



## JUDICIAL COUNCIL OF CALIFORNIA

455 Golden Gate Avenue · San Francisco, California 94102-3688

[www.courts.ca.gov](http://www.courts.ca.gov)

---

# REPORT TO THE JUDICIAL COUNCIL

For business meeting on: August 22, 2014

---

Title	Agenda Item Type
Blue Ribbon Commission on Children in Foster Care: Final Report	Action Required
Rules, Forms, Standards, or Statutes Affected	Effective Date
None	N/A
Recommended by	Date of Report
California Blue Ribbon Commission on Children in Foster Care Hon. Richard D. Huffman, Chair	August 11, 2014
	Contact
	Chris Cleary, 415-865-8792 <a href="mailto:christine.cleary@jud.ca.gov">christine.cleary@jud.ca.gov</a>

---

### Executive Summary

The Judicial Council's California Blue Ribbon Commission on Children in Foster Care (BRC) sunsetted on June 30, 2014. This final report from the commission addresses its implementation progress on recommendations for improving California's juvenile dependency courts and foster care system and delineates its plans for the continuity of work on recommendations that are not fully implemented. The commission requests that the Judicial Council refer certain BRC recommendations that have not yet been implemented to the Family and Juvenile Law Advisory Committee for its review and consideration for action.

### Recommendation

The BRC recommends that the Judicial Council refer to the council's Family and Juvenile Law Advisory Committee for its review and consideration for action when resources become available the BRC recommendations related to court reform that have not yet been fully implemented because of significant budget challenges. Those recommendations would broadly include:

- Reducing caseloads for judicial officers, attorneys, and social workers;

- Ensuring a voice in court and meaningful hearings for participants; and
- Ensuring adequately trained and resourced attorneys, social workers, and Court Appointed Special Advocates (CASA).

The detailed court reform recommendations are attached at pages 10–15. Even though work on these recommendations has been ongoing, the recommendations have not been fully implemented because of the unavailability of adequate resources.

### **Previous Council Action**

In 2006, former Chief Justice Ronald M. George established the California Blue Ribbon Commission on Children in Foster Care and charged it with developing recommendations focused on four areas:

- Ways courts and their partners can improve the child welfare system, including an implementation plan;
- Improvement of court performance and accountability in achieving safety, permanency, well-being, and fairness for all children and families in the child welfare system;
- Improvement of collaboration and communication among courts, child welfare agencies, and others, including the development of permanent local county commissions that support ongoing efforts; and
- Greater public awareness of the court’s role in the foster care system and the need for adequate and flexible funding.

The Judicial Council unanimously accepted the recommendations of the commission in 2008. Chief Justice George and Chief Justice Tani G. Cantil-Sakauye both extended the commission and its charge to work on implementing those recommendations.

Most recently the BRC reported to the Judicial Council on August 31, 2012, and again on August 23, 2013, on its implementation progress and on Chief Justice Cantil-Sakauye’s new charge to the commission to create an initiative to keep kids in school and out of the courts and, if outside funding could be found, to hold a California summit on the issue. At the August 31, 2012, meeting the council directed commission staff to seek outside funding. At the August 23, 2013, meeting the commission reported that funding to hold a summit had been secured and that the summit was scheduled to be held in conjunction with the Beyond the Bench conference in Anaheim on December 3–4, 2014. The council adopted a resolution declaring December 4, 2013, to be Keeping Kids in School and Out of Court Day in California.

### **Rationale for Recommendation**

The commission’s recommendations on needed court reform are critical to making foster care system reforms that will ensure California’s children and families in or at risk of being in the child welfare system access to justice in this state’s courts and a fair chance at a brighter future.

The commission's other pending work is being transferred as appropriate to different entities. Its work on the Chief Justice's Keeping Kids in School and Out of Court Initiative has been transferred to a steering committee that will report directly to the Chief Justice. The commission is in the process of referring its recommendations on permanency and on data and information sharing to the California Child Welfare Council (CWC) for its review and consideration for action. Those recommendations are in line with the current work of CWC, and it has indicated its willingness to accept them. CWC, however, is not the appropriate body to determine court reform in this state; that determination should continue to rest with the Judicial Council.

No apparent risks are associated with referring the commission's recommendations for court reform to the Family and Juvenile Law Advisory Committee because the committee would have discretion to determine whether to bring any of the referred recommendations forward for action—a determination that would be made as the committee makes any of its recommendations for action. The benefits of referral would be great in that referral would be a mechanism to keep alive key recommendations for critical court reform affecting the juvenile dependency courts.

### **Comments, Alternatives Considered, and Policy Implications**

As noted above, the commission has considered various ways to keep its work alive and continue the implementation of its recommendations. Those recommendations involving court reform could not appropriately be referred to any entity outside of the Judicial Council.

### **A brief summary of implementation efforts, challenges, and successes**

The commission has for the past six years, after issuing its sweeping recommendations, worked with its statewide and local child welfare partners on implementation activities, focusing on recommendations that were targeted for early action in its implementation plan and on those recommendations that could be implemented with limited resources because of the significant budget challenges that had arisen at about the same time that the recommendations were issued. Those areas of focus included:

- Reasonable efforts to prevent removal and achieve permanency
  - Increasing the number of placements with relatives
  - Reducing the disproportionate representation of African Americans and American Indians in the child welfare system
  - Providing extended support for transitioning youth
- Court reform
  - Reducing the caseloads of judicial officers, attorneys, and social workers
  - Ensuring that children and families have a voice in court and meaningful hearings
  - Ensuring that all attorneys, social workers, and Court Appointed Special Advocate volunteers have adequate training and resources
- Collaboration among courts and child welfare partners
  - Facilitating data and information exchange
  - Establishing local foster care commissions
  - Improving Indian child welfare

- Resources and funding
  - Prioritizing foster care
  - Advocating for flexible funding for child abuse prevention and services
  - Expanding educational services

***Ongoing challenges.*** As might be expected during tough economic times, implementation efforts faced some significant challenges. Most notably, the judicial branch cuts over the past several years have had an adverse impact on juvenile dependency courts statewide. With a number of courtroom closures, some counties are finding it much harder to handle their juvenile dependency calendars and to ensure timely hearings. Further, many courts eliminated commissioner and referee positions to cope with their budget challenges. Many of those positions have traditionally been deployed in the juvenile dependency court, and eliminating those positions without being able to backfill them with judges has significantly increased the workload in the remaining juvenile dependency courtrooms. Both of those challenges have likely prolonged the time children spend in foster care for those affected counties.

