

The newsletter of *The Judges' Page* website – July 2008

The *Judges' Page* newsletter is a publication of **The National CASA Association** in partnership with **The National Council of Juvenile and Family Court Judges**. Find *The Judges' Page* newsletter at [nationalcasa.org/JudgesPage](http://nationalcasa.org/JudgesPage)

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*"The judge is in a unique position to provide leadership that ensures that in dependency cases, child safety is of paramount concern and permanent placement decisions are made in a timely manner. Articles in this issue of The Judges' Page address the roles and perspectives of those involved in the court process and feature court-based programs that exhibit innovative practices to expedite permanency.* ~ Judge J. Dean Lewis, Editor

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*The comments of article authors do not necessarily reflect the policies of the National CASA Association or the National Council of Juvenile and Family Court Judges.*



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## Editor's Page— The Role of the Dependency Court in Achieving Timely Permanency



*J. Dean Lewis, Judge (retired), Former Member, National CASA Association Board of Directors and Past President, National Council of Juvenile and Family Court Judges*

### Summary

The judge is in a unique position to ensure that all federal and state legal requirements regarding timely permanent placement are being met. Articles in this issue of The Judge's Page address the roles and perspectives of those involved in the court process and provide examples of court-based programs exhibiting innovative practices to expedite permanency for children.

Foster care is intended as a temporary placement for children who must be removed from their families due to abuse or neglect. Federal legislation mandates that child safety be of paramount concern and that permanent placement decisions be made in a timely manner. From the commencement of the court case, the issues of safety, permanency and child well-being must be addressed by the court.

Federal law (Adoption and Safe Families Act of 1997 known as ASFA) requires that a permanency planning hearing be held within 12 months of a child's placement in foster care. Permanency goals established at this hearing may include the following:

- Family reunification
- Permanent placement with relatives
- Legal guardianship
- Adoption
- Long-term or permanent foster care
- Emancipation
- Independent living
- Another planned permanent living arrangement

The judge is in a unique position to provide the type of leadership that ensures all federal and state legal requirements are being met. From the day the child is placed in care, court review hearings can be instrumental in monitoring that reasonable efforts services for the child and family are in place; that the child's placement is safe and stable; that appropriate family access occurs; that the parties are making progress toward a permanency goal; and that alternative placement plans (concurrent planning) are under consideration. Judges find that scheduling review hearings more often than required by statute can be effective in achieving timely permanency. Articles in this issue of *The Judges' Page* address the roles and perspectives of those involved in the court process. Articles also feature court-based programs that exhibit innovative practices to expedite permanency for children in foster care. [Paula Campbell](#) of the National Council's Permanency Planning for Children Department shares online resources on the topic.

### Role and Perspectives of Court Participants in Achieving Timely Permanency:

- **Role of the Judge**—[Judge Leonard Edwards](#) (ret.) analyzes why dependency courts have been unable to achieve timely permanency for foster children and shares his suggestions for improvement.
- **Role of the Child's Attorney**—[Amanda Donnelly](#) of the National Association of Counsel for Children explains the critical duties of the child's attorney, from removal to development of a concurrent plan, and ultimately to establishment and implementation of a permanency plan. Proactive advocacy by the child's attorney is vital to informing the court and parties of the child's wishes and best interest.
- **Role of the Child's CASA/GAL Volunteer**—[Sally Erny](#), Chief Program Officer of the National CASA Association, shares the role and responsibilities of the CASA/GAL volunteer in the court process and highlights two programs that have established best practices in advocating for timely permanency.
- **Role of the Attorney for Parents**—[Mimi Laver](#), Director of Legal Education at the ABA Center on Children and the Law, addresses what it takes to achieve effective legal representation for parents by sharing the ABA Standards of Practice for Attorneys Representing Parents in Abuse and Neglect Cases. She provides helpful hints as to best practices in implementing those standards.

- **Role of Youth**—[Youth from Elevate](#) are educated to advocate for themselves as well as to advocate for change within the foster care system. These youth share their success in achieving change through the Iowa legislative process and give us their perspectives on permanency.

#### **Court-Based Programs Implementing Innovative Practices to Achieve Timely Permanency:**

- **Zero to Three Population**—[Judge Douglas Johnson](#) reminds readers that the basic principles set forth in the NCJFCJ publications Resource Guidelines and Adoption and Permanency Guidelines can be incorporated into court practice in order to achieve timely permanency for infants and toddlers.
- **Child Welfare Mediation and Decision-Making Programs**—The [Association of Family and Conciliation Courts](#) (AFCC) conducted a survey and “Think Tank” involving all stakeholders in the child welfare process. Many families, parents and children have been offered an opportunity to effectively participate in the child welfare decision-making process through mediation programs. Download the PDF of their report.
- **Honolulu Model Court Program**—[The Honolulu Family Court](#) is one of the National Council of Juvenile and Family Court Judges’ Victims Act Model Courts. This court utilizes the ‘Ohana Family Conferencing program to reduce the pattern of family separation and disconnection in child welfare cases.
- **Pima County Model Court Program**—[Pima County, AZ](#) is another NCJFCJ Victims Act Model Court. Pima County Juvenile Court initiated a permanency pilot program that established a collaborative process to evaluate the barriers to permanency and address the needs of target children.
- **Tribal–State Cross-Jurisdictional Hearings**—[Donna J. Goldsmith, Esq. and Judge Korey Wahwassuck](#) of the National Council of Juvenile and Family Court Judges ICWA-Tribal Court Committee describe a best-practice model of shared jurisdiction between tribal and state courts to achieve timely permanency for children involved in ICWA cases.

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## Achieving Timely Permanency by Front-Loading the Child Protection System



*Judge Leonard Edwards (ret.)*

### Summary

Achieving timely permanency for foster children is a critical goal for the courts, and it is a goal that can be reached as long as judges prioritize child protection cases and follow the best practices that have been developed over the past decade.

Why have our nation's juvenile courts been unable to achieve timely permanency for foster children? I believe it is because court systems do not prioritize child protection cases. That is unfortunate because in no other area of the law do the courts have a greater responsibility. In child protection cases federal and state legislatures mandate that courts determine whether child abuse or neglect is so serious that state intervention is necessary; protect the child; provide due process of law to children and parents who appear in court; oversee the provision of services to those families; and ensure that children are provided with a permanent home in a timely manner. These cases may not be as prestigious as cases involving criminal charges or high-stakes civil matters, but they have to do with children's lives and family integrity.

For a number of reasons, achieving timely permanency for foster children is a critical goal for the courts. Moreover, it is a goal that can be reached as long as judges prioritize child protection cases and follow the best practices that have been developed over the past decade. Five reasons to give special attention to these cases stand out:

- Timely permanency is required by both federal and state law.
- Child development experts remind us that children can't wait. To a child removal from their home, however neglectful, is a crisis.
- Case management standards mandate that courts move cases along in a timely fashion. These standards instruct judges that the court system should no longer permit the attorneys or parties to control the pace of litigation. Instead, the court system—including judges and administrators—must control case-flow management.
- Judicial canons of ethics mandate that judges perform their duties "*impartially and diligently*" and "*promptly dispose of their court's business.*" (Canon 3 – emphasis added).
- For the past seven years, the federal Department of Health and Human Services has examined each state's child welfare agency to determine whether children under state-agency protection have been protected, provided permanent homes in a timely fashion and ensured their well-being. A state's failure to provide these outcomes can and has resulted in the state losing federal monies. Of these measures, the failure to provide foster children permanent homes in a timely manner is an outcome that courts are largely responsible for. Thus, even though the courts are not officially being reviewed, they can be directly responsible for the loss of state revenue if they fail to ensure that children reach timely permanency.

