

The Guardian

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SHIFTING TO VIRTUAL CHILD WELFARE HEARINGS:

Considerations for the “New Normal”

by **Chris Wu**



The COVID-19 pandemic required courts to quickly adapt their operations to mitigate the spread of the virus. For many child welfare courts, this meant launching virtual hearings and finding new ways for families, attorneys, and advocates to communicate safely with the court and with each other. The National Center for State Courts (NCSC), with funding from Annie E. Casey and Casey Family Programs, is studying the experience of families and court professionals in virtual child welfare court hearings to identify promising practices of effective and efficient virtual hearings. Findings from the study are forthcoming. A series of briefing papers will be posted on the project website¹ as they are completed.

NCSC worked with seventeen local juvenile courts in five states: Arizona, Michigan, Nebraska, Texas, and Washington. The courts in the study were a mixture of urban, suburban, and rural courts, including a family treatment court and a specialized permanency court dealing with cases post-termination of parental rights. NCSC collected data in multiple ways:

¹ National Center for State Courts (NCSC). “Study of Virtual Child Welfare Hearings.” Available at: <https://www.ncsc.org/services-and-experts/areas-of-expertise/children-and-families/study-of-virtual-child-welfare-hearings>.

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- Interviews with judicial officers;
- Parent, caregiver, attorney, and caseworker surveys;
- Youth interviews; and
- Structured court observations of over 300 dependency hearings by NCSC staff and partners.

The first lesson from the study was that there was great variation from court to court and state to state in how courts conducted virtual hearings, perhaps greater than the significant differences that normally exist between courts. Although the immense diversity of

How will courts define “the new normal” going forward?

virtual hearing practices across the country makes generalizing to other jurisdictions difficult, several themes emerged from the study that suggest important considerations as more courthouses reopen. How will courts define “the new normal” going forward?

Implementing Virtual Hearings

Setting courts up for virtual hearings varied widely from court to court at the outset of the pandemic. Some courts had already developed contingency plans for operating during a pandemic following the Ebola outbreak in 2014, but many had not.² State court administrations in two states in the NCSC study, Texas and Michigan, were especially proactive in offering guidance and assistance to courts regarding operating online.

In Texas, the Office of Court Administration purchased Zoom licenses for every level of trial and appellate court and posted instructions on how to set up Zoom for court on its website.³ They quickly developed online training for implementing Zoom hearings.⁴ One Texas judge, noting that they did not have a case backlog, said, “We were closed for one week. Then we started hearing everything online.”

In Michigan, the Supreme Court convened a Virtual Courtroom Task Force early in the pandemic. The Task Force and the State Court Administrative Office (SCAO) quickly developed online guidance and publications and training for courts, including a set of Virtual Courtroom

“not the disruption we wanted, but the disruption we needed.”

Standards and Guidelines.⁵ Michigan Chief Justice Bridget Mary McCormack is a proponent of thoughtfully continuing to use virtual hearings and other lessons learned during the pandemic, calling it “not the disruption we wanted, but the disruption we needed.”

2 NCSC hosted a National Pandemic Summit for the courts in 2019. 25 states and 3 territories sent teams to the summit which focused on planning and preparedness for the “next pandemic”, which, unfortunately, was to come soon thereafter. Materials from the Summit, including sample court preparedness plans, are available on the Summit website at <https://www.ncsc.org/topics/courthouse-facilities/emergency-preparedness-disaster-recovery/pandemic>.

3 Texas Judicial Branch. Court Coronavirus Information. “Zoom Information and YouTube Support.” Available at: <https://www.txcourts.gov/court-coronavirus-information/electronic-hearings-zoom/>.

4 *Id.* See the “Information Webinar”.

5 State Court Administrative Office. “Michigan Trial Courts Virtual Courtroom Standards and Guidelines.” (April 2020 (rev. August 2020). Available at: https://courts.michigan.gov/Administration/SCAO/Resources/Documents/standards/VCR_stds.pdf.

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Notably, both Texas and Michigan are “open court” states requiring public access to all court hearings, including child protection courts. Consequently, both states also disseminated instructions for setting up a live stream of hearings to a public YouTube channel.⁶

Most Judges Would Like to See Virtual Hearings Continue as an Option

NCSC interviewed all of the judges participating in the study. A few judges could not wait to get back to traditional hearings in the courthouse with the expectation of in-person participation. Some judges, however, wanted virtual hearings to become the “new normal” for most dependency hearings. Most judges fell somewhere in the middle. When in-person hearings become possible, they would like to consider which hearing types should be conducted virtually or when some participants could appear virtually in a “hybrid hearing,” with some partici-

pants in the courtroom and others allowed to join virtually. The judges were unanimous, however, in wanting virtual hearings to be an option for some types of hearings in the future. As one judge noted about having to move court online, “I think that it’s pushed us along the technology curve faster... and that’s probably a good thing.”

“I think that it’s pushed us along the technology curve faster...and that’s probably a good thing.”

Setting Expectations for the Virtual Courtroom can be Difficult

Several judges worried that virtual hearings were inherently less formal than hearings in the courthouse and were therefore less likely to be treated as seriously by some parties. Judges attempted to enhance the formality of the online environment in various ways. Some developed written guidelines that were announced in the waiting room or sent with hearing notices, covering subjects like appropriate dress and turning on cameras if possible. One judge described his general guidelines as “This is just as if we were in the physical courtroom. All the same rules apply.” Some judges, however, were inclined to give more leeway to participants to participate in ways that they felt most comfortable, given the added stresses of the pandemic. In court observations, NCSC noted that some aspects of how judges set up their virtual environment could potentially affect the sense of decorum. For example, some judges used virtual backgrounds with flags and the seal of the court that simulated the judge’s bench in the courtroom. Others conducted hearings from the courtroom with a remote camera placed to give participants a view of the judge and bench as if they were in the courtroom. In contrast, NCSC also observed courtrooms in which the camera was placed some distance away from the bench and at a side angle, making it difficult to see the judge. One judge remarked that some colleagues even preferred to keep their cameras off, although NCSC did not observe any hearings in which that was the case.

⁶ Michigan livestreaming instructions available at <https://courts.michigan.gov/News-Events/covid19-resources/Pages/VCR.aspx>;
Texas livestreaming instructions available at <https://www.txcourts.gov/court-coronavirus-information/electronic-hearings-zoom/>.

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Virtual Hearings Offer Convenience and Time Savings

One perceived benefit of virtual hearings noted by almost every judge and many other court professionals was increased participation by parents. In interviews, judges attributed this to the convenience of logging into the hearing from home or another remote location and the elimination of transportation time and costs. Across surveys of parents, caregivers, attorneys, and caseworkers, the most frequently cited benefit of virtual hearings was the elimination of travel time and expenses.

Time-certain scheduling of hearings was another time-saving factor for court participants. Some courts in the study that previously scheduled hearings in morning or afternoon blocks moved to scheduling virtual hearings for individual times, sometimes using a unique link for each hearing. Time-certain scheduling has long been a recommended best practice for dependency courts⁷ but has historically been difficult for many courts to achieve. The pandemic could be the push that some courts needed to transition to time-certain scheduling permanently.

Fewer Technological Complications with Virtual Hearings than Anticipated

Somewhat surprisingly, access to and operation of technology did not appear to be a significant barrier for parents in the study jurisdictions. There were a few reported instances of difficulties logging into hearings, and NCSC observed occasional glitches in connectivity for all types of users, but these issues were typically addressed within minutes. Of course, the NCSC study was only able to assess this data for parents who attended a court hearing and not those who did not attend, perhaps due to technological difficulties. Most caseworkers and attorneys across sites indicated in surveys that less than 20% of their clients experienced barriers to attending virtual hearings, such as lack of access to technology. As one judge comparing parental participation before the pandemic put it, “car trouble was much more of a barrier than technology.”

Virtual Youth Engagement can be Challenging

The judges who were interviewed generally reported that children were rarely present in dependency hearings even before the pandemic. That comment was consistent with NCSC’s observations of virtual hearings as well. When young people were present in the virtual hearings, they tended to be on video. Young people interviewed for the study generally did not find anything difficult about the use of technology to connect to the court. While one might speculate that young people would prefer online interactions, most youth who were interviewed stated that they preferred in-person hearings and speaking to the judge in-person. One young person observed that:

7 See, e.g., National Council of Juvenile and Family Court Judges. “Enhanced Resource Guidelines.” (May 26, 2016). Available at: <https://www.ncjfcj.org/publications/enhanced-resource-guidelines/>.

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I definitely prefer in-person because you can't really have distractions. Online, you have the distraction of having your phone, or tuning out or reading or something. In-person you have no choice but to listen, and they can call on you and you have to talk. Online it's really easy to tune-out the conversation.

That sentiment was echoed by a judge who presides in a specialty court in which young people were often present, both before and after the pandemic. The Dallas Permanency Court handles cases post-termination of parental rights, monitoring services and progress toward permanency goals. Associate Judge Delia Gonzales, who presides over the court noted, “I spend a lot of time building rapport with the kids. That’s hard to do virtually.” One of the adjustments she made when all hearings went online was to make sure that the youth on her docket had her email address.

Enhanced Preparation for Virtual Court Leads to Better Quality of Hearings

Some judges noted that attorneys often came to court better prepared to represent their client than before the pandemic. They attributed the improvement to the necessity for attorneys to confer with clients and other counsel prior to the day of hearing rather than meeting in the courthouse waiting room. Attorneys appreciated having more time to prepare for virtual hearings due to the reduced need to travel to court. Not only can attorneys participate in more hearings across multiple locations in a day, but they can also use time in the virtual waiting room to perform brief tasks in other cases.

Many of the advantages of virtual hearings cited by attorneys were also cited in surveys of caseworkers, particularly the convenience and efficiency of not having to travel to court and wait for the hearing to be called. Some judges noted that caseworker reports were timelier than before. The new protocols that some courts had to develop for electronic filing and distribution of reports may have contributed to that improvement. Like attorneys, caseworkers also experienced more work time not related to court appearances, which may also have facilitated timelier court reports.

In the Dallas Permanency Court, Judge Gonzales found that the virtual environment often led to a richer discussion of complex issues due to the easier access to experts and stakeholders who could participate remotely. As Judge Gonzales noted: “We’ve had medical professionals, therapists, case managers, and others online so that we can have a much more in-depth discussion for our kids.”

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Method for Attorney-Client Communication is Key for Effective Virtual Hearings

One aspect of virtual hearings that sometimes presents a challenge for attorneys and clients is communicating with each other during the hearing. A few judges in the study who were sensitive to this issue made clear at every hearing that the court would pause and put an attorney and client in a breakout room upon request. Other ways that attorneys reported communicating with clients during hearings were by phone or text messaging. Across the sites, most parents reported that they were able to communicate with their attorneys as needed during the hearing.

Virtual Hearings may Offer some “Silver Linings” Even for Contested Hearings

By the time NCSC conducted virtual court observations, contested hearings had become more routine in some courts. Implementation of virtual trial protocols may have led to improved trial preparation compared to in-person hearings in some courts. For example, some courts required exhibits to be identified and distributed to counsel before the day of hearing. During testimony, although it may be difficult or impossible to view a witness’s body language in a virtual trial, there may be a benefit in the judge and all participants being able to view the witness’s face close up. One judge noted another benefit of virtual hearings in his ability to see how attorneys and others react to testimony. He also remarked that, “On a personal level, I’ve noticed that I don’t have a good poker face.”

Considerations for the Future

The coronavirus pandemic was challenging for courts and families across the country but also offers opportunities to change court practices in the future. Given the efficiencies that many participants experienced with virtual proceedings, courts may want to consider retaining the flexibility to hold many hearings virtually after courthouses fully reopen. They may also wish to conduct “hybrid hearings” in which some participants are in court and others appear remotely. This possibility has implications for how courtrooms are designed and equipped in the future.

In planning for the future, courts must consider what elements of the virtual environment are important to ensuring effective engagement with parties and other court participants. For example, most judges said that they preferred participation by video, but varied widely in whether they explicitly encouraged or required cameras to be on. In a few of the courts observed, most parents appeared by phone or with video cameras turned off. In contrast, some courts insisted verbally or in written guidelines a presumption that all participants have cameras on if available.

In survey responses, most court professionals indicated a role for virtual hearings in the future, depending on the type of hearing. Most thought that some hearing types should

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usually be in person, particularly shelter care, adjudication, and termination of parental rights hearings. This is no doubt partly due to the difficulties of conducting witness examinations and entering evidence in contested hearings online.

If virtual or hybrid hearings continue in the future, courts should consider lessons learned from their and others’ experiences and contemplate the policies and guidelines for participation that will provide the best information for the judge and access to justice for the parties.



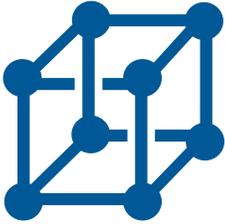
NCSC is excited to be presenting at the virtual portion of NACC’s 44th National Child Welfare Law Conference.

There are many other interesting aspects of virtual child welfare hearings beyond those this article could cover. Moreover, the study’s look at virtual hearings in parts of five states represents a small sliver of practice across the country. NCSC is excited to be presenting at the virtual portion of [NACC’s 44th National Child Welfare Law Conference](#). During our plenary session on August 17th, we will be presenting more findings from the study and look forward to hearing about your experiences from other jurisdictions. Please consider joining us! ■



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YOUTH PERSPECTIVE

Radical Self-Love: An Alternative Trauma Response

by Ivory Bennett with Lauren Lynch-Novakovic

Radical self-love may sound like a bunch of unfounded buzz words that are trending on Twitter, but its concept, practice, and impact is much deeper and incredibly profound, especially in the lives of those with trauma. I have encountered a lot of traumatized people over the years — my peers, my students, their parents, my co-workers, my friends, and my family — many of whom also have lived experience in the child welfare system. And while I do not believe in telling the stories of others without their explicit consent, the average narrative reads of defeat, despair, and victimhood. Navigating the child welfare system is an incredibly difficult and arduous journey that often includes, but is not limited to, abuse, neglect, poverty, and overall adversity. In fact, I have experienced all of those things and more. I spend a great deal of my time advocating for sustainable, equitable change for current and former foster youth, and people often ask, “but, what made the difference for you, Ivory?” Long story short: radical self-love as a trauma response made a positive difference in my life.