***Successful efforts.*** Despite the significant budget challenges of the past several years, some notable progress has been made that can be attributed to the work of the commission and its statewide and local partners:

- *Significant boost from federal Fostering Connections to Success Act.* The federal Fostering Connections to Success and Increasing Adoptions Act of 2008, which is directly responsive to 20 of the Blue Ribbon Commission’s recommendations, gave an early boost to implementation efforts. Offering increased supports for relative caregivers, improved family-finding support, more flexibility in the use of federal funds, and support for foster youth until age 21, the legislation provides matching funds to states that opt into its provisions. State legislation to opt into these provisions—most notably Assembly Bills 12 and 212, which provide federally subsidized relative guardianships and extend foster care jurisdiction to age 21—was quickly passed and chaptered in California. This legislation facilitated the expansion of California’s Kin-GAP program and also gave support for expanded title IV-E waiver projects in the state. The commission, along with the Judicial Council, was actively involved in efforts to implement the legislation.
- *Statewide statistics reflecting improvements to the system since the BRC was established in 2006 (based on fourth quarter 2013 child welfare county data profiles).* In the past two years, caseloads have been increasing, and speculation as to the reasons ranges from more nonminor dependents staying in the system or coming back into the system due to the provision of services to age 21, to the economy hindering agencies from being able to do as much prevention work. But despite this uptick in caseloads, there is significant indication of solid improvements in the system since 2006.

- Overall, the court-supervised child welfare caseload has declined 12 percent, with a 19 percent drop in court-dependent child welfare–supervised foster care and an 18 percent increase in court-ordered family maintenance.
  - Juvenile dependency filings have decreased by 12 percent.
  - Foster care entries have decreased by 12 percent; however, exits have decreased by 29 percent (which may in part be attributable to the AB 12 extension of services to age 21).
  - The overall in-care rate per 1,000 California children has dropped from 8.1 to 6.0, a 25 percent decline.
  - In-care rates declined for all racial/ethnic groups, most notably African Americans, with a 32 percent decline.
  - Median time to adoption has decreased by 7 percent, though time to reunification has increased.
  - The number of children exiting to emancipation has decreased by 55 percent (likely due to the AB 12 extension of services to age 21).
- *Successful statewide collaborative work.* Statewide collaborative efforts to reform the foster care system and reduce the number of children in foster care continue to be impressive, and the work will continue after the commission’s expiration. The BRC has worked closely with the Child Welfare Council, the Judicial Council, the California Child Welfare Co-Investment Partnership, the State Interagency Team for Children and Youth, and the California Department of Social Services to prioritize children and families in the foster care system in the allocation of resources and services. CWC has a Priority Access project working with and encouraging the various child welfare systems to collaborate with each other on prioritizing children and families in the system. Also, for the past two years, a CWC/BRC joint task force has been coordinating the work of the two bodies to leverage the impact of both in a time of limited resources. CWC is currently cochaired by Vance W. Raye, Administrative Presiding Justice of the Court of Appeal, Third Appellate District (as the Chief Justice’s designee), and Diana S. Dooley, Secretary of the California Health and Human Services Agency.
  - *Tribal Court/State Court Forum established.* Former Chief Justice George established, in May 2010, the California Tribal Court/State Court Coalition (now called the California Tribal Court/State Court Forum), the first organization of its kind in the state, to work on areas of mutual concern to tribal and state courts. One of the first cochairs of the forum was Richard D. Huffman, Justice of the Court of Appeal, Fourth Appellate District, who has been the chair of the BRC since 2011 (and a member since its inception). Chief Justice Cantil-Sakauye appointed Dennis M. Perluss, Presiding Justice of the Court of Appeal, Second Appellate District, Division Seven, to replace Justice Huffman as cochair. Under the current leadership of cochairs Richard Blake, Chief Tribal Judge of the Hoopa Valley Tribe, Smith River Rancheria, and Redding Rancheria, and Justice Perluss, the forum is continuing to develop measures to improve the working relationship between California’s tribal and state courts. Promising tribal court/state court collaborations already exist in a number of counties.

Most notably, tribal court/state court collaborative efforts are strong in the area of foster care and juvenile court reform in El Dorado, Humboldt, Imperial, and Inyo Counties.

- *Rapidly expanding educational services.* Implementation of the commission's recommendations has been significant in the area of expanding educational services, including a state legislative requirement that college campuses in California give priority for housing to current and former foster youth and remain open for occupation during school breaks; expansion of the California Department of Education, Foster Youth Services, to 57 counties; and continued statewide collaboration on educational issues through the California Foster Youth Education Task Force. Many of the local commissions have prioritized educational services in their foster care reform efforts, are working collaboratively with their superintendents of schools, and have begun the initial work of data and information sharing that is so critical to ensuring an appropriate continuum of educational services for children in the foster care system. And the Chief Justice's Keeping Kids in School and Out of Court Initiative (discussed in more detail below) has already attracted court-led multidisciplinary teams from 32 of California's 58 counties.
- *Training for court-appointed counsel ongoing.* The Judicial Council has continued the work of providing support and training for court-appointed counsel representing parents and children in the juvenile dependency system. The council adopted a competitive solicitation policy applicable to courts participating in the Dependency, Representation, Administration, Funding and Training (DRAFT) program, with a goal of maximizing the funding for the court-appointed counsel program and providing transparency and objectivity to the process. The DRAFT program is now active in 20 counties. Training is ongoing with earmarked federal Department of Health and Human Services Court Improvement Program grant funds for juvenile court improvement and is based on a very collaborative model where the local county participants work with program staff to build the trainings based on individual county needs.
- *Enthusiastic statewide interest in facilitating data and information exchange to improve outcomes for foster children.* The decommissioning of the California Court Case Management System (CCMS) struck at the heart of many of the BRC's data- and information-sharing recommendations, which were largely based on the development of CCMS. Nevertheless, because the need remains great for courts and agencies to share information so that informed decisions can be made about children's safety and well-being, work on these issues has continued. At its annual meeting in 2013, the commission revised its data- and information-sharing recommendations to strike all references to CCMS and to incorporate the Child Welfare Council's 2012 *Statement on Information Sharing, Data Standardization and Interoperability*.

