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Court Decisions Affect the Life of Every Child in Foster Care

Foster Youth, Families, Judges and Attorneys Share Experiences and Recommend Court Reforms to Blue Ribbon Commission

Sacramento—Foster youth, families, judges and attorneys gathered in the Capitol today for a public hearing on foster care and the courts. They offered their experience, wisdom and recommendations for change to members of the California Blue Ribbon Commission on Children in Foster Care, a 42-member panel appointed by the Chief Justice and charged with improving the outcomes of children in the state's foster care system.

There are nearly 80,000 children in foster care in California, each of whom comes before a judge who has oversight for their safety and well-being. Decisions made on behalf of these children have profound and lasting effects on the youth and their families, including where they will live and go to school, family visitations and medications.

Supreme Court Justice Carlos R. Moreno, chair of the commission and a foster parent himself, welcomed the panelists and underscored the importance of the commission's work. "Foster children have been removed from their homes through no fault of their own," he said. "These are children for whom we have legal responsibility, and who absolutely deserve safe, secure and permanent homes."

"Improving foster care is an urgent issue," Moreno continued. "Every decision we make profoundly affects the future of these children. And too many of them are falling into a 'foster care limbo,' moving from

(over)

placement to placement while waiting to go back to their parents or to find another permanent home.”

Majority Leader Karen Bass, chair of the Assembly Select Committee on Foster Care and a member of the Blue Ribbon Commission, was one of a number of legislators who participated in the hearing. She noted the importance of listening to those who know the system best -- the children, parents and caregivers who live it every day.

Foster youth speakers included Cassandra Harris and Zairon Fraizier from California Youth Connection, a statewide organization of current and former foster youth dedicated to policy development and legislative change. They offered their personal stories and spoke about the importance of foster youth meeting with their attorneys and having a voice in court proceedings. Harris shared that she was fortunate to have a judge who spent time talking with her, and she advocated that all youth should have that opportunity. Fraizier had specific recommendations for the courts, including informing youth at least a week in advance of any upcoming hearing, reducing waiting times and arranging transportation to the court.

Parents testifying at the hearing spoke of the need for respect in court, appropriate services to help reunify their families, and time to explain to judges and attorneys what they need to keep their children at home safely. Parents included Greg Colver, who struggled with substance abuse, and found help through a dependency drug court. He spoke about common perceptions of parents as “bad people” and how he participated in parenting, anger management and substance abuse counseling in order to reunite with his children, noting the role the court played in ordering services. Now back with his family, Colver has gone on to become a parent advocate and trainer.

Caregivers, foster parents and adoptive parents testified that they often have the most current information about children in foster care. Several panelists advocated for caregivers to have more of a role in court and recommended that courts build in time so they could offer support and information to judges and attorneys. Derek Peake, who is in the process of adopting his fourth foster child and lives in Oakland, spoke about how his involvement with the foster care system led him to become involved in the California Court Appointed Special Advocate (CASA) Association where he now serves as program director.

“CASA offers children an added voice in court,” Peake said. “A CASA volunteer gives the judge a larger perspective on a child than the court gets if attorneys or social workers are burdened by large caseloads. He noted that only 10 percent of foster children in California have a CASA advocate in court and that all children need a network of support.

Judges and attorneys who testified spoke of the need for reasonable caseloads, more training, and better information sharing with the other agencies that work with vulnerable children and families. The Hon. Michael Nash, a judge of the Superior Court of Los

Angeles County, pointed out that there are fewer than 150 judges who oversee the entire dependency court system in California. He also spoke openly of the challenges of judges struggling to make informed decisions for foster children, often with inadequate information, and the need for services that help families stay together.

Nash and others also emphasized the importance of reasonable caseloads for attorneys in order to provide effective representation for youth and their parents, each of whom is entitled to representation in court once an allegation of abuse or neglect occurs. “In California, the average attorney caseload is more than 270 clients per attorney, and some counties have caseloads of more than 600,” Nash said. “With such high numbers, it is virtually impossible to do a good job, let alone ensure that justice is always served.”

Other speakers at the public hearing included Assembly Member Bill Maze; Alexandria Simpson, former foster youth, Alameda County; Steve Nelson, former parents’ attorney in Sacramento County Dependency Drug Court; parent Sayida Sandoval, Contra Costa County; Regina Deihl, executive director of Legal Advocates for Permanent Parenting; Debra Lee, a grandmother and relative caregiver for two grandchildren, Los Angeles; the Hon. Dean T. Stout, presiding judge of the Superior Court of Inyo County; children’s attorney Ana Espana, San Diego County; and Lori Kidd, deputy county counsel for Yolo County.

Thursday’s public hearing was the first day of a two-day meeting of the California Blue Ribbon Commission on Children in Foster Care. The commission’s recommendations are due in spring 2008.

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