Fortunately, timely permanency can be achieved. Through a combination of judicial leadership and implementation of best practices, some courts have been successful in managing their cases so that children reach permanency within the statutory framework. This success has come from a variety of innovations and practices.

First, state legislators or court leaders should establish a time frame for processing child protection cases. The time frame should include an early shelter care hearing; an adjudicatory hearing within 30 days maximum (20 days is preferable); a dispositional hearing following immediately after the adjudication in the majority of cases; and review hearings set within statutory timelines. If the state legislature is unable or unwilling to set such timelines, court leaders should establish them through court rules.

Second, the initial hearing must be comprehensive. This recommendation comes from the *Resource Guidelines: Improving Court Practice in Child Abuse and Neglect Cases* ([www.ncjfcj.org/content/blogcategory/369/438/](http://www.ncjfcj.org/content/blogcategory/369/438/)), a 1995 publication in which the National Council of Juvenile and Family Court Judges recommends that the court dedicates an hour to initial or shelter care hearings. For courts that have 20 or 30 matters on a docket each morning or afternoon, such a policy recommendation seemed unrealistic, but many courts have been able to shift resources so that they are capable of devoting sufficient judicial time to addressing all of the critical issues at the beginning of a child protection case. As an alternative, some courts have implemented second shelter care hearings that take place a few days after the initial hearing and are scheduled in order to address the issues that could not be resolved at the initial hearing.

Third, judges and court administrators need to provide the parties the opportunity to discuss resolution of legal and social issues outside of the courtroom. Using such practices as court-based mediation, many courts have developed effective programs that offer the parties a non-adversarial environment to resolve their issues. Some courts also use pretrial and settlement conferences before setting any case for contested hearing.

Fourth, judges must take control of their dockets. Continuances must be limited, cases set for trial must go to trial, and trials must continue until they are completed.

Fifth, judges must examine carefully the details surrounding case-flow management. For example, attorneys for indigent parties should be appointed before the initial hearing; cases should not be delayed due to a pending criminal trial; notice must be sent in a timely fashion; and the next hearing should be set before the parties leave the courtroom.

To implement most of these suggestions requires judicial leadership. Judges must recognize that child protection cases deserve their special attention and, judges must take an active role to ensure that court practice changes so that these cases will reach a timely conclusion. It can be done as some courts have demonstrated. Now the challenge is to increase the number of courts that ensure timely permanency for children.

A more complete discussion of these issues including footnotes is available from the [link above](#).

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## ***Importance of Effective Legal Representation of Children to Achieve Permanency***

*Amanda Donnelly, Staff Attorney/Policy & Special Projects, National Association of Counsel for Children*

### **Summary**

Effective legal representation of children contributes to a better informed court, more timely decisions and improved outcomes. The focus of the child's attorney should be on the child's permanency, safety and well-being at each stage of the court process.

The success of a child protection case relies on establishing a permanency plan early in the case and focusing efforts of all parties to meet identified goals in a timely manner. This requires collaboration among the child welfare agency, the court, the parents and the child. Effective legal representation of all parties involved is critical to achieving good outcomes for court-involved families.

Effective legal representation of children contributes to a better informed court, more timely decisions and improved outcomes. Although the function of the child's attorney varies by state<sup>1</sup>, lawyers in any capacity—either best interest advocates or direct representatives—have the responsibility to see that the petition is fairly adjudicated; state and federal law is complied with; the court makes reasonable decisions; the orders are upheld; and the child's wishes are heard.

### **Effective Legal Representation<sup>2</sup>**

When representing a child, an effective attorney focuses on achieving permanence for the child in a timely manner—through reunification with the child's family of origin, adoption or other appropriate permanent placement. Achieving permanency requires individualized judgments by the court based on an assessment of each child's needs and family's circumstances. Judges are faced with making difficult decisions and the lawyer's advocacy skills are important tools in the adversarial process.

The child's attorney should focus on permanency, safety and well-being for each client at each stage of the court process. They should advocate on behalf of their clients at every stage of the case and express the child's wishes to the court.

#### *Thorough Investigation*

The child's legal representative plays an integral role in ensuring that the court has all relevant facts in the case so it is better positioned to make accurate and informed decisions. The child's attorney should collect independent facts, meet with the child, talk to witnesses, observe the scene, read reports and talk to collateral sources to best advocate on behalf of his or her client.

The child's attorney should determine a position, subpoena witnesses and obtain discovery. They should also investigate new placement options as needed and conduct home visits to assist with the facilitation of appropriate placements.

#### *Concurrent Planning<sup>3</sup>*

Concurrent planning is required to ensure that reasonable efforts are made to develop alternative plans at the same time family reunification is pursued. The child's attorney should determine if the child is in a pre-adoptive placement and if not advocate for a transfer and investigate potential placement options. Although it is the department's responsibility to find an appropriate placement, the child's attorney provides oversight of the process and continual advocacy for the child's interest in a secure placement.

#### *Engaging Youth in Permanency Planning*

Youth are often overlooked as resources; this is especially true for older youth who may be able to advise the court of existing relationships or potential placement options. Successful permanency planning relies on engaging youth in the planning process<sup>4</sup>. The child's attorney should encourage and support youth participation in the case process. They should visit and counsel clients and explain court findings and orders. When lawyers are aware of their clients' wishes, they are better equipped to advocate for a successful placement.

#### *Monitoring the Case Process*

By monitoring compliance with court orders, the child's attorney is able to document the case process, advocate for necessary services on behalf of the child and identify services for the parent that address reasons for their child's removal. The child's attorney should present evidence and report to the court on compliance issues to help

keep all parties focused on achieving permanency. By requesting orders—even when everyone agrees to a service—the child’s attorney creates a mechanism for the court to hold all parties responsible. The child’s attorney should also keep everyone informed and mindful of their obligations by clarifying court orders, reducing them to writing and distributing them to the parties (as permitted by the court).

#### *Filing Motions and Requesting Orders for Treatment*

Motions can help ensure compliance with the case plan. The child’s attorney should seek court orders consistent with her position and seek appropriate orders for services for the child. This can include filing for termination of parental rights or a trial discharge plan when appropriate.

If reunification is not achieved, the child’s attorney should work with the department to identify permanent placements or work with the adoption attorney to finalize legal permanency for the child.

#### **Results**

Early permanency decisions and effective legal representation can also aid in reducing the child’s length of stay, number of moves and relationship disruptions while in care, potentially helping to make foster care a less traumatic experience for children<sup>5</sup>. Although there are numerous obstacles to achieving permanency for children in foster care, a well prepared legal representative can help the state achieve timely permanency for children.