The commission's notable work on these issues of data and information exchange began when leaders and advocates from across California convened in Sacramento in October 2011 for an unprecedented opportunity to talk about data linkage opportunities and information-

sharing challenges for children in foster care. Riding the wave of momentum occurring nationally, this unique BRC-sponsored foster care symposium focused on data exchange in health, mental health, substance abuse, and education. Capitalizing on special facilitation methods used by the Stewards of Change, a nationally recognized group with expertise in interoperability, attendees began the process of developing a vision and road map for strengthening information sharing for children in foster care, not just through technology usage, but also by confronting the often misperceived or feared confidentiality and privacy laws. Before staging the symposium, Stewards of Change convened several on-site visits to courts and counties across California to flesh out the latest trends and initiatives occurring locally. The site visits helped shape the baseline concepts for the larger three-day gathering and provided geographically diverse perspectives from places like Alameda, Fresno, Orange, Sacramento, San Diego, and Ventura Counties. Commission members and staff have participated in a number of initiatives carrying out the recommendations of the symposium, including:

- Incorporation of key changes to the Family Educational Rights and Privacy Act that allow schools to release educational information to the persons responsible for a foster child's education;
  - Adoption of numerous memoranda of understanding at the state executive branch allowing agencies involved in the care of foster children to share data for research and analysis;
  - Establishment of the Children's Data Network at the University of Southern California to facilitate data exchange and research on outcomes of care for foster children; and
  - Adoption of model data exchange standards between courts and child welfare agencies into the new case management system plan of the state Department of Social Services.
- *Recommendation on family placement advances due to legislation and training efforts on family finding.* Under Assembly Bill 938, supported by the Judicial Council and signed into law in 2009, when a child is removed from his or her home, the social worker is required to conduct an investigation to identify and locate all grandparents, adult siblings, and other adult relatives of the child to notify them of the child's removal and advise them of their options to participate in the care and placement of the child. In October 2010, the Judicial Council approved new rules and forms, effective January 1, 2011, to implement the legislation. The Child Welfare Council adopted a recommendation for a statewide commitment to increase the number of children who have permanency through the implementation of Family Finding and Engagement in all 58 California counties. Several counties, often through their local foster care commissions, have received training on long-term family finding, and a number are developing family-finding protocols. Some county probation departments are receiving title IV-E training that includes family-finding information on identifying a caring adult and choosing a permanent plan. Although data is not definitive on permanency outcomes resulting from these family-finding efforts, the new emphasis on engaging and involving extended family in juvenile dependency cases is

becoming routine, and anecdotal evidence suggests that more children are being placed with family members.

In summary, the efforts of the BRC and its collaborating partners to change the way that California does business when it comes to families and children whose lives are touched by the child welfare system have been amazingly successful given the severity of the budget challenges that have been in place since the recommendations were released.

### **A brief summary of the Chief Justice's Keeping Kids in School and Out of Court Summit, December 2013**

Inspired by a national leadership conference in March 2012—the National Leadership Summit on School-Justice Partnerships: *Keeping Kids in School and Out of Court* in New York City—that focused on issues of truancy and school discipline, Chief Justice Cantil-Sakauye returned from the conference and charged the Blue Ribbon Commission with taking up the issues of truancy and school discipline as they affect children and youth in the juvenile court system, particularly those disciplinary policies and practices that can push students out of school and into the justice system. The Chief Justice expressed her interest in hosting a California summit on these issues if private funding could be identified and secured.

With the approval of the Judicial Council, staff secured grant funds from private foundations to hold a California summit in 2013. Specifically, grants were given by the Walter S. Johnson Foundation, the Zellerbach Family Foundation, and the California Endowment. In addition, some assistance also came from the U.S. Department of Health and Human Services, Court Improvement Program. The Chief Justice invited the presiding juvenile court judge in each of the 58 counties to assemble a multidisciplinary team to bring to the summit. Thirty-two counties accepted the invitation and put together teams that included the court, child welfare, probation, education, mental health, and other organizations and agencies active in the issues locally. In the process of preparing for the summit, the teams were given the opportunity to attend informational hearings to introduce the issues in Northern and Southern California. (See Attachments A and B for the respective agendas.) Both hearings were well attended, and the teams were very enthusiastic. Attendance at both of the hearings by teams and speakers was funded through the grant funds raised.

The summit—held on December 3–4, 2013, in Anaheim in conjunction with *Beyond the Bench*—attracted just under 400 attendees, which included the teams, funders, speakers, and dignitaries. Over the two days, the teams were given an opportunity to become familiar with all of the issues, be exposed to cutting edge interventions and solutions, and work within their teams to begin drafting an action plan for change in their own counties. (See Attachment C for the summit agenda.) Staff to the event collected county action plans. Travel, lodging, and meals for the summit teams and speakers were covered by the grant funds.

The Chief Justice has appointed a 25-member multidisciplinary Keeping Kids in School and Out of Court Initiative Steering Committee to carry on the work of the initiative by providing

assistance and support to the county teams. The steering committee is chaired by Justice Huffman and vice-chaired by Stacy Boulware Eurie, Judge of the Superior Court of Sacramento County, both members of the BRC, which will ensure that relevant issues and recommendations from the BRC are carried forward into this initiative. The initiative aims to assist county teams in improving school climate, attendance, and discipline policies, with a particular focus on improving educational outcomes for court-involved children and youth.

### **Implementation Requirements, Costs, and Operational Impacts**

This recommendation will incur no costs to implement.

### **Attachments**

1. BRC's Court Reform Recommendations
2. Attachment A: Agenda—Sacramento Informational Hearing
3. Attachment B: Agenda—Los Angeles Informational Hearing
4. Attachment C: Agenda—Keeping Kids in School and Out of Court Initiative Summit

# California Blue Ribbon Commission on Children in Foster Care

## Final Recommendations on Court Reform

### Recommendation 2: Court Reform

*Overwhelming caseloads, crowded dockets, and inadequate information mean that the best of judges and attorneys struggle to meet the needs of each child and parent who come before the bench.*

*Because of these challenges, children and parents do not always participate meaningfully in court, and we are often not able to meet our federal and state mandates for timely hearings.*

—Hon. Leonard P. Edwards  
Retired Judge  
of the Superior Court  
of California,  
County of Santa Clara;  
Member, California  
Blue Ribbon Commission  
on Children in Foster Care

We know that California’s dependency court system is overstressed and underresourced. Because of staggering caseloads, judicial officers, attorneys, and social workers are often forced to limit the time and attention they give to each child. Even if they do give each case a thorough review, we learned they often cannot meet the statutory timeline for the case.<sup>2</sup> Either way, children and their families lose.

Dependency cases represent the most intrusive form of governmental intervention into the lives of families, so we believe that it is essential for the court system to have sufficient resources to appropriately oversee these cases. It is also essential that the local trial courts make these cases a priority and allocate the resources that are needed.