First, what is radical self-love? Sonya Renee Taylor’s book, *The Body is Not an Apology*, states that “radical self-love is our inherent state of being as worthy and enough. It is the unobstructed access to our highest selves.”¹ Personally, radical self-love is showing up for myself always, in all ways; it is a kind of unwavering, internal validation, and a never-ending competition between me, myself, and I to be the best version of me that is possible. This drive probably began in elementary school; academia is a place where I have always felt empowered, engaged, and excited. I grew up with a passionate love of learning, always knowing that I would graduate high school and attend college! My love of learning transferred into love of self

1. Taylor, S. R. (2021). *The body is not an apology: The power of radical self-love*. Oakland, CA: Berrett-Koehler.



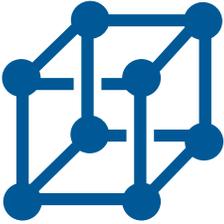
ABOUT THE AUTHOR:

Ivory Bennett (she/her/hers), is a published millennial author currently working in Dallas, Texas, as a dual-accredited English teacher and a cheer coach at a Title 1 Collegiate Academy. She is a Pittsburgh, Pennsylvania, native and former foster youth with 17 years of lived experience. Outside of work, Ivory is a national equity advocate for education and foster care. Holistic health and well-being are integral pillars of her personal and professional pedagogies.



Lauren Lynch-Novakovic is a Cleveland, Ohio, native with a background in social work, early childhood education, community organizing, advocacy, electoral campaigns, and government. Understanding the concepts of interconnectedness in all things and intentionality are an overarching guide for her life.

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because it was my mind and my body engaging as a student-learner. Rupi Kaur said, “how to love yourself is how you teach others to love.”² My radical self-love for my identity as a student was transformative in all facets of my identity.

Radical self-love includes, among many other things, knowing oneself and being true to and honoring that person. In order to arrive at this bold place most of us have baggage we must unpack and dispose of healthily. That baggage is commonly known as trauma. The American Psychological Association defines trauma as “...an emotional response to a terrible event like an accident, rape or natural disaster.”³ And according to the National Council for Behavioral Health, roughly 70% of adults (223+ million Americans) have experienced various degrees and types of trauma.⁴ All types of trauma are capable of negatively rewiring the brain, and when combined with other Adverse Childhood Experiences, such as child welfare system involvement, individuals are more likely to be negatively impacted in all aspects of their beings: mind, body, and spirit.⁵ And while scientists do not quite understand the natural resiliency of some and the sensitive susceptibilities of others, all vested stakeholders must acknowledge there are things we do not know that we do not know. Awareness of blind spots, particularly how traumas have influenced the story of self, world views, and thoughts, behaviors, and patterns, is critical.⁶ Arguably, the most important thing that individuals impacted by trauma can do is to move from existing and surviving on autopilot into the realm of living, thriving, and flourishing with intention and purpose while being fully present in life.

I consulted one of my best friends and community practitioner, Lauren Lynch-Novakovic, on the steps one can take to achieve and maintain radical self-love. Her insight as a trained social worker with a holistic healing-centered pedagogy resulted in the AWARE framework. This mnemonic device helps to easily sum up the stages of entering the depths of trauma and coming out on the other side, changed for the better:

A W A R E
Acknowledge
Wonder + **W**isdom
Accept
Recall + **R**epair + **R**elease
Embody

Acknowledge: We must first acknowledge there is something amiss. If you continually avoid and distance yourself from the reality of things, you cannot do this very meaningful work. It is not to assume fault, to judge oneself or anyone else, but to simply acknowledge a need for healing.

2. Kaur, R. (2018). *Milk and honey*. Kansas City, MO: Andrews McMeel Publishing.

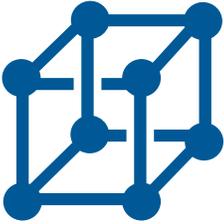
3. Trauma and Shock. (n.d.). Retrieved May 14, 2021, from <https://www.apa.org/topics/trauma#:~:text=Trauma>.

4. National Council for Mental Wellbeing - Homepage. (2021, May 04). Retrieved May 14, 2021, from <https://www.thenationalcouncil.org/wp-content/uploads/2013/05/Trauma-infographic.pdf?dof=375ateTbd56>.

5. Harris, N. B. (2020). *The Deepest Well*. Pan Macmillan.

6. Nam, S. S. (2019). *The pocket guru: Guidance and mantras for spiritual awakening and emotional wisdom*. San Francisco: Chronicle Books.

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Wonder + Wisdom: Secondly, one must go within and ask, “how could this trauma and my response have come to be?” Tracing this back to the root can often require professional services and outside help like a life coach, spiritual advisor, or therapist. Gather the wisdom of others to help you navigate, strategize, and heal. Find a community of people with similar traumas and healing intentions; it may make the journey easier.

Accept: Accept that this is where you are. But understand that it is not where you will end up. Accept the consequences of your actions (or inactions) — how you may have placed yourself here and/or kept yourself there. But more importantly, acknowledge how you will dig yourself out of a detrimental trauma response behavior pattern.

Recall + Repair + Release: This is the most intensive step. Uncovering and loosening years of trauma, stress, emotions, and baggage is grueling. Often things we have buried, avoided, and even disassociated from will viscerally rise to the surface. There will be grief in your growth. You will address things head on and grow the muscle of objective observation while re-parenting your inner child and releasing the old stories you’ve let run on loop. Your entire life will require a release of the old you and a shifting and changing to open up for the new you. Remember, it is worth it!

Embody: Now integrate the lessons and cultivate a lifestyle with a toolkit that helps you cut through the old, reprogram, and strategize for future encounters with trauma and triggers. Repeat the whole process again but with more information, more knowledge, and healthier coping skills in your arsenal. Move forward with the newfound confidence that you are capable of taking on the world and any challenge, now that you have mastered yourself.

It is certainly easier said than done. There is no timetable during the lifelong journey of radical self-love. Each person is different. Beyond that, it is best achieved through experiential learning. Utilizing the frameworks, guidelines, and other resources necessary for healing makes life easier to maneuver, enables more effective navigation of experiences, and ultimately allows for a deeper engagement with and appreciation of life. ■

Megan Louise Furth Youth Empowerment Fund

The Megan Louise Furth Youth Empowerment Fund was created by former NACC Board Member Donna Wickham Furth to honor the life of her daughter Megan Louise Furth, a remarkable young woman who died in July 2003 at the age of 31. The NACC Megan Louise Furth Youth Empowerment Fund was created to help promote the concept that children and youth are valuable persons and citizens with inherent legal and human rights. The Fund supports youth engagement and youth voice across NACC’s programs.

Donate online : [Megan Louise Further Youth Empowerment Fund](#)

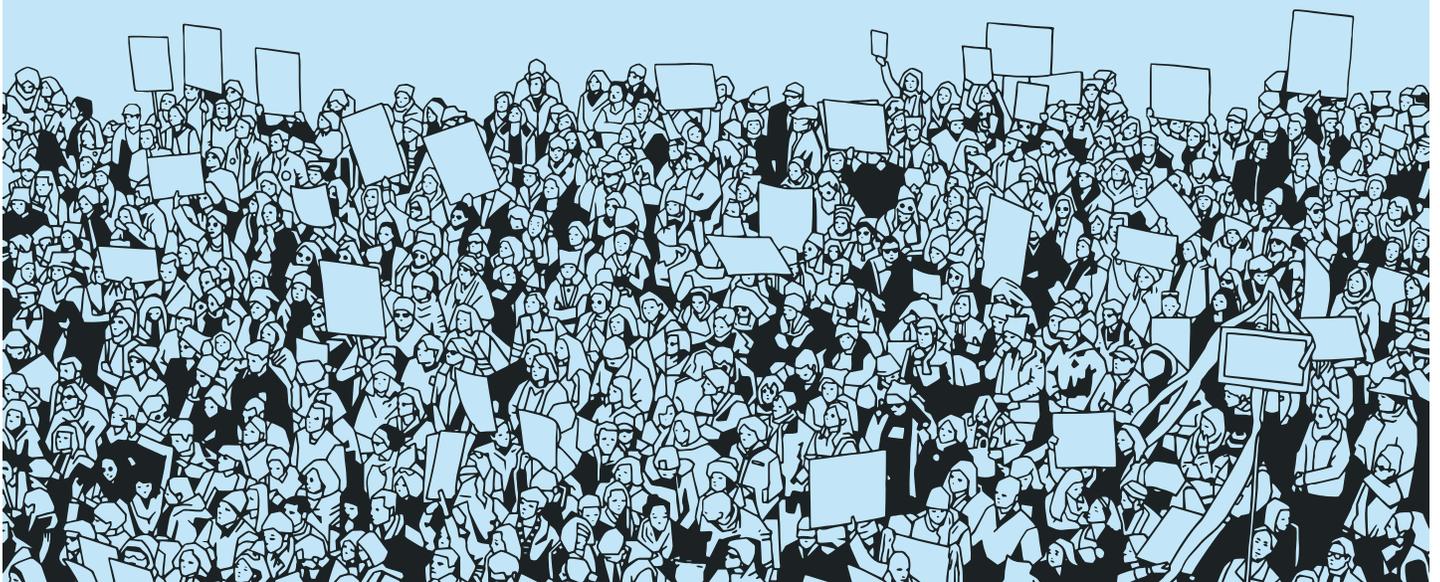


Standing Up Against Racist Brutality is Child Protection

One year ago, NACC issued a statement condemning racist violence, police brutality, and the killings of George Floyd, Ahmaud Arbery, Breonna Taylor, and others. What we did not know then was that 16-year-old Cornelius Fredericks had just been killed after throwing a sandwich in a Michigan residential facility run by Sequel Youth and Family Services. Cornelius, a child in the care and custody of the state after losing his parents, was pinned to the floor of a cafeteria for 12 minutes by seven men, while boys heard him cry: “I can’t breathe.” He died on May 1st, 2020 — the start of Foster Care Awareness Month. As we entered Foster Care Awareness Month this year Ma’Khia Bryant was fatally shot by a police officer in a moment of trauma when what she needed was help, support, and safety.

NACC seeks to continue raising awareness about the brutality experienced by far too many young people after entering a system that was supposed to protect them. We speak out against all forms of violence, especially against young people removed from their own families and homes. Children deserve unconditional protection: a chance to grow up in their own families, to learn, and to grow into adulthood. Too often, youth impacted by foster care report receiving conditional support and punitive measures: Foster parents may decide they are no longer a “good fit” in their homes; schools may dismiss developmentally appropriate cries for help and instead use them as grounds for expulsion; and facilities may use medication and restraints in response to the manifestation of untreated trauma.

This well-worn path leads to the criminalization of youth in foster care, particularly for Black youth. When youth in foster care are moved from a family-like setting to congregate care, they are more likely to be arrested. A recent Annie E. Casey Foundation survey found the detention of Black youth during



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the COVID-19 pandemic reached an all-time high, while that of white youth was the second lowest recorded in a year.

“I’ve had guns pointed at me so many times, that could have been me. That was me.” NACC has heard this from young people who have experienced foster care. Research demonstrates Black boys and girls are perceived more like adults — their Blackness is weaponized against them to deny their very childhood across sectors: schools, child welfare, and the juvenile legal systems. A [2017 study, “Girlhood Interrupted: The Erasure of Black Girl’s Childhood,”](#) showed that Black girls face an adultification bias from as young as five years old, which results in greater punishment and brutality across their lifetimes. Adultification bias can cause child welfare professionals to [view](#) children as more threatening and less deserving of care. As a community, we must stand up against the adultification and criminalization of Black boys and girls.

“Don’t just be sad about it,” current and former foster youth urge us, “do something about it.” We must show the world that Black Lives Matter beyond memorabilia and trendy email signatures. Our country and its systems need [true crisis interventions](#) that do not result in execution and preventable incarceration. Advocates can make a difference in their practice and communities. After the death of Cornelius Fredericks, youth justice advocates fought to shut down for-profit Sequel Youth and Family Services facilities. [Because of their advocacy, six facilities are no longer run by Sequel,](#) and five states have ended contracts with the company. Individual attorneys also filed motions demanding the removal of clients from Sequel facilities. These are all steps towards justice.

NACC continues to commit itself to learning, confronting racism, and combating the adultification of Black, Latinx, and Indigenous youth. We have urged attorneys to [lean into discomfort and disruption](#) and provided resources to attorneys to help keep children [with their families and out of institutions](#). This summer, NACC will begin the process of re-examining our mission and vision statements and policy priorities to continue an explicit and intentional focus on race equity and racial justice. We invite you to continue this journey with us and amplify your advocacy to protect the lives of Black children. This we know: there can be no children’s justice without racial justice. ■

NACC prepared this statement in partnership with NACC National Youth Advisory Board members and extends a special thanks to Ivory Bennett for her significant contributions.

TOGETHER WE ARE 

SERVING CHILDREN IMPACTED BY SUBSTANCE USE/MISUSE:

The Role of Children’s Advocacy Centers

Children and families impacted by substance use/misuse often become involved in the child welfare system. A complex, but often disjointed, system of care is employed to help children and families stabilize and heal. Children’s Advocacy Centers (CACs) have expanded their capacity to serve these children. Child welfare professionals can benefit from understanding and working with CACs to serve clients and their families. With the increasing complexity of the needs of children affected by crime; substance use/misuse; and social, economic, and cultural factors, as well as by issues related to the COVID-19 pandemic, knowing how to best leverage the services offered by local CACs is also essential for legal professionals.

CACs are designed to decrease exposure to systemic trauma while assisting child victims of abuse or neglect. They use a trauma-informed, child-friendly setting to assist children in the disclosure of maltreatment and navigation of the legal system, and employ a coordinated response to caring for the children’s needs. This approach involves a multidisciplinary team (MDT) including medical professionals, law enforcement, mental health providers, prosecutors, child protective services, victim advocates, specially trained forensic interviewers, and other specialized service providers. Varying degrees of collaboration with legal professionals occur across the country at CACs. Most CACs provide a variety of services to children and families, as well as professional and community trainings.