#### **Footnotes:**

1. 31 states mandate legal representation in civil child protection proceedings; 19 of these states require that the lawyer act in a traditional attorney-client relationship. For a state-by-state review of representation laws visit: <http://www.naccchildlaw.org/childrenlaw/documents/LegalRepresentationChart-ABA2005.pdf> insert link
2. See *Child Welfare Law and Practice: Representing Children, Parents and State Agencies in Abuse, Neglect, and Dependency Cases*, eds. Ventrell and Duquette, Bradford Publishing Co. (Denver, CO 2005), pp 538 “Child Welfare Case Checklist”.
3. See “A New Look At Concurrent Planning”, by Gerald Mallon, *ABA Child Law Practice*, August 2003, Vol. 22 No. 6, pp. 98-99
4. Children’s Bureau Report to Congress on Adoption and Other Permanency Outcomes for Children in Foster Care: Focus on Older Children
5. See “Strategies for Achieving Timely Permanence from the Foster Children’s Project, Legal Aid Society of Palm Beach County, Florida,” by John Walsh co-director of the Foster Children’s Project at the Legal Aid Society for Palm Beach County. *ABA Child Law Practice*, December 2005, Vol. 24. No. 10, pp 145, 150-153 Copyright © 2005 American Bar Association.

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## Role and Responsibilities of the CASA/GAL Volunteer

Sally Erny, Chief Program Officer, National CASA Association

### Summary

The prescribed roles and responsibilities of CASA/GAL volunteers put them in a unique position to inform the court of the immediacy of a child's need to achieve timely permanency.

The *National CASA Association Standards for Local CASA/GAL Programs* establishes the role of the CASA/GAL volunteer as it relates to court advocacy for abused and neglected children. Standard 7E sets forth the volunteer's responsibilities, and local programs may expand upon these requirements.

Responsibilities of the CASA/GAL volunteer include but are not limited to the following:

- Obtain first hand a clear understanding of the needs and situation of the child by reviewing all relevant documents and records and interviewing the child, parents, social workers, teachers and other persons to determine the facts and circumstances of the child's situation.
- Identify and advocate for the best interest of the child.
- Seek cooperative solutions by acting as a facilitator among parties.
- Provide at every hearing reports which include findings and recommendations.
- Appear at all hearings to advocate for the child's best interests and provide testimony when necessary.
- Have regular and sufficient in-person contact with the child to ensure in-depth knowledge of the case and make fact-based recommendations to the court. The CASA/GAL volunteer shall meet in person with the child once every thirty (30) days at a minimum.
- Make recommendations for specific appropriate services for the child and, when appropriate, the child's family.
- Determine if a permanent plan has been created for the child.
- Monitor implementation of service plans and court orders assuring that court-ordered services are implemented in a timely manner and that review hearings are held in accordance with the law.
- Inform the court promptly of important developments in the case through appropriate means as determined by court rules or statute.
- Advocate for the child's best interests in the community by interfacing with mental health, educational and other community systems to ensure that the child's needs in these areas are met.

For a complete description of the role of a CASA or GAL volunteer, see [Standard 7E](http://nationalcasa.org/download/Judges_Page/0806_standards_7E_0119.pdf) in the "Judges' Corner" section of *The Judges' Page* ([nationalcasa.org/download/Judges\\_Page/0806\\_standards\\_7E\\_0119.pdf](http://nationalcasa.org/download/Judges_Page/0806_standards_7E_0119.pdf)).

CASA/GAL programs across the nation have instituted new practices that are helping ensure outstanding advocacy in achieving timely permanency for children, two of which are described below.

In the past year, the North Carolina Guardian ad Litem (GAL) Program conducted statewide trainings on legal permanency. An in-service seminar, *Legal Permanency*, was developed by Ruth Kravitz, GAL training administrator, in consultation with Deana Fleming, GAL associate counsel. This 3-1/2 hour seminar was offered at 23 sites, and 712 GAL staff and volunteers attended from the various judicial districts of North Carolina. The purpose of the in-service training is to teach GAL volunteers the differences among the four types of permanency in North Carolina: reunification, custody, guardianship and adoption. Participants learn about the judicial process for granting each type of permanency, the ease of modification, and the financial implications of each type of permanency. In an interactive manner, the in-service training teaches GAL volunteers about their responsibility in advocating for a permanent plan for each child client in a reasonable amount of time.

Since 1996 the ProKids CASA program serving Hamilton County in Cincinnati, OH has placed significant emphasis on permanency in their outcome measures. Of ten measures focused primarily on safety and stability, the following four specifically address permanency and directly relate to the status of the case plan. The first outcome is ProKids driving force toward permanency.

- **Outcome:** Children will live in a permanent, safe family home at the time of court termination.
  - Definition: Permanent placement is achieved when children return home, are placed in an adoptive home or when relatives or family friends are given legal custody.

- **Outcome:** Children under court jurisdiction will spend the least amount of time possible without a permanent plan.
  - Definition: Amount of time under court jurisdiction without a permanent plan is defined as time from CASA assignment throughout temporary custody. Children in status of permanent planned-living arrangement or permanent custody are considered in a permanent planned status.
  
- **Outcome:** Children will spend the least amount of time possible in the status of permanent planned-living arrangement without a permanent placement.
  - Definition: Permanent placement is return to parents, legal custody to a relative or family friend or successful completion of an independent living program.
  
- **Outcome:** Children will spend the least amount of time in the status of permanent custody without a permanent placement.
  - Definition: Permanent placement is defined as a safe, permanent and nurturing home.

Each year ProKids sets goals around these outcomes and measures their results. Their focus on permanency planning in goal setting has been instrumental in helping CASA volunteers remain focused on the ultimate goal of a safe, permanent home for every child served. In 2007, ProKids outcomes report to their local United Way received the highest rating possible. Less than three percent of agencies fell into this category.

CASA/GAL volunteers are in a unique position to inform the court of the immediacy of a child's need to achieve timely permanency. Volunteers spend considerable time in direct contact with the child; generally have case loads of one or two cases; and take the time necessary to investigate all permanency options and their impacts.

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## Effective Advocacy for Parents of Children Involved in the Child Welfare System

Mimi Laver, JD, Director of Legal Education, ABA Center on Children and the Law

### Summary

Providing effective legal representation for parents involves a combination of adhering to standards; understanding the strengths and needs of clients; and working collaboratively with other parties to the case.

In most child welfare cases there are three parties involved: the agency, the child and the child's parent(s). Each of these parties must receive high quality legal representation for justice to be served and to ensure the best outcomes for the child and family.

What would high quality legal representation for parents look like? The *ABA Standards of Practice for Attorneys Representing Parents in Abuse and Neglect Cases* establishes 44 black-letter obligations for attorneys that provide guidance about client relations, case preparation, case-planning involvement, courtroom activities and post-hearing obligations. Adherence to these standards would help improve representation for parents in all jurisdictions across the country. Effective advocacy, though, is about more than setting standards and trying to enforce them.