We learned that many families and children appear at the courthouse but wait for hours before their hearing, only to receive a few minutes with the court and with their attorneys. In fact, the median time for a juvenile dependency hearing in California is just 10–15 minutes, far short of the recommended 30–60 minutes needed to give appropriate attention to a case.

Dependency court attorneys, who represent foster children and their families, and social workers, suffer from similar time and caseload pressures. These systemic problems inhibit the courts’ ability to meet their statutory requirements, as well as their obligation to ensure that all participants in the hearings understand their rights and responsibilities and the decisions made in court.

We found that dependency courts are able to gather only limited data on their ability to meet statutory timelines for hearings and requirements regarding safety, permanency, and well-being. Currently, uniform statewide court data is limited to the number of filings and dispositions. Without more advanced data systems and court performance measures, the courts are not able to track children’s progress, measure compliance with statutes, and identify sources of delay and other areas of reform needed in juvenile dependency court cases.

After hearing from many stakeholders through testimony, focus groups, written comments, and other means of communication, the commission crafted the following blueprint for reform of the court system. We believe that implementation of these recommendations will bring fundamental change to a court system charged with serving our state’s most vulnerable children and families.

---

<sup>2</sup> See Appendix I, Backgrounder: California Dependency Courts and the Hearing Process

## **Recommendation 2**

Because the courts are responsible for ensuring that a child's rights to safety, permanency, and well-being are met in a timely and comprehensive manner and that all parties are treated fairly in the process, the Blue Ribbon Commission recommends that the Judicial Council and the trial and appellate courts make children in foster care and their families a priority when making decisions about the allocation of resources and administrative support.

### **Recommendation 2A**

The trial and appellate courts must have sufficient resources to meet their obligations to children and families in the child welfare system.

The Blue Ribbon Commission recommends that:

- Consistent with Judicial Council policy, judges—not subordinate judicial officers—hear dependency and delinquency cases. Pending a full transition from subordinate judicial officers to judges (through reassignment or conversion of subordinate judicial officer positions to judgeships), presiding judges should continue the assignment of well-qualified and experienced subordinate judicial officers to juvenile court.
- The Judicial Council work with bar organizations, the Governor's office, and state and local leadership to ensure that juvenile law experience is given favorable consideration during the judicial appointment and assignment process and well-qualified subordinate judicial officers and attorneys with juvenile law experience are encouraged to apply for vacant judicial positions.
- Presiding judges follow standard 5.40 of the California Standards of Judicial Administration and assign judges to juvenile court for a minimum of three years and give priority to judges who are actively interested in juvenile law as an assignment.
- The Judicial Council undertake a new judicial caseload study focused specifically on juvenile dependency courts. The study should take into account the court's unique oversight and case management responsibilities and address the use of case managers to support judges in meeting their workloads.
- Pending completion of the study, presiding judges evaluate their current allocation of judgeships and resources and make adjustments as necessary. If reallocation of existing resources is not sufficient, the Judicial Council should seek additional funding to ensure full implementation of the standards and statutory requirements.
- The Administrative Office of the Courts helps courts comply with the judicial standard outlining the knowledge, commitment,

and leadership role required of judicial officers who make decisions about children in foster care (see standard 5.40 of the California Standards of Judicial Administration). Presiding judges of the superior courts should receive training in the role and duties of juvenile court judicial officers as outlined in the standard.

## **Recommendation 2B**

All participants in dependency hearings and subsequent appeals, including children and families, should have an opportunity to be heard and meaningfully participate in court.

The Blue Ribbon Commission recommends that:

- Judicial officers identify and engage all parties in each case as early as possible. A particular emphasis should be placed on finding fathers and identifying Indian tribes where applicable.
- Judicial officers and other stakeholders remove barriers that prevent children, parents, and caregivers from attending hearings. This includes addressing transportation and scheduling difficulties, as well as exploring telephonic appearances and other technological options.
- The Judicial Council and other stakeholders develop and implement laws and policies to promote relative finding, funding, assessment, placement, and connections.
- The Judicial Council provide an expedited process for all juvenile dependency appeals by extending the application of rule 8.416 of the California Rules of Court to all dependency appeals.
- The Judicial Council require the appointment of independent counsel for all children in juvenile dependency appeals.

## **Recommendation 2C**

Judicial officers should ensure that local court practices facilitate and promote the attendance of children, parents, and caregivers at hearings.

The Blue Ribbon Commission recommends that:

- Hearings be available at times that do not conflict with school or work or other requirements of a family's case plan.
- To the extent feasible, hearings be set for a specific date and time. Delays should be minimized, and hearings should be conducted on consecutive days until completed.
- A concurrent criminal proceeding not delay a dependency case.
- All parties, including children, parents, and social workers, have the opportunity to review reports and meet with their attorneys before the initial hearing and in advance of all subsequent hearings.

- Hearings be timely and meet all federal and state mandated timelines. Continuances be minimized, and the reasons for systemic continuances be addressed by the local court and child welfare agency.
- All participants leave court hearings with a clear understanding of what happened, why decisions were made, and, if appropriate, what actions they need to take.
- The Administrative Office of the Courts provide judicial officers and court participants with education and support to create courtroom environments that promote communication with, and meaningful participation of, all parties, including children, that takes into account age, development, language, and cultural issues.
- The same judicial officer hear a case from beginning to end, when possible.
- Courts explore telephonic appearance policies and new technology options to ensure participation in juvenile court hearings.

## **Recommendation 2D**

The court's ability to make fair, timely, and informed decisions requires attorneys, social workers, and Court Appointed Special Advocates (CASAs) who are well qualified and have the time and resources to present accurate and timely information to the courts.

The Blue Ribbon Commission recommends that:

- The Judicial Council advocate for the resources, including a stable funding source, necessary to implement the council's recently adopted attorney caseload standards, to implement caseload standards for social workers, and to develop and implement caseload standards for social services agency attorneys.
- The Judicial Council take active steps to promote the advancement of juvenile law as a sought-after career. Accomplishing this recommendation requires:
  - Fair and reasonable compensation for court-appointed attorneys;
  - Adoption and implementation of a methodology for determining attorney effectiveness;
  - Forgiveness of student loans for attorneys who commit a substantial portion of their careers to juvenile law;
  - That public and nonprofit law offices hire and retain attorneys based on their interest in the field and encourage them to build careers in juvenile law; and
  - Collaboration with State Bar of California leaders to include juvenile dependency law as a mandatory area of

study for the California Bar exam and create a State Bar juvenile law section.