The Office for Victims of Crime (OVC) — housed within the U.S. Department of Justice — provided funding to address gap services, expand upon existing programs, and establish new programs to serve the needs of children and youth who are victimized because of the opioid crisis and broader substance use. That funding initiative, Enhancing Community Response to the Opioid Crisis: Serving Our Youngest Crime Victims, awarded 41 grants in Fiscal Year (FY) 2018 and 18 grants in FY 2019. In FYs 2018 and 2019, a total of eight awards were received by CACs or the agencies that house them: Childhelp Children’s Center of Arizona, Penquis C.A.P. (Community Action Program) (ME), CAC of Gratiot County (MI), Cayuga Counseling Services (NY), Child Protect of Mercer County, Inc. (WV), Monongalia County CAC (WV), CAC of Southern Arizona, and National Children’s Advocacy Center

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(AL). As part of their grant program, these CACs have collected and analyzed local data, completed needs assessments, and engaged in other activities to examine the issues facing children impacted by substance use/misuse.

CACs recognize the complicated and often overlapping issues for the children and families they serve. Through their OVC grant work, CACs have identified specific training needs, services, and specialized multidisciplinary processes to better serve children and families. Legal professionals can become involved in and assist their clients with each of these areas offered by the CACs. In areas where OVC grants have not implemented these trainings, services, and collaborative work, legal professionals can assist in convening stakeholders to determine how to implement these practices to better serve these children and families.

MULTIDISCIPLINARY TEAMS

Whereas the traditional MDT process is focused on determining whether a crime has been committed and responding effectively, the specialized MDT model focuses on how to help each of the family members heal from the effects of substance use/misuse within the family. For example, instead of determining whether someone should be arrested, the team may recommend:

- A specific level of care/treatment for the parent
- A support group for the current caregiver (often a grandparent)
- Trauma therapy for the child to address specific experiences or to increase their ability to trust safe adults
- A pediatrician or “medical home” for the child, who may have lacked routine checkups throughout their development.

The MDT may also consult with the child's schoolteacher or counselor, as needed, to help address behavioral concerns, or it may connect the parent with help for basic needs so that they can focus on recovery and eventual reunification with their child, if appropriate. Finally,



**National
Children's
Alliance®**

*The Force Behind
Children's Advocacy Centers*

Find a CAC in Your Area

The [National Children's Alliance](#) is a membership organization that has 900 member CACs in the United States and abroad and provides members with standards for accreditation. If you are not sure if you have a CAC in your area, check its [national coverage map](#).

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when the parent and child are both ready, specialized therapies can be provided to help rebuild the relationship between them — safer, stronger, and healthier than before.

TRAINING

As part of their grantee programming, the CACs provide training to the MDT members, professionals, and community members on topics such as adverse childhood experiences, trauma-informed care, and the impact of opioids and of broader substance use on children. Checking local CACs for scheduled training opportunities can help child welfare professionals stay informed about the latest research and practice updates. Attending and using the lessons learned from these trainings can provide children and families with a more integrated, systemwide, and trauma-informed approach to healing.

For example, Childhelp CAC in Arizona has trained several of the behavioral health agencies in Maricopa County on trauma-informed care and the specific impacts of parental substance use on children. It is also working on training for professionals about self-care and secondary trauma.

SERVICES

Under the OVC grant program, CAC services have been expanded or enhanced to provide for the specific needs of children who are both victims of crime and impacted by substance use/misuse. These services include evidence-based and trauma-informed therapies, advocacy for the child and family, referrals to substance use disorder (SUD) treatment, provision of basic needs or resources to obtain these needs (e.g., food boxes and diapers), psychoeducation, and support groups. Knowing the services available at CACs can help child welfare professionals in creating and carrying out holistic plans of care for children and their families. Some examples of specific services include:

- A child is put in relative care due to parental substance use. The child has not received routine medical care and has unaddressed developmental delays. The CAC/MDT refers the child to developmental screening, supports the relative caregiver as they navigate the financial and scheduling obstacles to treatment, and refers the child and relative caregiver for therapy to build their attachment and to reduce the very understandable behavioral issues that accompany trauma and medical neglect. The specialized MDT identifies treatment options for the parent, and specific treatment providers reach out to the parent that day. The agency

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social worker receives a plan created by a team of SUD experts that addresses clinical needs and community/peer support. The CAC shares information about a local grandparent/caregiver group with the relative caregiver.

- A teen witnesses a caregiver's drug-related homicide and is sent to live with a distant relative, with whom they have no existing relationship. The school calls the CAC explaining that its technology filters flagged an Internet search related to self-harm. The relative caregiver is terrified that the teen will hurt themselves and agrees to take them to the emergency room but does not know what else to do. The CAC calls the local mental health center, which is part of the specialized MDT. It offers crisis counseling and talks through safety concerns with the relative caregiver. It also has a range of therapy services, including individual, group, and family, that can be tailored to the teen's needs. A plan is made so that the teen and relative caregiver are supported during the hospital visit and beyond, and school staff are updated (with the caregiver's permission) so they can provide continued support when the student returns.

LESSONS FOR CHILD WELFARE AND LEGAL PROFESSIONALS

In addition to being knowledgeable about the role of CACs for this population, child welfare and legal professionals can work collaboratively with CACs to provide better outcomes for these children. Through the work of the OVC grant, CAC professionals have several specific recommendations about serving these vulnerable children and their families:

- Attend trauma-informed trainings offered by local CACs, including trainings about appropriate screening, assessment, and treatment for children and families impacted by substance-related issues and by other victimization, and integrate information learned into professionals' work with these families.
- De-stigmatize children and families impacted by crime and/or substance use/misuse by practicing and sharing those skills during meetings, hearings, and other interactions with families and child welfare professionals (e.g., using person-centered language, such as "person with a substance use disorder" rather than "substance abuser").
- Work with other professionals to engage children and families to participate in services.

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- Advocate for clients to receive evidence-based, trauma-informed, and culturally appropriate services to address the impact of trauma.
- Ensure you are invited to and actively participate in multidisciplinary case reviews to support a collaborative approach to helping children and families impacted by substance use/misuse and abuse.
- Actively participate in stakeholder groups to assist with the community response to improving outcomes for these children and families. ■

ABOUT THE AUTHORS:



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Michelle Genaro, *Director of [Childhelp Children's Center of Arizona](#)*, has over 20 years of comprehensive experience in advancing health, education, and social services to impact change at the community and state level for children and families. Ms. Genaro is currently the Director of Childhelp Children's Center of Arizona, serving abused and neglected children by providing treatment, intervention, and investigation services in a child-friendly and child-centric environment.

What Foster Parents Wish Attorneys Knew About Them

by **Debbie Ausburn**

I leaned over to my foster daughter and whispered, “Who is that woman talking to the judge? I haven’t seen her before.”

My foster daughter answered, “She’s my lawyer, the one that the court appointed.” I was surprised. “Really, I haven’t met her. Did she talk to you?”

“Yeah. She came by the group home and checked her box.”

I understood but was saddened by my foster daughter’s cynicism. My husband and I had accepted her placement several years earlier, but her chronic depression and suicide attempts had outpaced our ability to help her. We asked the agency to place her somewhere that could give her a higher level of care. She did well in the new placement, stayed connected with us, and 18 months later, we were back in court for the judge to decide our petition for guardianship. It was a momentous decision for our family, but a routine petition for the system. Most of the people we encountered during the process meant well, but somehow their combined efforts created a system that was creaky, unyielding, and riddled with holes for kids to fall through. In my foster daughter’s phrase, they simply “checked the boxes” as they moved her case through the system.

As a lawyer and foster parent, I have seen the system from many angles. During all my years as a foster parent, I cannot recall ever having talked to any court-appointed special advocate (CASA) or guardian ad litem (GAL) appointed for one of my children. Early in my foster care service, our jurisdiction did not have either a CASA or GAL program. But even when I moved to a county with active programs, I never heard from my child’s advocate. Children can never have too many adults who care about them. I still do not know what information the advo-

ABOUT THE AUTHOR:



Debbie Ausburn is a lawyer in private practice at TaylorEnglish.com, defending and advising youth-serving organizations in cases ranging from minor injuries to claims of sexual abuse. Debbie’s new book, *Raising Other People’s Children*, tells of her adventures as a foster parent and step-parent, and the lessons that her children taught her about parenting. She blogs at OtherPeoplesChildren.org, and can be found online at DebbieAusburn.com.

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cates provided to the court or where they learned it. If any of them had asked me for my opinion, these are some things that I would have told them.

First, we may not have the expertise of therapists, doctors, or teachers, but we know the child's day-to-day life. Those experts only know a part of the child's life; we are the experts on how all the pieces of our child's life fit together. We have lived with the night terrors or screaming fits triggered by what we thought were innocuous events. We generally have suffered along with the child as they struggled to complete homework or deal with not being able to visit with their parents. Foster parents may not have impressive credentials, and we are far from perfect, but we do have information that you need to know. Most of us care about them as much or more than any other adult you will hear from, and we will have a perspective that no one else has.

Second, take the time to listen to us. The law presumes that the caseworker will relay our information, but we often are at odds with the agency, and caseworkers sometimes do not have the time to gather all the facts about the child. We want you to know the challenges and rewards that come from parenting a child who has suffered trauma. Our challenges can be lonely at times. Therefore, when we get a chance to speak to you, we may vent and tell you more than you have time to hear. Give us time to tell you the story of the child's life with us.

Third, and importantly, take the time to get to know and listen to the children you represent. As a lawyer, I understand how hard it can be to manage a heavy caseload of clients who want advice today and not when time permits. I see court-appointed advocates shortening conversations with children. They tend to focus solely on a few facts or issues and ignore everything else. Children, however, rarely understand what is relevant to their case and tend to concentrate on what is important to their emotions. Let them have their say. When they feel that they have been heard, they are more willing to trust your advice.

...be objective. As a court-appointed advocate, your job is to be an advocate for the child.

Finally, work hard to be objective. As a court-appointed advocate, your job is to be an advocate for the child. You can only do that well if you first get all the facts and sort through them objectively. It may be hard to stay objective

as you go through these high-emotion cases. They may start falling into a pattern, and it can be very tempting to put every fact into an already neatly labeled box.

There is no doubt that preordained narratives abound. We often see stories of false accusations and rushed investigations. Not every case fits a usual pattern. More importantly, each case is unique to those of us whose lives you touch. Don't give into shortcuts that can compound a child's trauma and delay their healing. Take your time before you decide who is the villain and who is the hero.

In our case, the guardian *ad litem* apparently decided, even without meeting us, that we were appropriate guardians. We brought our daughter home and cared for her until she left as an

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independent adult. Yet, even with the ending that we all wanted, the process undermined our already shaky faith in the system. As a foster parent, that result saddens me. As a lawyer, it frightens me. If we decide to be part of the system, whether as an attorney or court-appointed volunteer, we need to do all in our power to make it work for the children caught in it.

For less stable situations and parents without a lawyer's resources, a rote investigation can be devastating.

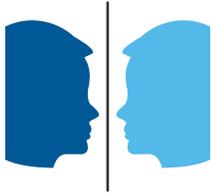
In my foster daughter's case, "checking the boxes" turned out well because all of the other pieces were in place. For less stable situations and parents without a lawyer's resources, a rote investigation can be devastating. So, the next time you have a case involving a foster parent, give it the time it takes to get all the facts. Recognize that, even if we aren't professionals, we are the experts about our children's daily lives. Take the time to listen to what we know about those children. Finally, don't cast us as the villain or the hero before you hear all of the facts. We need your objectivity as much as the Court does. ■



Visit NACC's COVID-19 Resource Hub

During this pandemic, NACC is collecting and sharing resources to keep our community informed and prepared to safeguard the rights and well-being of young people.





Some Reflections on the Representation of Children in Juvenile Court: A View From The Bench

by **Judge Leonard Edwards (ret.)**

As an attorney I never represented children in juvenile dependency matters, only in juvenile justice cases. However, my years on the bench and research have led me to conclude that many children's attorneys in dependency court are not as effective as they could be. What follows is a judge's invitation for stronger legal advocacy from attorneys representing children in juvenile court.

First, a child's attorney should be automatically appointed with the filing of a petition and remain on the case until it is dismissed from juvenile court.¹ Some courts appoint an attorney at the time of the shelter care hearing and others relieve the child's attorney when parental rights have been terminated. Some judges may be concerned about fiscal issues; however, appointment should not be delayed until the shelter care hearing. Upon appointment, copies of the petition and supporting documents should be delivered to the child's attorney immediately so that the attorney can be prepared for the shelter care hearing.

Relieving the attorney after parental rights have been terminated ignores the important role the child's attorney plays in finalizing permanency. After termination, the child's attorney is best situated to ensure the child's voice is amplified in the proceedings. The law requires timely permanency, and the child's attorney is in the best position to ensure the social services agency makes reasonable efforts to conclude an adoption, guardianship, or other permanent plan. Moreover, the child may have special needs to be addressed, including mental health issues and educational concerns. The adoption may not be taking place in a timely fashion or the adoptive parents may be hesitant to go through with the proceedings. These are important issues that a child's attorney — who is the only person in the case with a confidential relationship with the child — may be able to resolve.

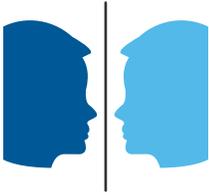
¹ Edwards, L., "Timely Adoptions: An Ignored Issue in Child Welfare." *The Guardian*, Vol. 42, No. 02 (Summer 2020); Edwards, L., "Representation of Parents and Children in Abuse and Neglect Cases: The Importance of Early Appointment." *Juvenile and Family Court Journal*, Vol. 63, No. 2 (Spring 2012) pp. 21-37.



ABOUT THE AUTHOR:

Judge Edwards is a retired judge from Santa Clara County, California, where he served for 26 years, primarily in the juvenile court. He now works as a consultant. His writings can be seen on his website: judgeleonardedwards.com.