The best parents' attorneys spend time getting to know their clients. They meet with the clients regularly, and if their clients are out of contact, the attorney makes efforts to find and communicate with them. These attorneys form relationships with their clients so they can give the client hard to hear but necessary information like "If you don't participate in services, you really could lose your child forever." These attorneys then promise their clients assistance in accessing services and advocating for the client with the agency and the judge. The attorney understands that as a parent, the client generally wants what is best for the child and the attorney works to empower the client to make good decisions for the child. This may mean, for example, obtaining the child's medical and school records and discussing the records so the client can play an active part in decision-making about the child.

The best attorneys know their work outside the courtroom is at least as important as their advocacy during hearings. They attend case-planning meetings with their clients and help the client decide which services they can realistically access. They work with the agency to make the case plan workable for the parent. These attorneys emphasize the importance of frequent visits in child-friendly places to the client and to the agency, ensure the agency schedules these visits, help with transportation and support the parent during the visits. The attorney reminds the agency about reasonable efforts when necessary (enlisting the court when needed) and works with the client to comply with the efforts. The attorney may provide the client with a pocket calendar and help the client fill in important dates or map out directions to ensure the client knows how to get to meetings and appointments.

These top-quality attorneys know that it is often best for the client when the attorney works with the agency in a collaborative way, but the attorney does not shy away from going to court and seeking a judge's assistance when the parent is not receiving the help she needs. The attorney will participate in alternative dispute resolution, but will only agree to something if the client agrees. The client must be given the information and opportunity to make decisions in all aspects of the case, and the attorney must advocate for the client's wishes. Counseling and open communication are key for this to work.

The attorney knows delay tactics rarely help the client because the "ASFA clock" is ticking. But in some cases, asking for a continuance benefits the client, so the attorney asks. On top of everything else, the best attorneys are strong courtroom advocates. They know the case, they know what the client wants, and they create effective cases to persuade the court to make specific orders that benefit their clients.

The best attorneys don't try to do it alone. Some attorneys work with paralegals, social workers, investigators, interpreters and parent advocates. This multi-disciplinary approach allows the attorney to focus on the truly legal aspects of the case. These attorneys also network with each other. If they have supervisors or other parents' attorneys in their office, they discuss case strategy and ask for help identifying resources. If they are sole practitioners, they find colleagues in the courthouse to share ideas with, mentor newer attorneys, attend brown bag lunches or trainings and ask for assistance from attorneys around the country. (To sign up for the ABA parent-attorney listserv send a message to [listserv@mail.abanet.org](mailto:listserv@mail.abanet.org) with "SUBscribe child-parentsattorneys YOUR NAME" in the body of the message.) It is important for attorneys to have access to resources and other people who understand the challenges of representing parents.

The strongest advocates identify their clients' parenting strengths and work with those involved in the case to build on those strengths to support the client in reaching a positive outcome. It takes a lot of work, but the results in cases in which the parent has an effective attorney are good for the parent and child.

**Resource:** See the ABA Parent Attorney Project website for resources, articles and links to effective parent-attorney law offices. ([abanet.org/child/parentrepresentation/home.html](http://abanet.org/child/parentrepresentation/home.html))

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## Elevate Participants Share Their Perspectives on Permanency and Other Issues Affecting Foster Youth

Stephanie M. DuRocher, Communications Coordinator, Elevate

### Summary

Elevate youth advocate for themselves and for change within the foster care system.

Elevate is a group of young people who seek to inspire others to understand the needs of foster care and adoptive teens by sharing their personal stories of hope. Its members are youth age 13 and older who are involved in the foster care system, alumni of the system or adopted. This empowering program teaches youth how to advocate for themselves and for change within the system and to share with the public how their lives are affected by the decisions that are often made for them.

One of the ways that the youth have been able to advocate for change is by educating and training professionals in the child welfare system. Elevate youth are a part of a new training that the Iowa Department of Human Services (DHS) requires of its new social workers; the youth give workers a unique perspective about the decisions they will soon have to be making.

Members of Elevate have participated in the passage of five legislative laws. Through this process, they have realized how advocacy can create change. In February, Elevate youth participated in a legislative breakfast with



the Community Partnership for Protecting Children. The youth had the opportunity to speak with legislators about their experiences in the foster care system. As a way to illustrate their point of view, Elevate members created paper sacks to represent the bags that kids in foster care use to move from placement to placement. On the outside of the bag was printed “Handle with Care.” Inside the bag was an Elevate member’s journey, a story of her life since entering foster care.

The youth have also participated in judicial trainings across the state in an effort to improve the court systems and created a DVD— *Insights: Perspectives from Legal Advocates and the Youth They Represent*—to share their experiences with lawyers and other members of the judicial community.

One of the topics that Elevate has surveyed its members about is the topic of permanency. When asked to define the word permanency some of their answers were as follows: *A place to call home where you feel safe and secure and accepted; a place where you belong; stability and unconditional love; when you’re at the place you are and there for a long time until becoming an adult—or longer if you want to be; and a place that you can call home that will still be there in the morning.*

Clarissa, age 19, shared her definition of permanency and what comes to mind when she hears that word. *One home, one bedroom, one mom, one dad. When I hear that word it feels like a fantasy or an illusion—too good to be true.*

One of the factors that affected the youth’s perspective on permanency was the system’s preservation of important connections, including neighborhood, community, faith, family, school and friends. Youth who were kept in contact with at least some of these connections reported a more positive experience. Most teenagers who are involved with the child welfare system have had multiple placements and been in many schools, increasing their educational problems and creating a sense of disconnectedness.

Elevate youth offer the following recommendations for improving the child welfare system and permanency outcomes:

1. Involve kids more; ask them what they want.
2. Explain to the youth what is going on and the steps of the judicial process. If a child is of an age appropriate to attend the hearing, give them that opportunity.
3. Trust what the children say. A discrepancy in the stories between an adult and a child does not mean that the child is lying. Even if a child recants after alleged abuse, do not assume he was lying.
4. Do not speak negatively about the birth family. This will put the child on the defensive and decrease the odds that he will trust you. It may also make the child think that you look down on him because he is part of that family.
5. Don't make promises you cannot keep. If you are not certain that you can do something, just say that you will try.



To find out more about Elevate or to request a copy of their DVD, visit the Elevate website at [elevate2inspire.com](http://elevate2inspire.com)

***Elevate is a program of Children & Families of Iowa.***

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## Back to the Basics: Achieving Permanency for Infants and Toddlers Through the Resource Guidelines and Adoption and Permanency Guidelines



*Douglas F. Johnson, Vice President,  
National Council of Juvenile and  
Family Court Judges*

### Summary

When the stakeholders are well trained on the *Resource Guidelines* and *Adoption and Permanency Guidelines*, judges should receive probative information about infants, toddlers and their parents.

When our youngest and most vulnerable children are placed in foster care, permanency planning must begin at the protective custody hearing. A judge plays a major role in making sure infants and toddlers do not languish in foster care. The Adoption and Safe Families Act requires that children achieve permanency (reunification or adoption) within 12 months from being placed in foster care. Is that happening in your court?

