFC website provides an overview of the health care provisions of the Fostering Connections Act. The webpage provides a variety of resources, organized into the following sections: Promising Practices and Policies from States and Tribes; T/TA & Web Based Resources from NRCs, Children's Bureau, and the T/TA Network; Resources from Collaborating Organizations; and, Evidence Based Practice, Research and Reports. The webpage includes resources on the following topics: Health Screening and Assessment Schedules; Health Care Coordination; Updating and Sharing Medical Information; Continuity of Care/Medical Homes; Oversight of Prescription Medication, Including Psychotropic Medications; Transition Planning for Youth Aging Out of Foster Care; Health Power of Attorney and Health Proxy; Planning for Needs Unique to Specific Populations of Children and Youth; Collaboration with Courts; Resources for Developing and Implementing Comprehensive Health Care Oversight and Coordination Plans; Federal Laws; Resources and Guidance from the Children's Bureau; and, Planning for Needs Unique to Specific Populations of Children and Youth. It also links to the NRCPPFC Health and Child Welfare and Mental Health and Child Welfare webpages, which offer additional resources. <http://tiny.cc/pei1>

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

Upcoming Trainings and Events

A New Era of Health Advocacy: National Health Law Training, sponsored by NLADA and the National Health Law Program

July 11-12, 2011 – Baltimore, MD

With the signing of the Affordable Care Act (ACA) in March 2010, access to affordable and effective health care changed dramatically for low-income people nationwide. Legal aid programs face thousands of potential new applicants for service on health-related matters and join clients in the critical need to understand the changes made by the law and how these changes are being implemented state by state. The National Health Law Training will provide an overview of key provisions of the ACA and their impact on low-income people and will discuss new advocacy challenges resulting from ACA for the legal services community. It will also highlight the serious impact of state fiscal crises on the implementation of the new law and variation of state approaches. For more information, including registration, see: http://www.nlada.org/Training/Train_Civil/Train_Civil_Litigation?

Stolen Futures: A Forum on Child Identity Theft

Tuesday, July 12, 2011 from 8:30AM-5:00PM – FTC Conference Center, 601 N.J. Avenue NW

The Federal Trade Commission and the Office for Victims of Crime, Office of Justice Programs, US Department of Justice, will hold a forum to discuss child identity theft. Government, business, non-profit, legal service providers, and victim advocates will explore the nature of child identity theft, including foster care identity theft and identity theft within families, with the goal of advising parents and victims on how to prevent the crime and how to resolve child identity theft problems. The forum is FREE. For more information and to register, see <http://ftc.gov/bcp/workshops/stolenfutures/>.

Secrets of the Great Brief Writers, sponsored by DC Bar

Tuesday, July 12, 2011 from 9:00AM-1:15PM

Attend this interactive and fast paced and highly acclaimed workshop to improve your brief and motions writing skills, allowing you to work with examples from dozens of trial and appellate filings.

NRCPFC Teleconference: Engaging Fathers in Child Welfare

Date/Time: Wednesday, July 13, 2011, 3:00-4:30 PM EST

This topic was selected for a teleconference because, according to the CFSR, across the nation, child welfare agencies still struggle with locating fathers and engaging and involving them in their children's lives and in the case planning process. Fathers play unique and important roles in their children's lives; therefore, maintaining contact and strengthening the father-child bond should be a priority. The objectives of this session are: To introduce ways to use the "voice of father" within the child welfare system to understand their experiences, needs, and desire to be part of their children's lives; To provide tools to assess the child welfare agency's readiness to engage non-custodial fathers in participating in team meetings, case planning, accessing services, and reunification; To provide new tools for assessing worker bias regarding working with non-custodial fathers. The webinar will close with a question and answer session. Learn more and register by clicking on the link below.

<http://www.nrcpfc.org/teleconferences/07-13-11.html>

Advanced Effective Writing for Lawyers Workshop, sponsored by DC Bar

Friday, July 15, 2011 from 9:30AM-1:45PM — DC Bar, 1101 K St. NW

This hands-on writing course will delve into style and editing problems that are critical to legal writing. The course will focus on organization and grammatical problems that arise in legal writing and emphasize skills such as opening with clear and compelling language to engage your audience, choosing the right words to convey precise meaning, using topic sentences and transitions to guide readers, and using rhythm and tone to enhance your writing. Students will edit their own writing samples as they learn to apply these techniques. To participate in the course, students must bring samples (preferably unedited by someone else) of their own writing to the course. Course instructors may look at the samples, but the samples will not be shared with other students. Class is limited to 20 registrants.

Upcoming Trainings and Events (cont.)

Conflicts of Interest: Real Situations and Practical Solutions, sponsored by DC Bar

Tuesday, July 19, 2011 from 6:00-8:15PM – DC Bar, 1101 K St. NW

This course will provide the practicing attorney with an understanding of basic conflict of interest issues under the DC Rules of Professional Conduct, using hypothetical scenarios. Register at www.dcbbar.org.

OYE Permanency Forum, sponsored by CFSA

Wednesday, July 20, 2011 from 6:00-8:00 PM -- Howard University, Blackburn Center

Come join OYE for an evening discussion around the important role of life long connections in the transition planning process.

Effective Writing for Lawyers, sponsored by DC Bar

Friday, July 22, 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.

Brown Bag on CFSA Differential Response

July 27, 2011, 12:30-2:00, Room 4224, Family Court Conference Room

Michelle Farr, CFSA Child Protective Services (CPS) Administrator, will present on the change in the way that CPS will handle allegations of abuse and neglect that come to the hotline. Differential Response recognizes the reality that reports of child abuse and neglect vary widely. Severe allegations need the traditional investigation. But where a child's safety is not immediately threatened, CPS can conduct a family assessment that looks at needs and strengths. Research shows that when families participate in an assessment, which is non-adversarial, they are more receptive to and likely to engage in helping services. An assessment leads to service options the family can choose to accept, but unlike an investigation, there is no finding or entry of names into the Child Protection Registry. The local vision of differential response involves conducting family-involved meetings that include the Collaboratives and other DC agencies, in addition to CFSA, depending on the family's needs.

14th American Bar Association National Conference on Children and the Law

Friday, July 15 and Saturday, July 16, 2011 — Washington, DC

The Conference will address a range of child welfare issues with an emphasis on improving skills of attorneys, judges, and advocates. It will also feature emerging child welfare policy and systemic reform issues, most importantly their effects on practice, children and families. For more information, see <http://tiny.cc/h2oh5>.

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 4) — Monday-Friday, 9:00 a.m. to 5:00 p.m.

Save the Date

34th National NACC Conference

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

Registration for NACC's 34th 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>.