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Second, if the court removes the child from parental care, the child's attorney, after consultation with and input from the child, should be a strong advocate for relative placement. The law is clear — the court must select relative placement ahead of foster or congregate care for placement.² Moreover, studies now show clearly that stranger care can have negative outcomes over the child's lifetime.³ Parents may not be supportive of relative placement, and parent attorneys may actually oppose relative placement, possibly because of family dynamics. But, if supported by the child, the child's attorney should be a strong proponent of such a placement. This means that the child's attorney should monitor the social worker's efforts to notify and engage relatives. Too often the social worker notifies relatives too late for them to be meaningfully involved in the child's case. The protocols used by model jurisdictions include immediate notification, as well as background and housing checks simultaneously with the notification.⁴ They also involve the use of a search engine in a process referred to as family finding. The federal government has recognized family finding as a best practice.⁵

Third, and related to the relative engagement issue, attorneys for children should advocate strongly for identifying and engaging the child's father if he is not already involved in the case. Participation by the father will in most cases benefit the child.⁶ Even if the child is unable to live with their father, identifying the child's father may lead to engagement and involvement of paternal relatives. Data from Los Angeles indicate that children are placed with fathers in 16–19% of removal cases.⁷

Fourth, the child's attorney should be a strong voice on the issue of whether reasonable efforts were provided by the social service agency. The reasonable efforts issue arises throughout each case — first, what efforts did the agency make to prevent removal of the child, then what efforts did the agency make to facilitate reunification, and finally, what efforts did the agency make to ensure timely permanency.⁸ Some children's attorneys believe that it is up to the parents and their attorneys to address the reasonable efforts issue. This is a misunderstanding about how important social worker actions are to the health and well-being of the child.

Most children who have contact with social services or child protective services remain with their parent or are returned to their parents at the conclusion of a dependency case. Whether the parents' rehabilitation takes place in a timely fashion depends a great deal on the actions of the social worker, and that is what reasonable efforts is all about. The child's attorney should be advocating that the social worker assists the parents in fulfilling their

2 See *Fostering Connections to Success and Increasing Adoptions Act*, P.L. 110-351, at sections 102-103; California Welfare and Institutions Code section 366.26(b)(6); and 42 U.S.C. Section 675 (1)(E).

3 Edwards, L. "The Urgency of Placement with Relatives," *The Guardian*, Vol. 42, No. 04 (Winter 2020).

4 Edwards, L., "Relative Placement: The Best Answer for Our Foster Care System," *Juvenile and Family Court Journal*, Vol. 69, No. 3, (2018), National Council of Juvenile and Family Court Judges.

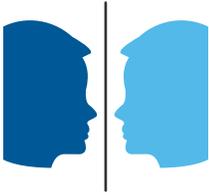
5 See *Fostering Connections to Success and Increasing Adoptions Act*, P.L. 110-351, at sections 102-103.

6 Edwards, L., "Engaging Fathers in the Child Protection Process: The Judicial Role," *Juvenile and Family Court Journal*, Vol. 60, No. 2 (Spring 2009) at pp 1-29.

7 Data provided by Michael Nash, Executive Director, Los Angeles Office of Child Protection and available from the author.

8 See, *supra*, footnote 3.

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obligations under the case plan, ensures that regular visitation (family time) takes place, monitors parental participation in services, and watches for problems such as transportation and services with a long waiting period. Good social work will either prevent removal or hasten parental recovery and return of the child.

Fifth, most children's attorneys do not appeal decisions that are contrary to their client's interests. In my review of appellate law in 51 jurisdictions, it is rare to find a case in which the child's attorney has appealed a trial court's decision. One attorney told me that dependency proceedings were about the state and the parents, not the child before the court. The appellate law seems to confirm this view. Most appeals are taken by parents after a termination of parental rights decision by the juvenile court. Perhaps the lack of the child's voice on appeal is an economic issue — the attorney does not have the time and resources to file an appeal. Larger attorney offices should set aside time for appeals, possibly creating an appellate attorney or team of attorneys.⁹ It is well within the role of the child's attorney to appeal cases from juvenile court. The child has a significant interest in the outcome of each case, and if the child would benefit from and supports appellate review, it is the obligation of the attorney to take the case to the appellate court.

Sixth, the child's attorney should consider the impact of adverse childhood experiences (ACEs) on their clients. ACEs can have a lifetime impact on children and addressing them as soon as possible will serve the child well.¹⁰ Many states are devoting significant resources to the identification and treatment of ACEs.¹¹ It is clear that no group of children deserve special attention more than those who come before the juvenile court, both in dependency and juvenile justice courts.¹² Children's attorneys should be aware of legislative initiatives regarding treatment of ACEs and should insist that their clients are screened and treated for the trauma they have experienced. This approach may reduce the possibility of lifetime adversities.

Representing children in juvenile court is a high calling for attorneys. Following the suggestions in this article will increase the impact of the child's voice in court and improve outcomes for the child and the child's family. ■

9 The Children's Law Center (CLC) that represents children in Los Angeles and Sacramento Counties, California, is an exception. That office has 5 attorneys working in their appellate division. They frequently appeal cases to challenge what the juvenile court has ordered. Their practice is a strong argument for representation of children by a law office with several attorneys rather than a panel of solo attorneys representing clients one by one.

10 Felitti, V. J., Anda, R.F., Williamson, D.F., Spitz, A.M., Edwards, V., Koss, M.P., Marks, J.S., "Relationship of childhood abuse and household dysfunction to many of the leading causes of death in adults. The Adverse Childhood Experiences (ACE) Study," *Am. J. Prev. Med.* 14(4):245-58 (May 1998); Sacks, V., Murphey, D., "The Prevalence of Adverse Childhood Experiences, Nationally, by State, and by Race or Ethnicity," *Child Trends*, February 12, 2018; See also Burke Harris, N., *The Deepest Well*, Houghton Mifflin Harcourt, N.Y. 2018.

11 Bradford, K., "Reducing the Effects of Adverse Childhood Experiences," *LEGIS BRIEFS*, National Conference of State Legislatures. Vol. 28, No. 29 (August 2020). "More than 35 states introduced legislation on ACEs this year." <https://www.childhealthdata.org/docs/drc/arizona-aces-efinal.pdf>; <https://letsgethealthy.ca.gov/goals/healthy-beginnings/adverse-childhood-experiences/>; <https://www.ruralhealthinfo.org/rural-monitor/adverse-childhood-experiences/>

12 Baglivio, M., Wolff, K., Jackowski, K., and Howell, J., "Support and Resiliency in the Face of Extreme Adversity: Implications of Adverse Childhood Experiences (ACEs) and Positive Childhood Experiences (PCEs) for Juvenile Justice System Enhancement," *Juvenile Justice Update*, Spring 2021, at pp. 3-4, 17-22.



Case Digests

*In response to member feedback, select issues of the Guardian will feature summaries of key federal and state appellate cases, pertinent to child welfare, that were issued in the last year. These digests are **not** a substitute for a practitioner's responsibility to conduct independent case research and analysis; where possible, we have provided links to the cases to assist you in doing so. If you have a case from your jurisdiction you think would be a relevant addition to Kristen.Pisani-Jacques@NACCchildlaw.org.*

[People in the Interest of A.A., 2020 COA 154 \(Colorado Ct. of Appeals, 2020\) \(suspension of parental visitation\)](#)

At the permanency planning hearing, the Department and GAL requested that the juvenile court suspend the mother's visits with the children until she could maintain two weeks of sobriety. Although there was no evidence presented that either parent was under the influence at any visit, the juvenile court imposed the suspension. The mother's visits never resumed because she could not establish two weeks of sobriety. The father's visits resumed once he became sober, but they were suspended after he lost his temper during a visit. The parents appealed the termination of their parental rights, arguing that they were not provided visitation in accordance with the statute and that the Department did not make reasonable efforts to rehabilitate them and reunify their family.

The Colorado Court of Appeals noted that "[v]isitation services shall be designed to promote the health, safety, and well-being of the children; facilitate the speedy reunification of parents and children; and promote the best interests of the child." Because the Department never offered the mother visitation with her children due to her inability to remain sober for two weeks, the court held that the Department did not make the statutorily required showing that "such total deprivation was necessary to protect the children." The court also found that the Department violated the statute by not providing the father with an alternative level of visitation in lieu of suspension. Further, it found that the Department did not make reasonable efforts to rehabilitate the father when it did not refer him to a substance abuse program after objecting to the program that he found on his own and paid for. The appellate court held that the Department did not make reasonable efforts to reunify the family; therefore, the trial court erred in terminating the parents' parental rights. **Reversed and remanded.**

[In re A.R., S260928 \(Supreme Court of California, April 2021\) \(ineffective assistance of counsel\)](#)

The mother asked her court-appointed attorney to appeal the termination of her parental rights. The appellate court dismissed the appeal because the attorney filed the notice of appeal four days late. The appellate court also denied the mother's petition for habeas corpus in which she alleged that her attorney's poor performance denied her the right to appeal. The Supreme Court of California granted review.



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The Supreme Court of California stated that a parent asserting an incompetent representation claim based on the untimely filing of a notice of appeal must first show that “counsel failed to act in a manner to be expected of reasonably competent attorneys practicing in the field of juvenile dependency law.” Second, the parent must prove that the “attorney’s unprofessional performance was prejudicial” in that “it is reasonably probable that a result more favorable to [her] would have been reached in the absence of the error.” The supreme court declared that the parent could demonstrate prejudice by showing that they would have timely appealed, not necessarily that the appeal would have been successful. Third, the parent must promptly and diligently pursue an appeal. Here, the supreme court noted that the notice of appeal was only four days late, and the mother promptly sought relief from default when she timely filed her brief on the merits. **Reversed and remanded.**

[In re L.I. and H.D.K., SCWC-18-0000773 \(Supreme Court of Hawai‘i, March 2021\) \(right to counsel\)](#)

The mother consented to a petition for family supervision and was given a service plan. In January 2015, the family court revoked family supervision, placed the child in foster care with DHS, and gave the mother a new service plan. The mother was appointed counsel in April 2015. The mother’s parental rights were subsequently terminated. She appealed to the Intermediate Court of Appeals (ICA), arguing that the family court did not follow *In re T.M.*, 131 Hawai‘i 419, 319 P.3d 338 (2014) because the court did not appoint her counsel until her child had been in foster care for 97 days. The ICA held that although the trial court failed to appoint the mother counsel upon the granting of the petition for foster care, the error was harmless. The mother filed an application for writ of certiorari with the Supreme Court of Hawaii, seeking clarification on when counsel must be appointed and arguing that the untimely appointment was structural error. NACC joined in an [amicus brief](#) advocating for early access to counsel for parents.

The Supreme Court of Hawai‘i clarified that pursuant to *In re T.M.*, counsel should be appointed when “DHS files a petition asserting custody over a child” and when “DHS files a petition for family supervision because, at that point, parental rights are substantially affected as foster custody can be ordered by the court at a subsequent hearing.” The supreme court found that the delay in appointment violated *In re T.M.* and was a “structural error that require[d] vacatur of orders made after DHS’s filing for foster custody.” The supreme court vacated the judgment of the ICA affirming the family court’s order giving DHS foster custody and terminating the mother’s parental rights. **Remanded.**

[In re P.G.F., J-91-2020 \(Supreme Court of Pennsylvania, March 2021\) \(role of GAL and child’s attorney\)](#)

The child’s mother and stepfather filed a petition to involuntarily terminate the parental rights of the child’s biological father to allow the stepfather to adopt the child. An attorney was appointed as the child’s legal counsel and guardian *ad litem* for the termination hearing. Although she never asked the child about his preferred outcome in the proceeding, the



► **Case Digests** from previous page

attorney argued that termination was in the child's best interests. The father's rights were terminated, and he appealed to the Superior Court which vacated the lower court's order and remanded for the court to re-appoint legal counsel for the child to determine the child's preferred outcome. The same attorney was appointed and indicated that the child wanted to continue living with his mother and stepfather, referred to the stepfather as his dad, and had no knowledge of his biological father. Finding that there was no conflict between the child's legal and best interests and that the child's preferred outcome was to have his stepdad fill the parental role, the court re-entered the termination order. The father appealed, arguing that there was a conflict between the child's legal and best interests. The Superior Court affirmed. The Supreme Court of Pennsylvania granted allocatur.

The Supreme Court of Pennsylvania explained that "it is only when a child's best interests and legal interests do not diverge, or where the child's legal interests cannot be ascertained, that a court-appointed attorney may serve in the dual capacity of guardian *ad litem* and legal counsel; however, when there exists a conflict between a child's best interests and the child's legal interests, these interests must be represented by separate individuals." The supreme court stated that ascertaining the child's preference is "a fact-intensive and nuanced process, based upon an attorney's observations and interactions with the child"; attorneys should also consider "the child's physical, mental, and emotional well-being" when making this determination. It further stated that the court should "give due consideration to counsel's approach, findings, and conclusions regarding whether a conflict exists[.]"

The supreme court found that the child's attorney was able to ascertain the six-year-old's wishes without needing to ask if he wanted to terminate the rights of a father whom the child did not know existed. Thus, the supreme court agreed with both the child's attorney and the lower court that no conflict existed and that it was proper for the attorney to act as legal counsel and guardian *ad litem* for the child. **Affirmed.** ■



Visit NACC's Title IV-E Funding for Legal Representation Resource Hub



RESEARCH EXCERPT

Aged Out: How We're Failing Youth Transitioning Out of Foster Care

By [Sixto Cancel](#), [Sarah Sullivan](#), [Sarah Fathallah](#), [Emily Wright-Moore](#), and [Marina Nitze](#)

Today's child welfare system invests an enormous amount of time, effort, and money into older youth in its care. Despite this effort, every year — for far too long — too many foster youth age out of care into unacceptable life circumstances.

In the fall of 2019, [Think of Us](#) — a national systems-change non-profit — began a year-long process to understand why and how child welfare continues to fall short for youth who age out. Think of Us partnered with Bloom Works to engage five jurisdictions and centered the voice of people who know best: foster youth, their supportive relationships, and frontline staff. Think of Us worked with over 200 people in over 90 research and design sessions.