For brevity's sake, please review prior articles in The Judge's Page newsletter on various topics to better serve little ones in care (including the March 2007 issue - [nationalcasa.org/download/Judges\\_Page/0702\\_children\\_and\\_youth\\_involved\\_in\\_the\\_court\\_experience\\_issue\\_0119.pdf](http://nationalcasa.org/download/Judges_Page/0702_children_and_youth_involved_in_the_court_experience_issue_0119.pdf)

and my article in the October 2007 issue- [nationalcasa.org/download/Judges\\_Page/0710\\_reasonable\\_efforts\\_in\\_the\\_dependency\\_court\\_issue\\_0119.pdf](http://nationalcasa.org/download/Judges_Page/0710_reasonable_efforts_in_the_dependency_court_issue_0119.pdf) ).

You may not have the resources to implement specialty programs. Even so, an accessible and effective way to obtain permanency for infants and toddlers is to go back to the basics. When was the last time you read the *Resource Guidelines: Improving Court Practice in Child Abuse and Neglect Cases (NCJFCJ 1995)* and the *Adoption and Permanency Guidelines: Improving Court Practice in Child Abuse and Neglect Cases (NCJFCJ 2000)*? I do not mean the bullet cards, but all the chapters. I find that few colleagues do that regularly. Every time I reread the guidelines, I learn something new. So, why don't you take the lead and read?

Invite your court and community stakeholders to a roundtable discussion on the *Resource Guidelines and Adoption and Permanency Guidelines*. As a group, review one chapter per month. Each chapter contains a great deal of material. Have subcommittees (which may already exist) tackle various issues. Compare current practice with what is recommended and make improvements.

The most important hearing is the protective custody hearing. The judge can set the tone for problem solving and a timely response to infants, toddlers and their parents in need. This hearing sets the foundation for all subsequent hearings.

The parents should be encouraged to fully participate in this hearing and all others. The court should not allow hallway "professional" conferences that exclude parents. Parents must be shown respect and dignity. Judges, and all others, should affirm parental strengths while offering help in areas requiring improvement. In the end, lawyers must present evidence if the judge is to make informed decisions.

### Some Protective Custody Hearing Key Questions:

- Can the child be returned home safely pending adjudication? What timely services will allow a child to remain at home safely? Will parents voluntarily participate in services?
- Has the agency made reasonable efforts to avoid out-of-home placement? To reunify?
- Are responsible relatives available? Is the placement proposed by the agency the least disruptive and the most family-like setting?
- Does the Indian Child Welfare Act apply? Who will send notice? When?

- What evaluations, treatment or other services are needed for the baby and the baby's parents? Of particular importance is referring the child for the Early Intervention Program for children under the age of three years, also known as Part C of the IDEA [20 U.S.C. Section 1431 (2000)] and referral to the Early Development Network for services for any infant and toddler delays or damage.
- What are the conditions for parental and child visitation? Use parenting time for skill-based parenting practice and training. Do not accept "parenting classes" where certificates are awarded for mere attendance.
- Have a concurrent permanency plan of reunification and adoption from day one.

**Some Guidelines to Follow:**

- The first foster placement should be the last: foster/adoptive placement.
- Issue specific, time sensitive and "doable" orders.
- Set the next hearing date in court.

Judges do not work in a vacuum. The quality of a judge's decision about permanency for babies and their parents is directly related to the quality of the hearings and the information the judge receives. When the stakeholders are well trained on the *Resource Guidelines and Adoption and Permanency Guidelines*, judges should receive probative information about infants, toddlers and their parents. Both guidelines have been around for years. Both remain timely. *Please*, don't let these vital best practice documents be dust-collectors in your court or communities. Get back to the basics—they work!

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# Conflict Resolution in Child Welfare: A Think Tank on Child Protection Decision Making

*Joan Kathol and Bernie Mayer of Creighton University*

## Summary

View a sample page from the report below. You can also download the full [think tank summary \(PDF\)](#) prepared by Joan Kathol and Bernie Mayer of Creighton University.

## **Conflict Resolution in Child Welfare: Collecting the Wisdom of 25 Years of Experience A Think Tank on Child Protection Decision Making**

September 25-26, 2007  
Hyatt Regency Columbus  
Columbus, Ohio

**Think Tank Summary  
Prepared by Joan Kathol and Bernie Mayer**

## Introduction

Over the past thirty years there have been many chapters in the development of child welfare mediation and decision making programs. Programs have been developed, altered, improved, and re-invented. There are many programs that began strong and continue to thrive. Others have faced hard challenges, lost funding and been discontinued. In an effort to consolidate the wisdom that has been gained, the lessons that have been learned, and questions that remain to be addressed, a group of organizations and individuals concerned about child protection decision-making organized a two-day conference of experienced practitioners, administrators, researchers, and policy makers. Prior to this meeting, a survey of child protection decision-making programs was conducted, supplemented by a series of in depth interviews. A paper summarizing the results of this survey served as the working paper for the think tank.

Thirty judges, mediators, program administrators, researchers, and policy experts attended the Think Tank, which was held immediately prior to a regional conference of the Association of Family and Conciliation Courts (AFCC), September 27-29, 2007 in Columbus, Ohio. Attendees came from all parts of the United States and Canada, and brought a wealth of expertise and wisdom about child welfare mediation and family group decision-making processes.

In this summary, we present an abridged version of the discussion that occurred at the think tank. We also summarize the main points in each section, but we hope the diversity of input and the richness of the interchange will be conveyed by the reporting of the actual comments. It was not the intention of this process to consolidate consensus recommendations for how these programs should be organized, funded, administered, staffed, or operated. There may be a purpose in establishing a best practice document in the future, but that was not the intention here. Instead, the hope was to engender a rich interchange of ideas, experience and thinking. We believe that purpose was very well accomplished.

Download the [full summary](#).

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## Stopping the Drift: Maintaining Family Connections for Foster Children

*Wilma Friesema, MFT, Hawaii Model Court*

### Summary

In Hawaii, the child welfare system, family courts and community family service agencies are exerting a concerted and cooperative effort to reduce the pattern of family separation and disconnection that has existed in the foster care system for years. Helping foster children stay anchored in their families and connected to supportive services has reduced foster care drift and improved the youth's prospects for leading happy and productive lives.

Too many children who enter foster care experience "foster care drift"—numerous placements that last days or months, but never long enough for a deep attachment to occur. This often results in serious consequences for the children's brain development, self-esteem and social relationships. (See Judge Douglas F. Johnson's excellent article, "Babies Cry for Judicial Leadership: Reasonable Efforts for Infants and Toddlers in Foster Care" in *The Judges' Page* newsletter, October 2007 - [nationalcasa.org/download/Judges\\_Page/0710\\_reasonable\\_efforts\\_in\\_the\\_dependency\\_court\\_issue\\_0119.pdf](http://nationalcasa.org/download/Judges_Page/0710_reasonable_efforts_in_the_dependency_court_issue_0119.pdf).)

In Hawaii, EPIC, Inc. `Ohana Conferencing, in partnership with the Department of Human Services, the family courts and community agencies, is reducing foster care drift by sustaining family connections for children in the foster care system. EPIC offers a variety of programs that encourage family connections.

The Keiki Placement Project is one such effort. "Keiki" is the Hawaiian word for child, and the goal of the project is to find the extended family of children age 0-3 as soon as they enter the foster care system.