- The Administrative Office of the Courts expand multidisciplinary training opportunities for court professionals and other participants, including caregivers, educational representatives, CASA volunteers, and tribal leaders. Training should include conferences as well as distance learning opportunities.
- The Judicial Council continue to support the development and expansion of CASA programs and to help make available CASA volunteers for all foster children in the dependency system. State funding for CASA programs should be expanded to allow for appointments in all cases.
- Local or regional legal advocacy resource centers be established to ensure that the nondependency legal needs of dependent children and their parents are appropriately addressed. This includes education, immigration, tribal enrollment or other requirements to receive the benefits of tribal membership, tort issues, and other issues.

## **Recommendation 2E**

All courts should have nonadversarial programs available as early as possible and whenever necessary for children and families to use to resolve legal and social issues when appropriate.

The Blue Ribbon Commission recommends that:

- Mediation and other forms of alternative dispute resolution be available in all courts at any time in the proceedings.
- Families in all counties have access to other types of court proceedings—drug, mental health, and unified courts, for example—that can help them remain together or, if the children are removed, to stabilize and reunify the family as soon as possible.
- Presiding judges work with agencies to ensure that families in all counties have access to specific nonadversarial child welfare–based practices such as family group conferencing, team decision-making, and family team meetings.

## Recommendation 2F

The Judicial Council should establish and implement a comprehensive set of court performance measures as required by state law (Welf. & Inst. Code, § 16545).

The Blue Ribbon Commission recommends that:

- The Judicial Council adopt and direct the Administrative Office of the Courts to work with local courts and state agencies to implement a rule of court that embodies the commission's following recommendations:
  - Court performance measures include those for safety, permanency, timeliness of court hearings, due process, and child well-being;
  - Court performance measures align with and promote the federal and California Child and Family Services Review outcome measures and indicators;
  - The California Court Case Management System collect uniform court performance data and have the capability to produce management reports on performance measures; and
  - Trial court performance measures be included in a separate Judicial Council-approved Administrative Office of the Courts Implementation Guide to Juvenile Dependency Court Performance Measures.
- These performance measures and management reports be used for the following:
  - To promote court accountability for ensuring fair and timely hearings and to inform improvements in local case processing;
  - To provide stakeholders and the public with an aggregate picture of the outcomes for children before the court and to increase the public's understanding of the court's role in the child welfare system; and
  - To measure compliance with statutory mandates and effective practices.
- The Judicial Council work with the Child Welfare Council and local courts and state agencies to develop uniform child well-being performance measures. Based on these measures, the Administrative Office of the Courts, Center for Families, Children & the Courts should work with local courts to develop and implement educational tools that help courts improve child well-being outcomes.
- The Judicial Council and other stakeholders advocate at the federal, state, and local levels for the funding necessary to implement recommended court performance measures.

# Keeping Kids in School and Out of Court Informational Hearing for Attendance Awareness Month

How Courts Can Improve School Attendance and Prevent Chronic Absenteeism

September 30, 2013

AOC Sacramento Office, Veranda Room  
2860 Gateway Oaks Drive, Suite 400  
Sacramento, CA 95833



ADMINISTRATIVE OFFICE  
OF THE COURTS

JUDICIAL AND COURT OPERATIONS  
SERVICES DIVISION

CENTER FOR FAMILIES, CHILDREN & THE COURTS

## Agenda

### MONDAY, September 30

- 10:00–10:30 a.m. Welcome and Opening Remarks  
*Hon. Steven Jahr, Administrative Director of the Court*  
*Hon. Richard D. Huffman, Chair, California Blue Ribbon Commission on Children in Foster Care*
- 10:30–11:15 a.m. Chronic Absenteeism and Its Long Term Effects on Student Success  
*Mr. Brad Strong, Senior Director for Education Policy, Children Now*
- 11:15–12:00 p.m. School Attendance Law and the Role of School Attendance Review Boards in Improving Attendance  
*Mr. David Kopperud, Education Programs Consultant, California Department of Education*  
*Mr. Dan Sackheim, Education Programs Consultant, California Department of Education*  
*Hon. George V. Spanos, Superior Court, County of Contra Costa*
- 12:00–1:00 p.m. **Lunch**
- 1:00–2:30 p.m. Los Angeles County School Attendance Task Force and the Role of the Juvenile Court in Improving Student Attendance  
*Hon. Donna Groman, Supervising Judge, Delinquency Court, Superior Court, County of Los Angeles*  
*Ms. Ruth Cusick, Attorney, Public Counsel*  
*Ms. Laurel Bear, Director, Student Services, Alhambra Unified School District*  
*Martiza Galvez, Youth Justice Coalition*
- 2:30–3:00 p.m. Wrap up and Pre-summit information  
*Hon. Richard D. Huffman, Chair, California Blue Ribbon Commission on Children in Foster Care*
- 3:00 p.m. Adjourn

# Keeping Kids in School and Out of Court Informational Hearing on School Discipline and Trauma Informed Practices

How Courts and Communities Can Improve School Climate

October 23, 2013

Ronald Reagan State Office Building,  
Auditorium

300 S. Spring Street  
Los Angeles, CA 90013



ADMINISTRATIVE OFFICE  
OF THE COURTS

JUDICIAL AND COURT OPERATIONS  
SERVICES DIVISION

CENTER FOR FAMILIES, CHILDREN & THE COURTS

## Agenda

### WEDNESDAY, October 23

- 10:00–10:30 a.m. Welcome and Opening Remarks  
*Hon. Richard D. Huffman, Chair, California Blue Ribbon Commission on Children in Foster Care*
- 10:30–11:15 a.m. School Discipline Policy and Practice: The Case for Reform  
*Ms. Laura Faer, Statewide Education Rights Director, Public Counsel Law Center*
- 11:15–11:45 a.m. Youth Perspective on School Discipline and Trauma  
*Ms. Maritza Galvez, Youth Organizer and Co-Chair, Youth Justice Coalition*
- 11:45–12:45 p.m. **Lunch**
- 12:45–2:30 p.m. How Trauma Impacts Growing Brains and the Implications for Responding to Misbehavior in Schools, Courts and the Community  
*Dr. Joyce Dorado, Health Sciences Associate Clinical Professor, Director, Healthy Environments and Response to Trauma in Schools, and Director of Clinical Research and Evaluation, Child and Adolescent Services, Department of Psychiatry, University of California San Francisco*  
  
*Ms. Pia Escudero, LCSW, Director, School Mental Health and Crisis Counseling and Intervention Services, Los Angeles Unified School District*  
  