Think of Us recently published the findings and recommendations of this work in a new publication: [Aged Out: How We're Failing Youth Transitioning Out of Foster Care](#) (“Aged Out”). *Aged Out* includes direct quotes and stories of people with lived experience.

Aged Out focuses on three themes that represent where the child welfare system is most failing transition-age youth, and where system professionals must urgently focus attention. These themes are:

1. Healing and dealing with trauma

“We need to start addressing the trauma and grief the very first day they enter care.”

— SOCIAL WORKER

Too many foster youth age out of care unhealed. Unhealed trauma is the missing link that child welfare fails to address for youth. Often, youth have been removed from their families and are placed in foster care because youth are unsafe, abused, neglected, have experienced poverty, or their parents are unable to care for them. All foster youth experience the trauma of removal. Staff and youth in this study indicated that unhealed trauma may be the one issue that impacts all other aspects of a youth's life, but routinely goes unaddressed. A youth may enter care with trauma, experience additional trauma in care, and not be given an opportunity to adequately heal from this trauma. They can exit this

think of us

▶ **Research Excerpt** from previous page



system worse off than when they entered. Young people in this study indicated their desire for diverse, robust tools to help them heal from trauma.

2. Centering youth in their preparedness

“The most stressful thing I’ve ever had in my life is moving from being a teenager to an adult. People still treat you like a kid, but you have the responsibilities of an adult.”

— FORMER FOSTER YOUTH

Too many youth age out of care unprepared. The system spends considerable effort preparing youth for aging out. At every site, staff had programs and services for preparedness. However, “preparedness” was defined by the system, not by the individual youth. This means many of the system’s well-intended efforts got lost in translation or failed to address youth’s transition goals entirely. Some youth in the study reported lacking basic facts about what would happen after care. Preparedness efforts can also fall short when staff fail to ask youth about their goals for transition. Youth in the study reported that even in cases where they are asked about their goals post-care, the system does not always prioritize youth’s aspirations and dreams or help design a path to fulfill them.

3. Helping youth build a supportive network

“A lot of time, youth come into the system with more relationships than they leave with.”

— TRANSITION PLANNING STAFF

Too many youth age out of care unsupported. This study debunked a central myth of child welfare: that foster youth do not have supportive people in their lives. Youth participants reported that while youth have supportive people in their lives, they are very protective of them, which can mean the system is often unaware of these relationships. Because staff are often unaware of these relationships and because the system does not prioritize strengthening youth’s relationships, too often foster youth exit care with fewer relationships than they came in with. Facilitating youth’s supportive relationships should be a central task of child welfare, as supportive people are imperative to foster youth’s success during and after care. These relationships can play a critically important role in helping youth feel loved and supported, complete essential tasks like applying for college, and gain

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key preparedness skills like learning to drive. Most importantly, supportive adults can help form the youth's protective network, once paid and staff relationships come to an end.

The reality is that, for foster youth, "aging out" is simply a system-sanctioned euphemism for being abandoned and left to your own devices—unhealed, unprepared, and unsupported. Read *Aged Out* for the full findings and recommendations for how we can build a better world for transition-age youth. ■

ABOUT THE AUTHORS:



Sixto Cancel is the Founder and CEO of [Think of Us](#), an Action Tank driving systematic change in child welfare. Sixto has served as a Young Fellow at Jim Casey Youth Opportunities Initiative since 2010 where he has played a key role in the initiative's work of extending foster care permanency for older youth.



Sarah Sullivan, Senior Director at [Think of Us](#), served as the project lead on the *Aged Out* study. She has led the organization's work to understand how foster youth perceive and experience key moments in the system, the most traumatic aspects of foster care, and what meaningful pathways to healing look like.



Sarah Fathallah, researcher on the *Aged Out* study, is a designer, researcher, and educator who specializes in applying participatory design to the social sector, with impact-driven clients like the International Rescue Committee and Open Society Foundations.



Emily Wright-Moore is a principal at [Bloom Works](#), a consultancy that brings technical assistance leveraging best practices in technology and design to bear on the most difficult challenges in government and the social sector. She served as the design lead on *Aged Out*.



Marina Nitze is a Public Interest Technology fellow at [New America](#) and previously served as the Chief Product Officer in Residence at [Think of Us](#). She was most recently the chief technology officer of the U.S. Department of Veterans Affairs, where she built the first agency digital service team.



READER PANEL

Advocacy for Creative Services

For children and youth in the child welfare system, many alternative therapies have shown promise (for example, art therapy, animal therapy, etc.). *How do you persuasively advocate for creative and unique services for youth/families that are outside the “cookie cutter” of what is available?*

Stacy L. Miller, JD, CWLS
 Assistant District Attorney General
 Juvenile Court Team Leader | 20th Judicial District of Tennessee

Education and data are the two keys to successfully advocating for a new or unique approach in terms of treatment or services for our youth. We ask that any new program keep stats on the efficacy of their program in order to make sure that we are getting the results that we are seeking. In addition, when presenting the legal community with a new program, we hold monthly continuing legal education training sessions and we invite the providers to come and explain their approach to our neglect/dependency and delinquency attorneys, so that we are all understanding the new approach and have a chance to discuss any concerns or issues. Being open to new approaches is so important in our field, but we also want to make sure that they work.

S. Chase Rosario, JD
 NACC State Coordinator for Montana

Unfortunately in Montana, we only have cookie cutter therapy options. The most cutting-edge therapy we have is Eye Movement Desensitization and Reprocessing (EMDR), and there's a small handful of practitioners who use it. In trying to get my client connected with that specialized treatment, over the objection of the Department, I had to tell the Department supervisor (who was already in agreement) to let the Department decision-makers know I was filing with the court to have the judge decide where the client should go. I told her she should let the Department know that precedent is clear that the judge cannot dictate where the Department will place the child, but it is equally clear that the judge can make an informed decision about the treatment modalities that he believes will best help the child and can order the Department to place the child in a place that uses those treatment modalities. Further, the court can mention a specific facility by name as what they believe would be best for its treatment offerings, and order that the Department place the child in a similar facility for those specified modalities. We didn't

JOIN THE PANEL!

Guardian readers are invited to join our Reader Panel. You'll receive an email asking for your responses to questions about child welfare legal practice. Selected responses will be featured in The Guardian. Please send an email to Kristen.Pisani-Jacques@NACCchildlaw.org letting us know you are interested in joining the panel.

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have to go to court. Suddenly, my client was being transferred to the place we'd suggested. I find that pushing the Department outside of court often gets things done more quickly and less painfully, as long as whoever the decision-maker understands what you've got in your hat. But I also tread carefully and look at what is available and possible before pushing.

Trisha Casey, JD
Mental Health Advocacy Service | Child Advocacy Program | Lake Charles, LA

In addition to advocating on behalf of children in court, we advocated for support systems such as courthouse therapy dogs to help children and families cope with the stress associated with (CINC) proceedings. We collaborated with a local dog therapy program and a local Judge in Southwest Louisiana to develop a Courthouse Therapy Dog Program with a mission in mind: to lighten the atmosphere in the Family and Juvenile Court, particularly for parties and witnesses who may be experiencing anxiety/stress before entering the courtroom and while they wait for their cases to be called on the docket.

Buffy Jo Okuma, JD
Chief Deputy District Attorney | Washoe County, Nevada

With the passage of Families First Prevention Services Act and the focus for services to be recognized as promising, supported, or well-supported, it is perhaps even more important to advocate for alternative therapies when appropriate. Of course, we have to rely on services for which there is a funding source, but when there is an alternative program or service that might be that "game-changer" for the client, if we can find a way to fund it, not only may it help that client, but be shown to be able to help others. One good way to advocate for such alternatives is to assist in the identification of a funding source — encourage the provider to do some pro-bono, identify a grant, etc. Help to take away the biggest barrier, funding, and then it is hard to argue that we shouldn't at least try!

The Honorable Aurora Martinez Jones, CWLS
126th District Court Judge | Travis County District Courts | Austin, Texas
NACC State Coordinator for Texas

Now more than ever we must step outside the "cookie cutter" approach to realize that one size does not fit all. If we are to move towards a trauma-informed child welfare system, we have to look to culturally responsive services, which includes various different modalities of therapeutic support. If we consider the Substance Abuse and Mental Health Services Administration's (SAMHSA) [Six Key Principles of a Trauma-Informed Approach](#), the sixth principal includes Cultural, Historical, and Gender Issues. They define any organization taking a trauma-informed approach moving past cultural stereotypes and biases to offer services that will include addressing gender, racial, ethnic, and cultural needs of individuals served. When I justify orders for services outside the standard options offered, I think about taking that trauma-informed approach to assure all the needs of the parent or child are being met with these services. All people do not experience trauma in the same way — thus, we cannot expect for people to all heal in the same way. We will best serve our children and families when we begin to respect, honor, and serve the individuality of each person and their family. Advocating for creative and unique services is one way of doing this and is the trauma-informed approach.

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Kellie Johnson, JD, CWLS

**Children's Attorney | Mental Health Advocacy Service | Child Advocacy Program
21st Judicial District and Louisiana CJA Task Force Member**

In the 21st Judicial District, we have an amazing entity, Child Advocacy Services. Our local Child Advocacy Services (CAS) is located in Hammond, Louisiana, and it is made up of our CASA Program and the Child Advocacy Center. When our clients, who are minor children subjected to abuse and neglect, undergo a forensic interview at the Child Advocacy Center, they get to meet a handsome fellow named Hayward. Hayward is a therapy dog who can sit in with children during their interviews. Through our Louisiana Children's Justice Act Task Force, we have supported Hayward and the Hammond CAC, along with other CACs and courthouses, to promote and support their mission. This directly benefits our clients, who often suffer extreme trauma, to have a piece of comfort and support during the process. It is impactful in so many ways to have Hayward, and the other CAC and courthouse dogs, because the dogs are there to listen and comfort these vulnerable children in new and uncertain circumstances.

David J. Lansner, JD

Lansner & Kubitschek | New York, New York

I suggest that, as always, you use traditional legal methods. First, cross-examine the witnesses:

- In addition to the two types of therapy you recommended for my client, what other therapeutic modalities does your agency offer to children?
- Your agency handles several hundred children every year?
- And those children have many different problems that need services?
- And the only types of therapy you offer all those children with all those different problems are the four that you mentioned?
- You have made recommendations for therapy in scores of cases?
- And those four therapeutic modalities that you mentioned are not always successful in solving the child's problems?
- And you have never conducted a study of the outcomes of your recommendations to see what type of therapies were successful for each particular problem?
- Yet you continue to recommend the same therapies?
- You have never looked for other types of therapy?
- And you have never investigated the following therapeutic modalities that the child's attorney is recommending?

Contact a person or agency who is offering the particular therapy and have them write up a report on why the therapy is needed, what it provides, and how the cost compares to other services. Then call the provider at a dispositional hearing. If the judge refuses to hear the witness, offer the report in evidence. If the judge refuses to accept it, ask that it be marked for identification for the appeal. If the judge rules against you, appeal.

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Rebecca Henderson, JD
Mental Health Advocacy Service | Child Advocacy Program
Washington Parish District Court & Bogalusa City Court, Louisiana

I talk to the client first to see if he/she is interested and then, if I know DCFS will scoff at the price or convenience, at the review hearing, I request that the Judge order DCFS to make it part of the case-plan. I'm not always the most popular with DCFS but I do have two clients in equine therapy at this very moment!

Cynthia Sweet, JD, CWLS
Supervising Staff Attorney, Natrona County
State of Wyoming, Office of the Guardian ad Litem
NACC State Coordinator for Wyoming

Advocating for unique or creative services/therapies for our clients is not always easy. I have found it helpful to fully research the service/therapy for which I am advocating so I can provide the agency worker with details — the type of service/therapy, the cost, how my client can be transported, the dates/times, contact information, a referral form, etc. The more leg work I do as my client's advocate, the better chance the service will be seriously considered. Further, it is essential that we, as advocates, have a clear understanding of how this specific service/therapy meets the specific needs of our client. What issues is the client having that this particular service will address? What are the characteristics of the client that make this service more likely to be effective? Clearly articulating these considerations has also, in my experience, helped secure the most beneficial services for my clients.

Fernando Morgan, JD, CWLS
Montgomery, Alabama
NACC State Coordinator for Alabama

When advocating for unique and creative services for my clients, I often invoke the broad "Reasonable Efforts" provisions of the Adoptions and Safe Families Act. Enacted in 1997, ASFA requires the child welfare agency to make reasonable efforts to prevent the removal of children from their homes and to allow children to safely return to their families. The focus is on health and safety. Remember, there is no pre-determined list of items that comprise reasonable efforts. Once I identify a service that will benefit my clients, I file a motion and enumerate my reasons to support the request and I always explain how it constitutes reasonable efforts. I have a colleague who argued for yoga therapy for her male teenage client to deal with anger management. It dramatically improved the child's behavior. Judges have been quite receptive to creativity in this area as long as we can show how it benefits our clients. What is a reasonable effort? Whatever addresses the issues that caused the child welfare agency to become involved with my client's family. The only limit is our imagination.

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Rebecca Stahl, JD, LLM, SEP

**Deputy Director | Sayra and Neil Meyerhoff Center for Families, Children and the Courts
University of Baltimore School of Law**

I look for types of therapy that address trauma and have emerging evidence bases so may not be on the radar automatically for the child welfare agency. Then I look for people in my jurisdiction who practice those types of therapy and get as much research about them as possible. We have had success getting the child welfare agency organization to pay for it if nothing else has worked, but generally we have to find someone who take Medicaid. It can be helpful to have a mental health professional write a declaration or to be prepared with research as to why a particular therapy is likely to be beneficial to the child’s particular situation.