This project is new but is having positive results. Isaiah's story is one such example. Isaiah, a newborn, was the child of a young, homeless mom who was doing drugs and getting in fights with her boyfriend. Child protective services became involved and partnered with EPIC on the case. EPIC staff began searching for family, but the young mom refused to give any family information because her family had disowned her.

EPIC staff was able to locate Isaiah's maternal grandparents. They hadn't disowned their daughter; they just didn't want any contact with her boyfriend. Ultimately, the entire extended family was contacted and an `Ohana Conference—a family group decision making process that brings family and social service providers together—was held. As a result of the conference, the grandparents took custody of Isaiah. His mother subsequently entered a drug treatment program and visits Isaiah when she can.

While maintaining focus on the keiki, EPIC works with foster youth of all ages to help strengthen their family ties and enhance their stability. Two specific programs are available to foster teenagers and young adults.

The first program, `Ohana Connections, is funded by DHS and has a similar goal to the Keiki Placement Project. `Ohana," means "family," and with older youth permanency, more than placement, is the driving force. Forming enduring family connections for youth at this stage often requires intensive support services.

Kalena entered foster care when she was eight years old and only maintained contact with one sister who was adopted and living on the mainland. A depressed and angry foster child, Kalena harbored fantasies about her family and lived on threads of rumor and information. She'd heard her maternal grandmother had died and her mother and brother were using drugs. Despite that dismal news, she longed for contact. EPIC staff made many internet searches and phone calls to locate Kalena's relatives, including her grandmother. Further meetings included aunts, siblings, cousins and her mother. A total of 42 relatives were located for Kalena. She no longer feels so angry and depressed: she's on track to graduate, has been accepted into college and is excited about her future. As she describes it, the pieces of her life are falling into place thanks to the knowledge she's gained about her past and the renewed family ties that are now woven into her safety net.

The second program, E Makua Ana Youth Circles, funded by DHS and the Geist Foundation, is a youth-driven process that empowers youth to clarify their goals and identify supportive people and resources. Adrian, now age 20, has experienced five Youth Circles. When he runs into a hurdle he can't get over, he calls EPIC and requests another circle. He likens it to having a coach who helps navigate a difficult playing field that has constantly changing conditions. While Adrian's choices and actions are his responsibility, he no longer feels alone on his journey into adulthood.

In Hawaii, the child welfare system, family courts and community family service agencies are exerting a concerted and cooperative effort to reduce the pattern of family separation and disconnection that has existed in the foster care system for years. An attitude of respect for the inherent wisdom, love and care that exists in nearly every family is creating a collaborative atmosphere between service providers and the families of foster youth. Helping foster children stay anchored in their families, while using additional supportive services, has proven to reduce foster care drift and improve the youth's prospects for leading happy and productive lives.

**Editor's Note:** *Serving a population of approximately 900,000 people on the island of Oahu, the Family Court of the First Circuit has been in place for 40 years. The Honolulu Model Court has been part of the Victim's Act Model Courts Project in the Permanency Planning for Children Department of NCJFC since 1997. One of the major programs developed by the Model Court is the 'Ohana Family Conference program. Initially established in 1996, it was expanded throughout the island of Oahu in 1998. Statewide expansion took place in 1999. The 'Ohana conference model is based on the goal of reaching an agreement between families and social services to keep a child safe with as little trauma to the child as possible. It blends alternative dispute resolution techniques with sensitivity to the cultural mores of Polynesian families. As of 2002, 98% of the families that participated in 'Ohana did not generate new reports of harm, nor did they require subsequent court intervention within one year of their conference.*

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## Developing the Permanency Collaborative Review Hearing

*Susan Parnell, Court Mediator, Pima County Juvenile Court*  
*Chris Swenson-Smith, MSW, Pima County Juvenile Court*

### Summary

Pima County Juvenile Court's Permanency Collaborative Review Hearing (PCRVR) model incorporates behavioral health and natural supports into an action-oriented effort to achieve permanency for children.

In 2006, Pima County Juvenile Court launched a permanency pilot to identify the population of children in care two years and longer and the barriers to permanency for these children. We then developed a pilot hearing to address these cases.

The pilot utilized the designated role of the judge as overseer of the case to ensure that these resources were being used to their fullest extent possible. In order to build buy-in to the pilot, the committee surveyed the stakeholders on perceived barriers to permanency. Surprisingly, only 2 of the 24 survey items did not fall into the "high" barrier or "very high" barrier of one or more groups. The challenge to the committee was clear: develop a pilot that addressed children of all ages facing all types of barriers to permanency.

The committee struggled to create a workable pilot until a representative from the behavioral health field had the idea of incorporating a child and family team (CFT) to address the permanency needs of our target children. (A CFT is a facilitated behavioral health meeting that draws together natural supports in a strength-based, solution-focused meeting.) A model was developed for the pilot project and the pilot hearing was named: Permanency Collaborative Review Hearing (PCRVR). It would be a collaborative model incorporating behavioral health and natural supports into an action-oriented effort to achieve permanency for children.

### The Process:

- The court developed a report tracking cases by child, by judge and by time in care.
- Each of two pilot judges determined which of the cases listed in their reports were appropriate for a PCRVR.
- Case managers, their supervisors, the CASA volunteer, the children's attorneys, a behavioral health designee and others involved in the cases were identified and received notice of the hearing.
- The case manager and the CFT facilitator conferred to determine who else might be available to attend the CFT from the child's natural support groups.
- The permanency CFT meeting was held at the court center just prior to the PCRVR. The CFT facilitator utilized a specialized six-stage agenda (adapted from the Annie E. Casey Foundation Family-to-Family Team Decision-Making model) to guide the participants in a search for solution-focused action plans intended to bring relationship, placement, and possibly legal permanency to our target group.
- An inclusive and multi-disciplinary PCRVR hearing that was marked by its proactive stance and solution-focused approach followed.
- Although on the record, the judge conducted the hearing in an informal, conversational manner.
- The CPS case manager was not required to write a court report.
- No reasonable efforts findings were made.
- The judge entered only those orders corresponding to the action plans presented to the court as the outcome of the CFT meeting.

### The Judge:

- Reminds those in attendance that permanency is about relationships
- Facilitates a conversation that allows for formulation of the ideas generated during CFT into specific action plans and encourages those present to act on those ideas
- Ensures that the action plans have clear expectations for specific actions to be taken by specific individuals
- Sets a subsequent PCRVR hearing during which the parties report on the steps taken to achieve the objectives of the various action plans developed at the PCRVR (or incorporates this step into a future review hearing)

## The Outcomes:

A total of 26 children had pilot PCRV hearings. The committee was committed to expanding the concept of permanency beyond the legal outcome. Relational permanency is a lifelong relationship. Physical permanency is the availability of a home.