*Hon. Douglas Hatchimonji, Presiding Juvenile Court Judge, Superior Court, County of Orange (Moderator)*
- 2:30–3:00 p.m. Wrap up and Pre-summit information  
*Ms. Diane Nunn, Director, Center for Families Children and the Courts, Judicial and Court Operations Services Division, Administrative Office of the Courts*
- 3:00 p.m. Adjourn

# Keeping Kids in School and Out of Court Initiative



December 3–4, 2013  
Anaheim, California

This initiative is made possible by:



The Walter S. Johnson Foundation

**Sponsors:**

Chief Justice Tani G. Cantil-Sakauye

Superintendent of Public Instruction Tom Torlakson

Attorney General Kamala Harris

Diana Dooley, Secretary, California Health and Human Services Agency

Judicial Council of California

California Department of Education

California Blue Ribbon Commission on Children in Foster Care

California Child Welfare Council

U.S. Department of Health and Human Services, State Dependency Court Improvement Grants



**Keeping Kids in School and Out of Court Summit, December 3-4**  
*An Overview of How Truancy, School Discipline, and Trauma Affect Children and Youth and What We Can Do About It*

**SUMMIT CONVENORS**

**Tani G. Cantil-Sakauye**, Chief Justice of California, co-convened the *Keeping Kids in School and Out of Court Summit* with staff and leadership support from the Administrative Office of the Courts and the California Blue Ribbon Commission on Children in Foster Care. Chief Justice Cantil-Sakauye was inspired to convene the summit after attending the *National Leadership Summit on School-Justice Partnerships* in New York in March 2012.

**Tom Torlakson**, California Superintendent of Public Instruction, co-convened the summit with the Chief Justice and provided collaborative leadership and the support of his staff in the planning of the summit. Superintendent Torlakson and Chief Justice Cantil-Sakauye have partnered on other educational initiatives, including the Civic Learning Initiative.

**SUMMIT ORGANIZERS**

**Justice Richard D. Huffman**, *Chair, California Blue Ribbon Commission on Children in Foster Care*  
**Judge Stacy Boulware Eurie**, *Chair, Keeping Kids in School and Out of Court Working Group, California Blue Ribbon Commission on Children in Foster Care*  
**Gordon Jackson**, *Assistant Superintendent, California Department of Education*

**SUMMIT SUPPORTERS**

The *Keeping Kids in School and Out of Court Summit* was made possible by generous funding from **The California Endowment**, the **Zellerbach Family Foundation**, the **Walter S. Johnson Foundation**, and the **U.S. Department of Health and Human Services, State Dependency Court Improvement Grants**.

**SUMMIT CO-SPONSORS**

**Attorney General Kamala Harris**, *California Attorney General*  
**Diana Dooley**, *Secretary, California Health and Human Services Agency; Co-Chair, California Child Welfare Council*  
**Judicial Council of California**  
**California Child Welfare Council**

**JUDICIAL COUNCIL OF CALIFORNIA  
ADMINISTRATIVE OFFICE OF THE COURTS**

Hon. Tani G. Cantil-Sakauye  
*Chief Justice of California  
Chair, Judicial Council of California*

Hon. Steven Jahr  
*Administrative Director of the Courts*

Curtis L. Child  
*Chief Operating Officer*

**CENTER FOR FAMILIES, CHILDREN & THE COURTS**

Diane Nunn  
*Director*

Charlene Depner  
*Assistant Director*

Donald Will  
*Manager*

Deana Farole  
*Supervisor*

Christine Cleary  
*Attorney and Summit Co-Lead*

Tracy Kenny  
*Attorney and Summit Co-Lead*

Cindy Chen  
*Administrative Coordinator*

Arlene Negapatan  
*Secretary*

Susie Viray  
*Lead Beyond the Bench Coordination*

Stacie Clarke  
*Logistics and Hotel Coordination*

**KEEPING KIDS IN SCHOOL AND OUT OF COURT AND BEYOND THE BENCH COORDINATION**

Alla Urisman, Brandi Pilapil, Peter Shervanick, Christopher Rey; Center for Judiciary Education and Research. Sheila Ng, Penne Soltysik; Office of Communications. Michael Jaffe, Office of Administrative Services. Pat Haggerty, Eduardo Sanchez, Grant Walker, Michael Quinones and Stephen Saddler; Fiscal Services Office.

The points of view expressed at the summit and in materials are those of the authors and presenters and do not necessarily represent the official positions or policies of the funders or the Judicial Council of California.

## **Keeping Kids in School and Out of Court Summit, December 3-4**

*An Overview of How Truancy, School Discipline, and Trauma Affect Children and Youth and What We Can Do About It*

**TUESDAY, DECEMBER 3, 2013**

### **OPTIONAL TEAM MEETING: 9:00 A.M. – 10:15 A.M.**

Workshops will not be starting until 10:30 a.m. to allow county teams to get to the summit in the morning. Those teams that have arrived early may use this time for team meetings.

### **Concurrent Workshops I: 10:30 a.m. – 12:15 p.m.**

#### **A1. Youth Courts: Creating Positive Alternatives to the Traditional Juvenile Justice System**

Youth courts, also known as peer, teen, or student courts, provide an alternative approach to the traditional juvenile justice system for first-time, non-violent offenders. A youth charged with an offense can choose to forego the hearing and sentencing procedures of the juvenile courts; instead, he or she agrees to a sentencing forum composed of the youth's peers. Juvenile offenders who participate in the youth court program avoid a criminal record while still being held accountable for their actions. In many communities youth courts are a good option for youth who are truant or involved in other school-based offenses. Youth court has emerged as the fastest growing juvenile intervention program in the United States. In 1994, there were 78 youth courts in the U.S.; by 2013, there were approximately 1,100 youth courts in 49 states with hundreds more in various stages of implementation. In California, the number has grown from 2 in 1991 to more than 70 in 2013. During this session you will learn the steps on how to implement a youth court in your county and help make a difference in the lives of youth. Current Youth Court Directors will present information on four styles of youth courts and how each address a community need and youth who participate in these courts will talk about their experiences and the impacts of these courts on their peers.