Claire M. Terrebonne, JD, CWLS

**Director of Legal Services | Jackson County CASA
NACC State Coordinator for Missouri**

One of our GALs had a client who was participating in traditional talk therapy. The therapist found that the child was not progressing as hoped and recommended equine-assisted therapy for issues specifically related to the therapeutic needs of that child. As equine-assisted therapy tends to be expensive, the GAL requested that the court specifically order Children’s Division to pay for the therapy based on the therapist’s recommendation of what was needed for this child. The court granted this request, and the child received this specialized therapy. I find that the most important thing about advocating for therapy outside of the “cookie cutter” therapeutic options is just having knowledge about what is available. Many times, the caseworker is not familiar with the therapeutic options in the community, such as art therapy or parent-child interactive therapy (PCIT) but is usually open to any suggestions I have for the child and willing to reach out to my recommended resources. The caseworker will also let me know if the agency is unable to pay for a service at which time I have successfully petitioned the court to order the agency to fund and provide that service for the child. ■



Thank You for Your Support!

Donate to NACC’s General Fund online by making a one-time contribution or sign up for a monthly recurring donation of \$10 or more. Donations to NACC’s General Fund provide maximum flexibility for NACC to put your contributions to work right away to accelerate access to justice for children and families.

Donate online: *NACC General Fund*



NACC Launches Technical Assistance Program for Right to Counsel Campaign!

NACC is pleased to announce the public launch of its Right to Counsel Campaign technical assistance program. State-based advocates are invited to apply for technical assistance to support the fight for children's right to counsel. NACC will equip state advocates with policy, strategy, and communications tools to mobilize stakeholders and inspire change, until every child involved with the child welfare system is guaranteed access to high-quality legal representation.

The technical assistance program opens amid a flurry of right to counsel legislative activity. In the last month, lawmakers across three states bulldozed through long-standing barriers to help ensure the right to counsel for children and youth navigating the foster care system. In **Arizona**, [SB 1391](#) requiring the appointment of client-directed legal counsel in all dependency cases was signed into law by Governor Ducey on April 14, 2021. In **North Dakota**, [HB 1035](#) providing a right to counsel for children "of sufficient age and competency to assist counsel" in dependency proceedings was signed into law by Governor Burgum on April 28, 2021. ([Read NACC's written testimony.](#)) In **Washington State**, [HB 1219](#) requiring appointment of client-directed legal counsel for children age 8 and older was signed by Governor Inslee on May 10, 2021. ([Read NACC's written testimony here](#) and [here.](#))

Finally, in **Texas**, committee substitute [HB 1315](#), that provides a modest expansion to current law, passed unanimously through the Senate Health and Human Services Committee after public hearing on May 19, 2021, and now awaits Governor action. The bill requires the appointment of a CASA, attorney *ad litem*, or an attorney appointed to serve in a dual role for the duration of a child's placement in state custody. The bill also permits the appointment of both an attorney *ad litem* and CASA for the duration of the child's placement in state custody. ([Read NACC's letter of opposition to the committee substitute.](#) NACC's support for prior versions of the bill guaranteeing the appointment of an attorney throughout a child's placement in state custody is [here](#). Read Youth Advisory Board Member Ivory Bennett's written letter of support for the bill's prior version [here.](#))

Let's keep the momentum going! Are you a state advocate who believes all children and youth experiencing foster care deserve high-quality legal representation in the court proceedings that impact their lives and futures? Whether you are an attorney, judge, policy advocate, youth organization, or otherwise, NACC is here to help! Technical assistance services may include policy analysis, data review, policy drafting/review, resource development, campaign strategy support, youth engagement, coalition building, and litigation strategies (provided at no cost to selected sites). ■



Natalece Washington,
JD, CWLS
Policy Counsel
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NACC Policy News and Amicus Updates



POLICY NEWS

NACC's Federal Advocacy for Right to Counsel Continues

Fundamental to NACC's mission is the core belief that all parties, particularly children, deserve effective and zealous legal representation to ensure their voices are heard, to advocate for their needs, and to help navigate the complex labyrinth of child welfare processes that shapes their lives, safety, and well-being. NACC recently [urged Congress](#) to amend the Child Abuse and Prevention Treatment Act (CAPTA) to guarantee children and parents a right to counsel in child welfare court proceedings.



Allison Green, JD, CWLS
Legal Director
Allison.Green@NACCchildlaw.org

Ensuring Justice and Equity for Young People in the 117th Congress

As the 117th Congress is now underway, [NACC shared key priorities](#) and areas where federal legislative action is needed this session. These include guaranteeing a right to counsel for youth and parents in dependency proceedings, reforming the Adoption and Safe Families Act, and improving upon the Family First Act. NACC looks forward to advancing justice for young people on Capitol Hill.



Cristal Ramirez, MS
Youth Coordinator
Cristal.Ramirez@NACCchildlaw.org

NACC Joins State Partner to Fight Anti-Trans Legislation

NACC and Houston's Foster Care Advocacy Center [submitted joint opposition](#) to anti-trans legislation in Texas that, if passed, would have expanded the state's civil and criminal code to penalize parents who consent to gender-affirming care. We are pleased to report that this unconstitutional proposal did not pass during this legislative session.

Support for the Wellbeing of Children of Immigrants

NACC joined the [Child Thrive Action Network's principles](#) to support the wellbeing of children of immigrants living in the United States. These principles include promoting family unity, providing a clear path to citizenship, and advancing health, educational success, and economic security of children and their families.

Call for Meaningful Access to Mail in Prisons

NACC signed on to [this letter to U.S. Attorney General Merrick Garland](#), urging the Bureau of Prisons to end the "MailGuard" program that deprives individuals incarcerated in federal facilities from receiving physical mail. Receiving physical mail is critical for maintaining family and community bonds, especially between children and their parents who may be incarcerated, or young adults in foster care who "crossover" to the adult criminal-legal system.

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Coming Soon: Draft NACC Standards for Legal Representation of Children & Youth

NACC is in the process of revising our 2001 [Recommendations for Representation of Children in Abuse and Neglect Cases](#). Thank you to the many members who provided valuable input during last year's call for feedback. Since then, NACC's Youth Advisory Board and staff have worked closely to co-design a fresh set of Standards that will ensure the highest quality of legal representation. Be on the lookout for a second call for feedback on this draft later this month!

Adoption and Foster Care Home Study Reform is Needed

Every year, thousands of children languish in the foster care system because of an outdated and overburdened child welfare home study bureaucracy. NACC supports the [National Adoption and Foster Care Home Study Act](#), which would encourage national standards and methodology around this process. Not only would this be more efficient, but it would also help mitigate bias in the home study process and provide a more equitable framework for LGBTQ+ families seeking to adopt.

NACC Urges Congress to Pass Comprehensive Juvenile Justice Reform

NACC joined with partners to endorse a [legislative package](#) intended to create a more just and age-appropriate system for children who come into contact with the federal criminal justice system. The proposed legislation would (1) require parental notification when a child is arrested and mandate that the child consult with legal counsel before waiving Miranda rights; (2) establish a minimum juvenile and adult court age of jurisdiction; and (3) promote sentencing reform and end juvenile life without parole sentences.

Make Children's Health Insurance Permanent!

For almost 25 years, the Children's Health Insurance Program (CHIP) has been an essential source of children's health coverage, ensuring access to high-quality, affordable, pediatric-appropriate health care for children in working families whose parents earn too much to qualify for Medicaid but too little to purchase private health insurance on their own. The program has been subject to ongoing funding uncertainties, and NACC [joined with partners to request](#) that it be made permanent through law.

Abolition of Juvenile Fines and Fees

NACC joined with partners to [call upon the U.S. Department of Justice](#) to update and reissue guidance around elimination of juvenile fines and fees. These fees violate the 8th and 14th Amendments to the Constitution and have a disparate impact on youth of color.

Mentoring Makes a Difference

Studies show that mentoring services for foster youth are effective interventions that have a positive impact on a wide range of protective factors including improved mental health, educational functioning and attainment, peer relationships, placement outcomes, and life satisfaction. NACC supports the [Foster Youth Mentoring Act](#) which would authorize new funding and training opportunities for mentoring programs.

NACC Joins in Call to End SIJS Backlog

Special Immigrant Juvenile Status (SIJS) is an important, meaningful protection against harm and injustice. Unfortunately, the wait for SIJS-based green cards now prevents many young people from accessing SIJS status in a timely and meaningful way. NACC joined in a [call for administrative action to swiftly address the backlog](#).

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Federal Budget Must Invest in the Future of Youth, Families, and Young Adults Transitioning from Foster Care

NACC joined with partners in a [comprehensive set of recommendations](#) to federal policy-makers urging sound financial investments for children and youth who have experienced foster care. The request encompasses Title IV-E, Title IV-B, the Chafee program, and other critical federal funding streams such as the new child tax credit.

NACC Urges Biden Administration to Build Back Better

NACC joined a [coalition letter](#) urging the President and Congressional leaders to support young people in the FY2022 appropriations and Build Back Better plan. The letter includes specific recommendations around health care, childcare, housing, tax credits and more.

Youth with Legal System Involvement Should be Prioritized in Workforce Plan

Congressional leaders must prioritize youth who have experienced the criminal legal system in the American Jobs Plan. NACC recently joined an advocacy [letter](#) calling on Congress to provide targeted workforce development services and subsidized employment opportunities so that youth and adults impacted by this system can fully and equitably access workforce opportunities.

NACC Joins Letter to Children's Bureau Regarding Kinship Diversion

A 2019 Child Trends study found that “[i]n some jurisdictions, for every 10 children entering foster care, an additional 7 were diverted, while in others there was an equal split — for every child entering foster care, another child was diverted.” The exact scope of this practice is unknown and leaves open questions about children’s and parents’ legal rights and remedies. NACC recently [signed on to a letter to the U.S. Children’s Bureau](#) urging enhanced data tracking and state reporting of these informal placement changes.

Federal Government Must Cease Misuse of Title 42

The current administration has continued the misuse of Title 42 to expel children and families at the U.S. border. This practice increases children’s risk of persecution, violence, and exploitation while also retraumatizing. [NACC supports the call](#) to end the Title 42 policy and instead to follow the recommendations of public health experts to resume the safe processing of asylum seekers at the border.

Congress Should Act to Enhance Chafee Funding

NACC joined several partners in a request to Congressional leaders seeking enhanced investments in Educational and Training Vouchers available under the Chafee Foster Care Program. The program is backed by strong evidence; youth who receive an ETV grant are 2.97 times more likely to persist in college than those who do not. [Learn more here.](#)

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Strengthen the Child Tax Credit to Address Child Poverty

Three tax provisions of the American Rescue Plan take first steps to addressing child poverty and tackling the root causes of foster care entry. NACC [joined this letter](#) asking federal leaders to realize the full potential of these programs. Strengthening the Child Tax Credit and converting it into a permanent, monthly child allowance program would ensure that parents have the vital resources to meet current challenges during this economic downturn as well as the increasing costs associated with raising children.

Joining in Support of Equity-Centered National Subsidized Employment Program

Now is the time for Congress to enact a bold and national subsidized employment program to quickly and efficiently get people — including youth — back to work. NACC [supports an equity-focused national subsidized employment program](#) that affirmatively accommodates youth and young adults, people of color, people experiencing homelessness, people with prior criminal legal system involvement, people with disabilities, and older adults who face barriers to employment.

Support for the Child Abuse Death Disclosure Act

The loss of a child leaves families with unimaginable grief and sometimes a host of unanswered questions. Unfortunately, a lack of data on child abuse fatalities has hindered strategic policy solutions. NACC supports the [Child Abuse Death Disclosure Act](#), which would require states to develop a multidisciplinary taskforce to examine the circumstances of all child abuse fatalities and report out key information. It would further require the federal government to develop a national standard definition related to child maltreatment fatalities.

NACC Endorses Three New Bills to Advance Health for Youth in Foster Care

NACC recently signed on in support of three bills to improve to health care provision for foster youth. [DJay's Law](#) clarifies and affirms that youth who age out of care are able to stay on Medicaid until age 26 without regard to the state in which they live (just as their non-foster care peers can stay on a parent's insurance until age 26). The [Expanded Coverage for Former Foster Youth Act](#) would require state Medicaid programs to cover former foster youth who were placed in a legal guardianship with a kinship caregiver or who were emancipated from foster care before the age of 18. The [Foster Youth Dental Act](#) would require state Medicaid programs to cover early and periodic screening, diagnostic, and treatment services, including dental services for current and former foster youth under the age of 26.

Support for the Strengthening America's Families Act

NACC supports the [Strengthening America's Families Act](#). The legislation would provide seed money to states to develop, stabilize, and enhance Infant-Toddler Court Teams, provide

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training and technical assistance to communities, and expand the reach of this proven approach to supporting the well-being of infants, toddlers, and families.

Make the Child Tax Credit Permanent

The recently-passed American Rescue Plan authorizes a historic, temporary expansion of the Child Tax Credit (CTC). The Center on Poverty and Social Policy at Columbia University estimates that the expansion may move as many as 45 percent of children living in poverty above the poverty line and reduce racial disparities in child poverty. To ensure these reductions in poverty and racial disparities continue beyond this year, NACC [joined a letter](#) to the President requesting adjustments to the benefit and calling upon the Administration to make the CTC permanent. NACC also signed on in support of the [American Family Act](#) which could increase the CTC, make it fully refundable, and permanent.



AMICUS UPDATES

Fifth Circuit Issues ICWA Opinion

On April 6, 2021, the Fifth Circuit Court of Appeals issued a lengthy *en banc* decision in the [Brackeen v. Haaland case](#), in which NACC previously joined [an amicus brief](#). The decision can be found [here](#). ■



Policy Request: If you are working on child law advocacy project (right to counsel for children, implementation of Title IV-E funding, etc.), and you believe NACC can assist you in achieving your goals, please submit a request using our [online form](#).



Amicus Request: The NACC Amicus Curiae Program promotes the legal interests of children through the filing of amicus curiae (friend of the court) briefs in state and federal appellate courts. We submit our own briefs and participate as co-amici in cases of particular importance to the development of law for children. To submit a request for NACC to participate as amicus curiae in a case you are working on, please download and complete [NACC's Amicus Curiae Request Form](#).