### Relational Results

- 66% had connections restored, developed or newly formed
- 34% are still waiting
- 7 children had sibling connections restored or developed

### Placement Results

- 5 children to kinship placements (including 4 with siblings)
- 1 child reunified with parent
- 1 child in permanent guardianship with severed parent
- 8 children placed in certified adoptive homes
- 9 children still waiting
- 2 children ran away (suspected that they ran to an aunt with whom they had been reconnected during the pilot)

### Legal Results

- 12 had completed or pending legal closure

## Our Conclusions:

Many of the collaborative processes developed during the pilot continue to be used. Among them are a “Family Information Sheet” developed by child protective services to track kin and significant others; this has been incorporated into the case plan, updated regularly and prominently placed in the current volume of each case file. The behavioral health CFT underwent a systemic change, acknowledging that permanency is a behavioral health issue, and facilitators incorporated a review of movement toward permanency as an element in the CFT process all through the case, not just at the end. Court data specialists now provide a quarterly report to each judge that tracks children in care longer than two years.

With these mechanisms in place, and with continued training and monitoring, it is hoped that fewer cases would need to be addressed by a PCRV process, but that the PCRV hearing would remain in place as an option for a judge who sees the need for judicial oversight to ensure permanency for all children in a reasonable amount of time.

**Editor’s Note:** The Pima County Juvenile Court in Tucson, AZ has been an NCJFCJ Victims Act Model Court since 1996. It currently has two co-lead judges: Stephen M. Rubin and Patricia Escher. The Tucson Model Court has developed nationally recognized programs focused on front-loading of services and utilizes best practices in all permanency cases. Judge Rubin is also one of the co-creators of the NCJFCJ Child Abuse and Neglect Institute and facilitates a session of the institute in Reno every year.

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## Achieving Permanency Through Tribal-State Judicial Cooperation

*Donna J. Goldsmith, Esq., Chair, NCJFCJ ICWA/ Tribal Courts Committee*

*Hon. Korey Wahwassuck, Chief Judge, Leech Lake Tribal Court and Vice Chair, NCJFCJ ICWA/ Tribal Courts Committee<sup>1</sup>*

### Summary

Joint tribal-state decision-making maximizes use of all relevant resources; allows both the state and tribal courts to be as fully informed as possible prior to making any decision that will affect the child's future; and encourages decision-making that will likely better reflect all of the child's needs.

Federal and state laws require permanency for dependent children if they cannot safely return to their families. Cases involving Indian children that are governed by the Indian Child Welfare Act (ICWA) require judges to weigh additional considerations that enrich both the permanency process—and outcome—for that child. Sections 1911, 1912 and 1915 of ICWA ensure full tribal participation throughout the entirety of the case. Section 1911(a), expressly recognizes that when an Indian child resides or is domiciled within his reservation or is a ward of the tribal court, the child's tribe has exclusive jurisdiction over child protection matters relating to that child.

Section 1911(b) mandates that if an Indian child is not within the exclusive jurisdiction of his tribe, the child's tribe has *presumptive but concurrent* jurisdiction over child protection matters affecting that child.<sup>2</sup> Section 1911(b) requires the state court to transfer the case to tribal court unless the child's parent objects to the transfer, the tribal court declines to accept the transfer or there is other good cause not to transfer the case. Sections 1911 and 1912 guarantee that the tribe receives proper notice of the proceeding and full information about the circumstances requiring state intervention and is allowed to participate meaningfully throughout the state proceeding if the tribe does not exercise jurisdiction over the case.

Collectively, the act's provisions reflect the importance of permanently ensuring the child's connections to his tribe and culture. This priority is reflected most clearly in section 1915, which establishes preferences for foster and adoptive placement of an Indian child and places a high priority on foster care and adoptive placement of the child with extended family or, where family is not available, in an Indian home that reflects the child's culture.

When child protection systems properly adhere to both the spirit and letter of ICWA, they protect and encourage the tribe's participation and greatly enhance the decision-making on behalf of the child. Tribal participation, even at late stages of the proceeding, improves the likelihood that the permanency decision will reflect the child's needs and ultimately enhance the child's chance of becoming a healthy, contributing adult member of his community.

Unfortunately, there is often litigation over tribal jurisdiction under section 1911(b). As the case moves toward permanency, state child welfare agencies increasingly resist transferring the case to tribal court. Those within the state system who have been working with the child and family do not want to relinquish decision-making to a court whose procedures and norms might not be readily available, apparent or understood by outsiders, even though state protection systems need to rely upon their tribal counterparts in order to protect the best interests of the child (and to meet the requirements of federal law). State judges may want to retain jurisdiction and resist tribal assistance because they do not fully appreciate the impact that loss of culture will have on the health and well-being of that child. Protracted litigation, however, is rarely in the best interest of the child.

Two state courts in Minnesota have jointly developed a cooperative cross-jurisdictional model with the Leech Lake Tribal Court that could, if implemented in the scenario described above, eliminate these tensions and result in a decision that bypasses the need to decide which court really sits in the best position to make the final call on behalf of the child. Joint tribal-state decision-making maximizes use of all relevant resources (a must these days); allows both the state and tribal courts to be as fully informed as possible prior to making any decision that will affect the child's future; and encourages decision-making that will likely better reflect *all* of the child's needs.

In 2006, the Leech Lake Band of Ojibwe Tribal Court teamed up with the 9th Judicial District Court-Cass County to form a unique problem-solving court that was the first of its kind in the nation. The Leech Lake-Cass County Wellness Court is a post-conviction, post-sentencing adult DWI court founded on the ten principles of drug courts and handles the cases of both tribal members and non-Indians. This Leech Lake-Cass County Wellness Court was made possible by a groundbreaking joint powers agreement which allows the two jurisdictions to achieve their mutual goals of improving access to justice, administering justice for effective results and fostering public

trust, accountability and impartiality. The success of this first joint effort was duplicated in 2008 when the judges of the 9th Judicial District Court-Itasca County signed an identical agreement with the Leech Lake Tribal Court. Under this agreement, the Leech Lake Tribal Court judge takes the bench in state district court alongside the state judge to preside over Itasca County Wellness Court hearings involving adult controlled substance cases. While relationships between the Leech Lake Band and surrounding counties have historically been strained, the joint work of the courts is breaking down cultural barriers and resulting in more effective administration of justice in northern Minnesota.

Dependency courts could use a similar co-jurisdictional approach for ICWA cases. While it might not be feasible for all courts to adopt the precise model described above, state and tribal judges can develop their own collaborative model to maximize the use of resources and expertise of both jurisdictions with an eye toward protecting the best interests of Indian children. Whether actually sitting together on the bench, or communicating by phone or email, there really are no insurmountable barriers that prevent state and tribal judges from working together, within the bounds of the judicial canons, to ensure that they are making the best decision possible to protect all of the Indian child's needs.

For further information, please feel free to contact Chief Judge Korey Wahwassuck (218-335-4446) and Judge John P. Smith, 9th Judicial District Court-Cass County, MN (218-547-7200).

**Footnotes:**

- [1.](#) Donna J. Goldsmith is a former special assistant attorney general who is now in private practice, specializing in tribal-state relations. She chairs the NCJFCJ ICWA/Tribal Courts Committee. The Honorable Korey Wahwassuck is the Chief Judge of the Leech Lake Tribal Court, and is Vice-Chair of the NCJFCJ ICWA/Tribal Courts Committee. She helped develop the agreements discussed in this article.
- [2.](#) See *Mississippi Choctaw Band of Indians vs. Holyfield*, 490 U.S. 30, 36 (1989); *Kaltag Tribal Council v. Karleen Jackson*, Case 3:06-cv-00211-TMB, at p. 8, 2/22/2008

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## Web Resources: The Role of the Dependency Court in Achieving Timely Permanency

Paula Campbell, *Permanency Planning for Children Department, NCJFCJ*

### Summary

The following websites offer judges, attorneys, CASA volunteers, social workers, youth and others resources to assist in permanency planning efforts.