**Ms. Jo Ann Allen**, *Director, Santa Cruz County Teen Peer Court*

**Ms. Toni Stone**, *Executive Director, East Palo Alto Youth Court*

**Ms. Sacha Marini**, *Director, Humboldt County Teen Court - Boys & Girls Club of the Redwoods*

**Mr. Mark Reddick**, *Coordinator, Riverside Police Department Youth Court*

**Ms. Karen Green**, *Coordinator, Placer County Peer Court*

**Ms. Devon Walker**, *Youth Participant, Humboldt County Teen Court*

**Mr. Hart Fogel**, *Youth Participant, Marin County Youth Court*

**Ms. Keisha Como**, *Youth Participant, Antelope Valley Community Youth Court*

**Ms. Shaundra Esparza**, *Youth Participant, Santa Cruz County Teen Peer Court*

**Mr. Austin Neri**, *Youth Participant, Eden Township Youth Court*

**Mr. Andrew Gomez**, *Youth Participant, El Rancho Teen Court*

## **Keeping Kids in School and Out of Court Summit, December 3-4**

*An Overview of How Truancy, School Discipline, and Trauma Affect Children and Youth and What We Can Do About It*

### **B1. Attendance Matters: Research-based Models to Address Chronic Absenteeism**

Research has demonstrated that students with chronic absenteeism are at far greater risk of academic failure. This workshop will present the key findings of that research as well as models for responding to chronic absenteeism. Key stakeholders from a cross-system initiative in Baltimore, Maryland designed to improve school attendance will describe their efforts to engage children and families with school attendance issues and promote a citywide culture that recognizes the importance of consistent attendance for all students. These initiatives involve the child welfare agency, the courts, the schools, and community based organizations working together to improve school attendance.

**Ms. Hedy Chang**, *Director, Attendance Works*

**Ms. Sue Fothergill**, *Director, Baltimore Student Attendance Campaign, Baltimore's Safe and Sound Campaign*

**Ms. Molly McGrath**, *Director, Baltimore City Department of Social Services*

**Hon. David W. Young**, *Associate Judge, Baltimore City Circuit Court (retired)*

### **C1. Interventions to End the School to Prison Pipeline**

Funneling of students out of school and into the juvenile delinquency system perpetuates a cycle known as the "School-to-Prison-Pipeline." This is a phenomenon that disproportionately impacts court-involved youth. This presentation explores some of the causes and consequences of this cycle, as well as examining in-depth some of the interventions developed to help break it. First, it will focus on the issue at the school level. It will give tips on identifying indicators of the need for intervention such as poor academic performance and behavior problems resulting from underlying disabilities, abuse and trauma. It will then offer tools for addressing those needs such as special education assessments and services, and substantive and procedural rights for school discipline proceedings. Then, the presentation will offer information and examples of interventions developed by the courts in Los Angeles County to help break this cycle.

**Ms. Alaina Moonves-Leb**, *Education Attorney, The Alliance for Children's Rights*

**Ms. Ruth Cusick**, *Staff Attorney, Public Counsel*

**Ms. Liza Davis**, *Staff Attorney, Public Counsel*

### **D1. Judging the Teen Brain: What Judges Need to Know About Adolescent Brain Development**

Teens have been confounding adults, in every culture, throughout time. Judges are burdened with helping teens become accountable while at the same time trying to be developmentally attuned to what teens are actually capable of understanding. This presentation focuses on cultivating "developmental competence" for judges and other adults working with teens. Dr. Bostic will clarify seismic brain changes that occur during adolescence that drive their behaviors and provide opportunities for intervention as well as clarify why interventions used with adults are not effective with youth.

**Dr. Jeff Q. Bostic**, *Director, School Psychiatry Program for Child and Adolescent Psychiatry, Massachusetts General Hospital*

**Ms. Lisa H. Thurau**, *Executive Director, Strategies for Youth, Inc.*

## **Keeping Kids in School and Out of Court Summit, December 3-4**

*An Overview of How Truancy, School Discipline, and Trauma Affect Children and Youth and What We Can Do About It*

### **LUNCH PLENARY: 12:30 – 2:00 P.M.**

Lunch for Summit team members will be held in conjunction with the Beyond the Bench conference and team members will join Beyond the Bench attendees to dine and hear the plenary speakers.

**Speaker: Mr. Bryan Stevenson, Executive Director, Equal Justice Initiative**

Bryan Stevenson is a public-interest lawyer who has dedicated his career to helping the poor, the incarcerated and the condemned. He is the founder and executive director of the Equal Justice Initiative, an Alabama-based group that has won major legal challenges eliminating excessive and unfair sentencing, exonerating innocent prisoners on death row, confronting abuse of the incarcerated and the mentally ill, and aiding children prosecuted as adults.

**Speaker: Mr. Will Lightbourne, Director, California Department of Social Services**

Will Lightbourne was appointed Director of the California Department of Social Services by Governor Jerry Brown in April 2011. Having served as the director of three county social services agencies as well as being a member of numerous commissions, councils, boards and nonprofits, over the past three decades, he has been deeply involved in a wide range of social welfare issues in California. He also serves on the California Blue Ribbon Commission on Children in Foster Care and the California Child Welfare Council.

**CONCURRENT WORKSHOPS II: 2:15 – 3:45 P.M.**

**A2. Juvenile Justice Jeopardy: Engaging Youth in Critical Thinking About School Policies and Interactions with Adults**

Many adults assume youth know right from wrong, legal from illegal; many youth assume they know their rights and how to assert them appropriately with authorities. Often both assumptions are incorrect. The Juvenile Justice Jeopardy uses an age-appropriate approach to teaching youth *behaviors* instead of rights. Strategies for Youth will showcase two versions of the game. The first one, used in San Francisco, teaches youth how to navigate interactions with peers and authority and to be aware of short and long-term impacts of arrest and court involvement. The second version is being used in Sacramento schools to teach students how to understand school roles, distinguish between school discipline and criminal offending, and understand that certain offenses may be punishable both by exclusion from school and arrest. The game also warns youth about strongly held but often incorrect beliefs regarding their privacy rights in public schools. Routinely 80% of youth who play the game report that 50 to 75% of the information is new to them and that it will make them change how they act in the future.