NACC Office Hours: NACC is available to assist members with various child welfare court improvement efforts (Title IV-E funding, Family First implementation, etc.). Contact Policy@NACCchildlaw.org to reserve time to ask questions, request resources, and brainstorm next step to get things moving in your jurisdiction.



Ruthann Gonzalez
Membership Outreach
Assistant

Ruthann.Gonzalez@NACCchildlaw.org

NACC congratulates Ranni Gonzalez on her graduation from Mitchell Hamline Law School! Thank you for all you have accomplished to grow NACC's Membership Program over the last several years. We wish you the best on the bar exam and your future legal career!



Emily Dufour
Membership and
Office Assistant

Emily.Dufour@NACCchildlaw.org

Membership Matters

Organizational Memberships

NACC's newly updated organizational membership program is designed to bolster the national NACC community by engaging child welfare offices and agencies from small teams to large agencies. An organizational membership provides Bronze-level membership benefits and discounts to your entire office, law firm, or agency. When your office joins NACC as an organizational member, all staff can enjoy access to member benefits and resources including monthly webinars, monthly newsletters, the quarterly Guardian, discounts on CWLS certification applications, training, conference, and more!

Learn more and [enroll your organization now!](#)

Updated NACC Member Resource Page

To better serve your practice, NACC is continuously updating our [Member Resources](#) webpages. When was the last time you took a look? Check out the new Conference Library for access to all NACC conference materials over the last 10 years, updated Member Listserv instructions, the *Loyola Children's Legal Rights Journal*, prior issues of *The Advocate* and *The Guardian*, and easy access to NACC's Advocacy Request and Amicus Request forms.

Monthly Member Orientation

Whether you're new to NACC or a long-time member, you are invited to join NACC's Executive Director Kim Dvorchak for a brief orientation to learn more about the updated services, products, networks, and resources available to you as a member of NACC. Then stay for an open forum to discuss issues impacting child welfare practice and our profession. Every third Thursday at 4:00 pm ET.

[Register here for June 24, 2021](#)



Join or renew your organizational membership for deeper conference registration discounts during early registration. NACC will apply the 50% discount upon invoicing.



Consider Elevating Your Support with a Platinum Lifetime Membership

When you join or renew your membership at the Platinum level, you receive all NACC member benefits for life! No notices, no renewals, just continued uninterrupted benefits. Lifetime Platinum Memberships cost \$2,500 and may qualify in whole or in part as a business deduction or charitable contribution (please see your tax advisor for more information). Help build NACC's platform with a [Platinum Membership](#).



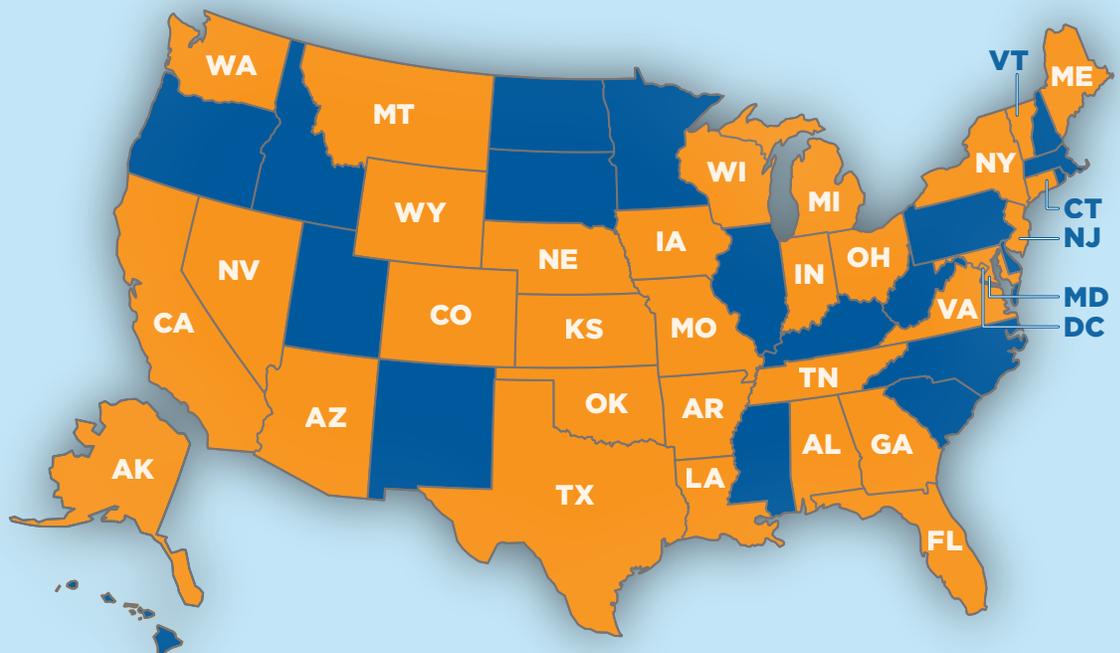
Expanding the NACC State Coordinator Network!

NACC is thrilled to welcome our next cohort of State Coordinators — now expanding our reach across 32 states and jurisdictions. Want to get in touch with your NACC State Coordinator? Contact Policy@NACCchildlaw.org.

- AK** : Rachel Levitt, JD
- AL** : Fernando Morgan, JD, CWLS
- AR** : Leisa Pulliam, JD, CWLS
- AZ** : Jillian Aja, JD
- CA** : Jill McInerney, JD, CWLS
- CO** : Ashley Chase, JD, CWLS
- CT** : Christopher Oakley, JD, CWLS
- DC** : Keely Magyar, JD, CWLS
- FL** : Tim Stevens, JD
- GA** : Jen Carreras, JD, CWLS
- IA** : Ellen Ramsey-Kacena, JD, CWLS

- IN** : Nicole Goodson, JD
- KS** : Kerrie Lonard, JD
- LA** : Rebecca May-Ricks, JD, CWLS
- MD** : Erica LeMon, JD
- ME** : Chelsea Peters, JD
- MI** : Lynda McGhee, JD, CWLS
- MO** : Claire Terrebonne, JD, CWLS
- MT** : Sarah Chase Rosario, JD
- NE** : LaShawn Young, JD
- NJ** : Alexis Pollock, JD
- NV** : Denise Glasgow, JD

- NY** : Melissa Paul-Franklyn, JD
- OH** : Kimberly Jordan, JD
- OK** : Timothy Michaels-Johnson, JD
- TN** : Thomas Coupé, JD, CWLS
- TX** : Hon. Aurora Martinez Jones, JD, CWLS
- VA** : Jennifer Newman, JD
- VT** : Marshall Pahl, JD
- WA** : Jill Malat, JD, CWLS
- WI** : David Patton, JD
- WY** : Cindy Sweet, JD, CWLS



Profile Update Reminder:

If you haven't done so recently, please check your NACC Membership Profile and update it with your latest information and preferences. We have many NACC members and website visitors searching our directory looking for experts and networking opportunities.

Would you like to share something with the NACC Membership? *Send it to us!*

Forgot your username or password? It happens! Contact Membership@NACCchildlaw.org for a reset.

Connect via NACC State-Based Listservs!

NACC has launched state-based listservs in Florida, Indiana, Georgia, California, Missouri, Montana, Nevada, and Oklahoma. These are supplements to our national listserv. If you are a child welfare practitioner who would like to join your respective state list, please email Policy@NACCchildlaw.org.



Thank you to our Platinum Lifetime, Gold, and Silver Members!

PLATINUM LIFETIME

Candace Barr	Amanda Donnelly	Donna Furth	Henry Plum	John Stuemky
Catherine Begaye	Idalis Edgren	Gerard Glynn	Allison Schmidt	Smith Williams
Donald Bross	Leonard Edwards	Yali Lincroft	Janet Sherwood	
Irma Carrera	John D. "Jay" Elliott	Charles Masner	Yve Solbrekken	
John Ciccolella	Amanda Engen	Kathleen McCaffrey	Cynthia Spencer	

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Rosemary Armstrong	Penny Higginbottom	James Ottesen	Bob Schwartz
Samantha Ashley	Audrey Huffman	Marshall Pahl	Dwayne Simpson
Aisha Blanchard Collins	Kimberly Jordan	Melissa Paul-Franklyn	Dennis Smeal
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Tamiko Chatman	Kerrie Lonard	Alexis Pollock	Kristen Tarrin
Jonathan Conant	Jonathan Mason	Thailund Porter-Green	Julia TenEyck
Jessica Elam	Timothy Michaels-Johnson	Brittany Radic	Tsinena Thompson
Robert Fellmeth	Shalanda Miller	Deborah Reece	Erin Welborn
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Tanya Alm	YEWANDE EWOVAN	David Katner	Kristina Pedro
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Linda Bergevin	Dawn Garrett	Denise LaFave Smith	Jennifer Rains
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Elizabeth Bush	Joseph Gunn	Natalie Maier	Robin Sax
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Katie Conner	Gretta Herberth	Nichelle Mitchem	Tammy Tallant
Misty Connors	Brian Herzberger	Tony Mollica	Dave Tawney
M. Cook	Hollie Hinton	Carol Moncif	Belinda Taylor
Chloe Corbett	Denise Hippach	Jessica Mongold	Jennifer Thompson
Genylynn Cosgrove	Lorne Hobbs	Ellen Morgan	Jennifer L. Thompson
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Alexis Dahlhauser	Bill Holt	Karla Nelson	Lucy Vazquez-Gonzalez
John Davidson	Nicole Homer	Jessica Noll	Kimberly Vincent
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Michelle Dixon	Megan Hunt	Jane Okrasinski	Nicole Williams
Kathleen Dumnitrescu	Kyle Jaacks	Brenee Orozco	Christopher Wise
Michelle Edgar	Gregory Jacomet	Betty Pace	Danelle Wozniak



Child Welfare Law Specialist Certification

Congratulations to Our Newest Child Welfare Law Specialists!



Daniel Trujillo
Director of Certification,
Sales, and Technology
Daniel.Trujillo@NACCchildlaw.org

Shannon Felder, JD, CWLS

South Carolina Department of Social Services
LANCASTER, SC

Laura Guerrero, JD, CWLS

Children's Law Center of California
MONTEREY PARK, CA

Kenneth Ichiroku, JD, CWLS

Children's Law Center of California
MONTEREY PARK, CA

Nicole Lowe McBride, JD, CWLS

Lowe McBride Law, PLLC
FARMINGTON, UT

David Malleis, JD, CWLS

Children's Law Center of California
MONTEREY PARK, CA

Beth Ploesch, MSW, JD, CWLS

Children's Legal Services of San Diego
SAN DIEGO, CA



Ginger Burton
Certification Administrator
& Technical Writer
Ginger.Burton@NACCchildlaw.org

NACC's New Online Certification Platform is Live!

NACC has launched its new online certification platform, Certemy! The system will provide a more streamlined and transparent way to apply for and maintain your CWLS credential. All CWLS processes (including initial applications, annual reporting, and recertification applications) will be managed through this platform.

Apply online today!

NACC's [CWLS Applicant Resources](#) webpage has been updated with lots of new information and links to the online CWLS application where you can get started! Please read all the information on the site carefully — as well as the documents linked there — they will walk you through the process and explain what to expect going forward. The new system will allow you to:

- Fill out and submit your CWLS application and fee online in one place
- Track the progress of your application, including what steps may still be outstanding and what steps NACC has reviewed and approved
- Receive reminders when steps are approaching their due dates and when steps have been completed
- Keep track of all your CWLS files and documents in a “digital wallet” including your notice of certification and CWLS good standing letters (once you are certified)
- Complete your annual reporting and recertification requirements (once you are certified)
- Easily update your contact information



If you submitted a paper/PDF application on or before 4/13/2021 and are not yet certified, we'll continue to process your application offline, outside of the new system. Once you are certified, you'll immediately be added to the system and be able to manage your new CWLS credential online.

Already a CWLS? Here's what you need to know:

Current CWLS were sent their login instructions and credentials on 6/9/2021. If you did not receive that email, please contact us. [NACC's CWLS Recertification and Annual Reporting webpage](#) has been updated to include basic login information as well as a link to FAQs and a user guide for submitting your 2021 annual report or recertification application. Please visit the webpage and read that document carefully – it contains important information for maintaining your CWLS credential. When you are ready, you may begin to complete the steps for your 2021 annual report or recertification. Do not be concerned if the system says your credential has expired or will be expiring shortly. You have until 12/31/2021 to complete your 2021 requirements, but we suggest you log in and review them now.

Please note:

- If you were certified in 2021, you have no 2021 requirements.
- If *My Credentials* page says “no credentials” it is because you need to finish up a requirement from a previous year. You'll need to complete it offline, outside of Certemy. Please get in touch if you're unsure of what remains outstanding.

If you have questions or concerns that aren't addressed in the user guides or other posted information, please reach out to us at Certification@NACCchildlaw.org.

Thank you all once again for your patience, cooperation, and understanding during this exciting transition process! ■

NACC

SIX-DAY DUAL CONFERENCE

DENVER 2021

EARLY REGISTRATION THRU JUNE 30 
Extended thru 7/15! [Click to register now and save!](#)

From Crisis to Innovation: Toward a Family-Centered Justice System

 **ONSITE CHILDREN'S LAW OFFICE CONVENING**
 FRIDAY, AUGUST 13, 2021
 Hyatt Regency Denver at Colorado Convention Center

 **ONSITE NATIONAL CHILD WELFARE LAW CONFERENCE**
 SATURDAY, AUGUST 14 AND SUNDAY, AUGUST 15, 2021
 Hyatt Regency Denver at Colorado Convention Center

 **ONLINE NATIONAL CHILD WELFARE LAW CONFERENCE**
 MONDAY-WEDNESDAY, AUGUST 16-18, 2021



Sara Willis, MA
 Business and Conference Manager
Sara.Willis@NACCchildlaw.org

The Conference

Once again, the top leaders in child welfare law will come together – this time, both onsite and online!

This continues to be a critical time for community, information-sharing, and dialogue as we redefine advocacy during a public health crisis and a movement to end racism and bias in child welfare. NACC is balancing the gradual return of onsite gatherings with providing an alternative for attendees who need or prefer an online event.