### Attorney for Child/Law Resources

American Bar Association Permanency Project  
[www.abanet.org/child/permanency.shtml](http://www.abanet.org/child/permanency.shtml)

“The Effect of Youth Presence in Dependency Hearings” (2006), *Juvenile and Family Justice Today*, National Council of Juvenile and Family Court Judges  
[www.clcla.org/images/pdfs/pdfs\\_whatsnew\\_columns/Fall\\_06\\_feature.pdf](http://www.clcla.org/images/pdfs/pdfs_whatsnew_columns/Fall_06_feature.pdf)

Children’s Law Center of Los Angeles website  
[www.clcla.org/about.htm](http://www.clcla.org/about.htm)

### Child’s CASA/GAL Volunteer

Permanency Pact—A free tool to support permanency for youth in foster care  
[fosterclub.com/pdfs/PermPact.pdf](http://fosterclub.com/pdfs/PermPact.pdf)

“The Effectiveness of Court Appointed Special Advocates to Assist in Permanency Planning” (1999), *Child and Adolescent Social Work Journal*, Vol.16 (1)  
[springerlink.com/content/p0600257v2742061/fulltext.pdf](http://springerlink.com/content/p0600257v2742061/fulltext.pdf)

### Kinship Care

Commitment to Kin: Element of a Support and Service System for Kinship Care (2004), Casey Family Programs  
[casey.org/Resources/Publications/CommitmentToKin.htm](http://casey.org/Resources/Publications/CommitmentToKin.htm)

### Social Worker

“Expediting Permanency through Community Decision-Making” (Fall 2002), Landsman, L., Barber, G., Thompson, K. *Juvenile and Family Court Journal*, National Council of Juvenile and Family Court Judges  
[members.ncjfcj.org/images/stories/publications/Journal/fall%2002\\_8%20landsman%20et%20al..pdf](http://members.ncjfcj.org/images/stories/publications/Journal/fall%2002_8%20landsman%20et%20al..pdf)

### Zero to Three Population

Zero to Three website. Zero to Three is a national nonprofit multidisciplinary organization that informs, educates and supports adults who influence the lives of infants and toddlers  
[zerotothree.org/site/PageServer?pagename=ter\\_pub\\_advocacytools&AddInterest=1159#federalagencies](http://zerotothree.org/site/PageServer?pagename=ter_pub_advocacytools&AddInterest=1159#federalagencies)

*Juvenile and Family Court Journal Special Issue—Infants and Toddlers in the Court* (Spring 2004)  
[members.ncjfcj.org/images/stories/publications/spring%2004%20ncj%20journal.pdf](http://members.ncjfcj.org/images/stories/publications/spring%2004%20ncj%20journal.pdf)

### Best Practices

*Why Should the Child Field Focus on Minimizing Placement Change as Part of Permanency Planning for Children?* (2007), Casey Family Programs  
[casey.org/Resources/Publications/PlacementChange.htm](http://casey.org/Resources/Publications/PlacementChange.htm)

Achieving Permanency, Post-Permanency Services (2003), Freundlich, M. & Wright, L. Casey Family Programs [casey.org/Resources/Publications/PostPermanency.htm](http://casey.org/Resources/Publications/PostPermanency.htm)

“Permanency Through Group Work: A Pilot Intensive Reunification Program” (2007), Berry, M., McCauley, K., & Lansing T., *Child Adolescent Social Work Journal* (24), 477-493  
[springerlink.com/content/y264k17g6287500j/fulltext.pdf](http://springerlink.com/content/y264k17g6287500j/fulltext.pdf)

“Permanency Outcomes and Goals: Considering Multifaceted Definitions” (2006), Freundlich, M., Avery, R., Gerstenzang, K., Munson, S., *Child Youth Care Forum*, (35), 355-374  
[springerlink.com/content/j86j342471732030/fulltext.pdf](http://springerlink.com/content/j86j342471732030/fulltext.pdf)

“Achieving Timely Permanency in Child Protection Courts: The Importance of Front-Loading Court Process” (Spring 2007), Edwards, L. *Juvenile and Family Court Journal*, National Council of Juvenile and Family Court Judges  
[members.ncjfcj.org/images/stories/publications/Journal/spring%2007\\_ncj%20journal.pdf](http://members.ncjfcj.org/images/stories/publications/Journal/spring%2007_ncj%20journal.pdf)

*Resource Guidelines: Improving Court Practice in Child Abuse & Neglect Cases* (1995), and *Adoption and Permanency Guidelines* (2000), National Council of Juvenile and Family Court Judges  
[www.ncjfcj.org/content/blogcategory/369/438/](http://www.ncjfcj.org/content/blogcategory/369/438/)

## Youth Views

*Getting Solid: A Youth's Guide to Permanency*  
[www.nrcys.ou.edu/catalog/product.php?productid=206&cat=6&page=1](http://www.nrcys.ou.edu/catalog/product.php?productid=206&cat=6&page=1)

“National Convening on Youth Permanence,” Casey Family Programs conference summary  
[youthpermanence.org](http://youthpermanence.org)

*2007 Child Family Service Review Toolkit for Youth Involvement*  
[www.nrcys.ou.edu/cfsrtoolkit](http://www.nrcys.ou.edu/cfsrtoolkit)

## Permanency Resources

National Resource Center for Family-Centered Practice and Permanency Planning topic web page, Hunter College of Social Work  
[hunter.cuny.edu/socwork/nrcfcpp/information.html#hottopics](http://hunter.cuny.edu/socwork/nrcfcpp/information.html#hottopics)

*Permanency Planning Today Newsletter*, National Resource Center for Family-Centered Practice and Permanency Planning, Hunter College School of Social Work  
[hunter.cuny.edu/socwork/nrcfcpp/newsletters.html#pptoday](http://hunter.cuny.edu/socwork/nrcfcpp/newsletters.html#pptoday)

The Center for Families, Children & the Courts, California AOC, permanency related materials  
[courtinfo.ca.gov/programs/cfcc/programs/description/jrta-Perm.htm](http://courtinfo.ca.gov/programs/cfcc/programs/description/jrta-Perm.htm)

## Aging-Out

*A Reason, a Season or a Lifetime: Relational Permanence Among Young Adults with Foster Care Backgrounds* (2008), Samuels, G., Chapin Hall Center for Children  
[www.chapinhall.org/article\\_abstract.aspx?ar=1466&L2=61&L3=130](http://www.chapinhall.org/article_abstract.aspx?ar=1466&L2=61&L3=130)

*Midwest Evaluation of the Adult Functioning of Former Foster Youth* (2007), Courtney et al. Chapin Hall Center for Children  
[www.chapinhall.org/article\\_abstract.aspx?ar=1355&L2=61&L3=130](http://www.chapinhall.org/article_abstract.aspx?ar=1355&L2=61&L3=130)

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