CONFERENCE eBROCHURE IS AVAILABLE TO DOWNLOAD!

Learn all about the schedule, sessions, faculty and more.

Dual Conference

 **ONSITE CONFERENCE**

Our **onsite conference** will be in Denver, Colorado, August 14–15, 2021, with our **pre-conference Child Law Office Convening** August 13, 2021. Registration to the onsite conference includes registration to the online conference.

We are pleased to have our conference at the **Hyatt Regency Denver at Colorado Convention Center** in beautiful Denver, Colorado. Standard rooms are \$169 per night for single or double. Onsite attendance at the Hyatt requires agreement with NACC's **COVID-19 Waiver and Release**.

 **ONLINE CONFERENCE**

Our **online conference** will be August 16–18, 2021. Join us from the comfort of your home or office... maybe the park. Registration to the onsite conference includes registration to the online conference, or the online conference can be purchased separately.

All onsite and online conference content will be presented live! Recordings of the online content will be available for up to a year.

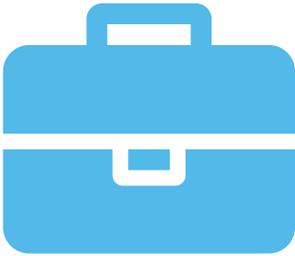
For more information and to register visit the **conference page** on our website. ■

NACC is partnering with *The Children's Law Podcast* for a three-part series leading up to the conference. You can [listen here](#) or find it on Apple Podcasts or Spotify. Stay tuned for the follow-up episodes to learn more about the conference and the work we are doing to support attorneys!



THE CHILDREN'S LAW PODCAST



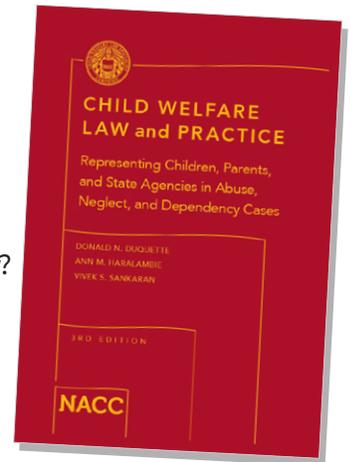


Training

NACC's Online Red Book Training Course — Summer Session Ends June 23rd!

Looking to brush up on your knowledge of federal child welfare law? Learn tips to enhance your representation of children, parents, or the agency? Then join us for the summer session of the Red Book Training Course! NACC's signature seven-week Red Book Training Course covers major dependency practice competency areas and also includes exam preparation strategies and tools for those intending to become certified Child Welfare Law Specialists. The registration fee is \$200 per person for groups and NACC members (\$100 for CWLS; \$275 for nonmembers) and includes access to live sessions, recordings, the electronic Red Book, and the RBTC workbook!

Registration is open through June 22nd, 2021.



Kristen Pisani-Jacques, JD, CWLS
Training Director
Kristen.Pisani-Jacques@NACCchildlaw.org



Christina Lewis, JD
Staff Attorney
Christina.Lewis@NACCchildlaw.org

[REGISTER HERE](#) 

[Click for more information and to view the course syllabus!](#)

Accredited for 8 hours of CLE in Colorado (50-minute hour). CLE approval in at least one state can streamline an attorney's CLE application in another state. Check with your jurisdiction for details on simplified CLE applications and online/on-demand learning requirements.

Unable to attend the summer course? Consider joining NACC's Fall 2021 Red Book Training Course: **September 8th – October 20th, 2021**

Upcoming Member Webinar:



Breaking Stigma and Changing the Narrative: Strategies for Supporting Expectant and Parenting Youth in Foster Care

Monday, June 21, 2021 | 3:00pm-4:30 PM ET

Presenters: TyAsia Nicholson | Lisa Mishraky-Javier | Sando Zou-Capuzzi

Expectant and parenting youth in foster care face stigma and experience unique challenges balancing their own transition to adulthood with navigating parenthood. The resources and supports available to them are frequently scarce and not at all developmentally informed. This webinar will highlight four strategies for supporting expectant and parenting youth in foster care so that they can succeed and thrive. The four strategies include: supporting their dual transition to adulthood and parenthood; identifying and strengthening their protective and promotive factors; knowing their rights; and amplifying their voices. Attendees will learn from the lived experiences of young parents and their recommendations for policy and practice change.

[REGISTER HERE](#) 

► **Training** from previous page

Accredited for 2 hours of CLE in Colorado (50-minute hour). CLE approval in at least one state can streamline an attorney's CLE application in another state. Check with your jurisdiction for details on simplified CLE applications and online/on-demand learning requirements.

This webinar is FREE for NACC members (please log in with your member ID before registering for this event). Webinar is \$25 for non-members. Non-member webinar registrants will receive a \$25 credit toward NACC membership (good for 60 days). **Members, tell your colleagues: [join NACC now and receive 10+ webinars for \\$100!](#)**

Interested in Presenting at an NACC Member Webinar?

NACC is accepting submissions for its **2021 monthly member webinars**. NACC's monthly member webinars help us to *Promote Excellence* in the child welfare field by providing quality and comprehensive trainings to attorneys, judges, and other stakeholders who work with children and families. Such ongoing training enables NACC to support our members and ensure that all children, parents, and families in the child welfare system receive high-quality legal representation.

Throughout its training offerings, NACC seeks increase the diversity of presenters and presentation topics. NACC is committed to highlighting and elevating the voices of those individuals most impacted by the child welfare and delinquency systems, including youth, parents, and kin with lived expertise and those disproportionately impacted by systems involvement, particularly Black and Indigenous families.

Each webinar submission must include:

- a description of how the webinar will address or impact racial equity, disparity, or underserved populations; and
- how the voices and recommendations of individuals with lived expertise will inform or be integrated into the webinar.

Webinar submissions will be reviewed on a rolling basis. If your webinar is selected, NACC staff will contact you to discuss your submission further. If you have any questions, please contact Kristen Pisani-Jacques, NACC's Training Director at Kristen.Pisani-Jacques@NACCchildlaw.org.

[View a list of preferred topics, webinar requirements, and submit your proposal!](#) ■

Do you have questions about the use of psychiatric medication in your cases? The doctor is in!

Dr. Martin Irwin has generously made himself available to NACC members to consult on case questions surrounding the use of psychiatric medication on children. To contact Dr. Irwin to set up a consultation, please email him at martin.irwin@nyulangone.org.

► **Training** from previous page

Past Webinars Available to NACC Members

* THESE WEBINARS ARE OPEN TO MEMBERS AND NON-MEMBERS

Accredited for
CLE in Colorado

[Click here to access all webinars and CLE documents](#)

<p>Adolescent Brain Science: What is it, and How Can it be Effectively Used to Advocate for and Engage Youth Presenters: Cristal Ramirez, MS • Ashley Ratliff, JD, MSW</p>	
<p>Call to Action for Attorneys: Urgent Advocacy to Harness the Consolidated Appropriations Act for Older Youth* Presenters: Aubrey Edwards-Luce, JD, MSW • Zoe Jones-Walton • Tom Welshonce, JD • Gillian Ruddy Wilcox, JD</p>	
<p>Use of Psychiatric Medication in Foster Children: What Lawyers Need to Know Presenter: Martin Irwin, MD</p>	
<p>Crossover Youth: The Criminalization of Trauma Presenters: Brittany Mobley, JD • Naïké Savain, JD • Veena Subramanian, JD</p>	
<p>2020 in Hindsight: NACC's Child Welfare Law Year in Review Presenters: Allison Green, JD, CWLS • Kristen Pisani-Jacques, JD, CWLS</p>	
<p>Ethical Obligations for Children's Attorneys: Setting Professional Boundaries, Addressing Bias, and the Model Rules Presenters: Jill Malat, JD, CWLS • Erin McKinney, MSW, LICSW, CMHS</p>	 Inclusive of 1.8 ethics hours
<p>Clearing the Path to Access Benefits for Transition-Aged Youth Presenters: LilCrystal Dernier, MS, MNM • Amy Harfeld, JD • Dan Hatcher, JD • Jasmine Snell, BS • Ruth White, MSSA</p>	
<p>Understanding Racial Trauma and Institutional Racism to Improve Cultural Responsiveness, Race Equity, and Implicit Bias in Child Welfare Cases * Presenters: The Honorable Aurora Martinez Jones, JD, CWLS • Tanya Rollins, MSW, CPS</p>	—
<p>Trauma-Responsive Skills for Lawyers – Part 2: Working with Clients in Crisis Presenter: Cynthia Bowkley, JD, CPPM, SE Advanced Student</p>	
<p>Meaningful Youth Engagement in a Virtual Legal World * Presenters: Shobha Lakshmi Mahadev, JD • Robert Latham, JD • Dani Townsend</p>	
<p>Don't Minimize the Moment: Truth, Reparatory Justice, and Healing for Black Families who are Descendants of Captive and Enslaved Africans in the U.S. * Presenter: Stephanie S. Franklin, JD</p>	
<p>Children and Families at a Crossroads: Client Centered Cross-Practice Representation of Undocumented Children Presenters: Melissa Paul-Franklyn, JD • Cristina "Tina" Romero, JD Jadera Ramirez-Garcia, JD, MSW • Jordyne James, LMSW</p>	
<p>Advocacy for Youth in Congregate Care during COVID-19 * Presenters: Jennifer Rodriguez, JD • Jenny Pokempner, JD • Tom Welshonce, JD</p>	
<p>Trauma-Responsive Skills for Lawyers During COVID-19 * Presenters: Rebecca M. Stahl, JD, LLM, SEP • Cynthia Bowkley, JD, CPPM, SE Advanced Student</p>	
<p>The Next Level: Appellate Practice in Child Welfare Cases Part I Presenters: Melissa Colangelo, JD • Abraham 'Abe' Sisson, JD</p>	



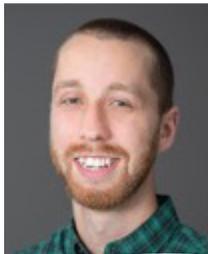
NACC Welcomes New Staff Members!



Emily Dufour
joined Team NACC
as Membership and
Office Assistant
Based in Colorado

Emily Dufour joined Team NACC in June of 2021 with 5+ years of experience in nonprofit management. Emily graduated from Thomas College where she earned her bachelor's degree in marketing management. Additionally, she interned with two nonprofit associations: Waterville Creates! and the Institute for Family-Owned Business. After graduation, Emily moved to Denver for a change of scenery. In her most recent position, Emily worked for an association management company overseeing membership of five healthcare-oriented national and Colorado-based nonprofit organizations. In her spare time, Emily enjoys gardening, spending time with her network of dog friends, and attending live music.

Reach out and welcome Emily at Emily.Dufour@NACCchildlaw.org!



Evan Molinari
joined Team NACC as
Communications Manager
Based in Massachusetts

Evan Molinari joined Team NACC in June of 2021. Evan develops and coordinates internal and external communications, including NACC's web content, media relations, marketing, and social media. He will also contribute to NACC's national Right to Counsel Campaign to guarantee legal representation for youth in the child welfare system and provide technical assistance to advocates at the state level.

Prior to NACC, Evan worked for the Massachusetts Legal Assistance Corporation, where he amplified the voices of low-income residents in need of legal help and contributed to a team that increased state funding for civil legal aid. He earned a degree in history from Bates College and interned for Congresswoman Chellie Pingree of Maine. He lives in Cambridge, Massachusetts.

Reach out and welcome Evan at Evan.Molinari@NACCchildlaw.org!



JoAnn Porter, MS.Acc
joined Team NACC as
Director of Finance and
Administration
Based in Colorado

JoAnn Porter, MS.Acc, joined Team NACC in May of 2021 as the organization's first Director of Finance and Administration. Ms. Porter brings more than two decades of experience in finance, accounting, leadership, and diversity, equity, and inclusion. Most recently, JoAnn retired from her role as Assistant Dean of Finance and Administration in the College of Liberal Arts and Sciences at the University of Colorado at Denver where she spent the last 24 years of her career.

► **New Staff Members** from previous page



During her time at the University, she was involved in the CLAS Diversity Council, Black Staff and Faculty Affinity Group, AAPI Affinity Group and completed the African American Leadership Institute, CU's Emerging Leaders Program and Academic Management Institute. She received the campus's Outstanding Staff Award for Administration and Rosa Parks Diversity Award from the University. Her previous professional experience includes roles as a branch manager of a credit union and data analyst for institutional research at a large flagship university.

JoAnn was born in Naha, Okinawa, Japan, the only child in a military family. She has become a mix of African American and Japanese ideals and aspirations. Her parents and larger community instilled in her the importance of higher education. After receiving her undergraduate degree in Psychology from the University of Colorado Boulder, she became the first to receive a college degree in her family. JoAnn eventually earned a Master's degree in Accounting from the University of Colorado at Denver.

Ms. Porter has served as a board member for the Denver Center for Crime Victims (now The Center for Trauma & Resilience) and the African-American Leadership Institute. JoAnn has also been a Big Sister with the Big Brothers and Big Sisters organization and worked as a tutor for the National Literacy Project. She is currently an active member of Alpha Kappa Alpha Sorority, Inc., and Faith Community Baptist Church. She continues to seek opportunities to be engaged with organizations and groups that are progressive and intentional about addressing issues related to race equity and other social inequities.

Reach out and welcome JoAnn at JoAnn.Porter@NACCchildlaw.org!

We are excited to have each of you on board! ■

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Kendra Van de Water, LSW
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Advancement Hangout
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Dan Wilde, JD
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The Wyoming Legal Group
CHEYENNE, WY

NACC National Youth Advisory Board

[Click to read more about the National Youth Advisory Board and its members.](#)

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Legal Aid Center of
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Donald C. Bross, JD, Ph.D.

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(Family Law)
Associate Director
for Pediatric Law,
Policy and Ethics
Kempe Center for the
Prevention and Treatment
of Child Abuse and Neglect
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Former Professor of Michigan
Law School, Former Director
of the National Quality
Improvement Center on
Children's Representation,
Former NACC Board Member,
and Red Book Editor
ANN ARBOR, MI

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Executive Director/Professor
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