**Ms. Lisa H. Thurau**, *Executive Director, Strategies for Youth, Inc.*

**Ms. Devon Walker**, *Youth Participant, Humboldt County Teen Court*

**Mr. Hart Fogel**, *Youth Participant, Marin County Youth Court*

**Ms. Keisha Como**, *Youth Participant, Antelope Valley Community Youth Court*

**Ms. Shaundra Esparza**, *Youth Participant, Santa Cruz County Teen Peer Court*

**Mr. Austin Neri**, *Youth Participant, Eden Township Youth Court*

**Mr. Andrew Gomez**, *Youth Participant, El Rancho Teen Court*

## **Keeping Kids in School and Out of Court Summit, December 3-4**

*An Overview of How Truancy, School Discipline, and Trauma Affect Children and Youth and What We Can Do About It*

### **B2. Transforming Trauma's Effects on the Developing Brain: How Educators, Judges & Other Professionals Can Help to Foster Resilience and Promote School Success**

Exposure to adverse and traumatic events in childhood can lead to neurobiological adaptations in a child's developing brain. These adaptations, including a vulnerability to being triggered into survival mode (fight, flight, or freeze) by trauma reminders that are not actual threats, can result in behaviors that interfere with success in school or community settings. As children and youth are punished for being triggered into survival mode, they may eventually become involved in the juvenile justice system. Indeed, research indicates that unaddressed trauma can contribute to the "School to Prison Pipeline." These difficulties can be overcome, however, by creating trauma-informed systems (e.g., educational, judicial, legal, justice, child welfare) that are more safe and supportive of the needs of children and youth exposed to toxic stress. Trauma-informed systems take into account how chronic stress and trauma affect everyone in the system, and promote resilience not only for children, youth, and families, but also for the professionals who work with them. This workshop will explore the neurobiology of trauma, its implications for systems working with children and youth, and effective approaches to mitigating traumatic stress that can be carried out by anyone who interacts with children and youth who have experienced trauma.

**Dr. Joyce Dorado**, *Director, UCSF Healthy Environments and Response to Trauma in Schools (HEARTS); Associate Clinical Professor; and Director of Clinical Research and Evaluation, Child and Adolescent Services, Department of Psychiatry, University of California San Francisco – San Francisco General Hospital*

### **C2. Community Collaboration to Support Educational Success: A Successful Model from Santa Cruz**

Foster youth are often faced with frequent changes in home and school placement, forcing transitions in teachers, peer groups, and homework routines, along with missed school days. Many are placed in inappropriate classrooms, lose school credits, and do not receive special education services or academic supports when needed. In addition, many children in foster care do not have an adult who is consistently and actively supporting their educational success. The consequences for these youth are devastating, and include higher rates of absenteeism and drop-out, higher rates of school discipline, and very low rates of college matriculation. Later in life, foster youth experience an increased likelihood of homelessness, incarceration, and unemployment. This session will focus on the educational challenges that children in foster care face, and strategies currently being employed in Santa Cruz County to help support the educational success of this population. FosterEd is a collaboration between the presenters' agencies and several community partners focused on improving the educational outcomes of children in care.

**Hon. Denine Guy**, *Presiding Judge, Juvenile Division, Superior Court of California, County of Santa Cruz*

**Mr. Mark Holguin**, *Program Manager, Santa Cruz County Family and Children's Services*

**Mr. Michael Paynter**, *Foster Youth Services Coordinator and Program Manager of Student Services Division, Santa Cruz County Office of Education*

**Ms. Kim Corneille**, *Foster Youth Education Liaison, National Center for Youth Law – FosterEd Initiative / Santa Cruz County Office of Education*

**Ms. Rachel Velcoff Hults (Moderator)**, *Project Manager, National Center for Youth Law – FosterEd Initiative / Santa Cruz County Office of Education*

## **Keeping Kids in School and Out of Court Summit, December 3-4**

*An Overview of How Truancy, School Discipline, and Trauma Affect Children and Youth and What We Can Do About It*

### **D2. Introduction to Restorative Justice (RJ) and Positive Behavioral Interventions and Supports (PBIS) Models of Intervention**

Many school districts across the county are implementing alternative approaches to improve school climate and obviate the need for exclusionary disciplinary practices including suspension and expulsion. Implementation of these alternative approaches has had positive impacts on these schools in terms of reducing the number of behavioral incidents, the need for suspensions and expulsions, and led to improved attendance and academic performance. This workshop will provide an overview of the basic features and benefits of two of the key promising approaches: Restorative Justice (RJ) and Positive Behavioral Interventions and Supports (PBIS) as well as the findings about the impact of implementation of these interventions.

**Ms. Rita Renjitham Alfred**, *Co-Founder, Restorative Justice Training Institute*

**Ms. sujatha baliga (Moderator)**, *Director, Restorative Justice Project, and Associate Director, National Council on Crime and Delinquency*

**Ms. Barbara Kelley**, *State PBIS Coordinator, California Technical Assistance Center on Positive Behavioral Interventions and Supports*

## **Keeping Kids in School and Out of Court Summit, December 3-4**

*An Overview of How Truancy, School Discipline, and Trauma Affect Children and Youth and What We Can Do About It*

### **CONCURRENT WORKSHOPS III: 4:00 – 5:30 P.M.**

#### **A3. It Takes A Community! Research & Action in Washington State**

The science of trauma from adverse childhood experiences is resulting in real world changes in how systems work with children and families. Two colleagues from Washington State, one a school principal and the other a university-based intervention model researcher will discuss two related but distinct approaches to practical solutions. In the workshop, we will summarize the science driving this change, discuss the programs, and present early findings and lessons learned.

**Dr. Christopher Blodgett**, *Director, Area Health Education Center of Eastern Washington, Washington State University*

**Mr. Jim Sporleder**, *Principal (2008-2013), Lincoln High School, Walla Walla, Washington*

#### **B3. Truancy Court and Model School Attendance Review Board Programs for School Attendance Improvement**

California has explored a number of means to effectively address students with chronic attendance problems in a manner that will benefit the child and his or her family. Truancy courts are collaborative courts that seek to intervene with families after other less intrusive interventions have failed. School Attendance Review Boards (SARBs) were created by statute to provide intensive guidance and coordinated community services to meet the special needs of pupils with persistent school attendance problems or school behavior problems. In establishing SARBs, the Legislature intended to develop new ways of coordinating school, community, and home efforts to deal with school attendance or school behavior problems. SARBs were designed to maximize the use of all available resources, including legal resources, and divert students with school-related problems from the juvenile justice system. This session will explore how truancy courts and SARBs in some areas of the state have been successful in collaborative efforts to enforce compulsory education laws and reduce the number of dropouts from the public school system.

**Hon. Kimberly Menninger**, *Judge, Superior Court of California, County of Orange*

**Ms. Teresa Drenick**, *Deputy District Attorney, Alameda County District Attorney's Office*

**Mr. David Kopperud**, *Education Programs Consultant, California Department of Education*

**Mr. Dan Sackheim**, *Education Programs Consultant, California Department of Education*

## **Keeping Kids in School and Out of Court Summit, December 3-4**

*An Overview of How Truancy, School Discipline, and Trauma Affect Children and Youth and What We Can Do About It*

### **C3. Implicit Bias in Decision Making**

A solution-focused training based upon the experiences and reflections of judges, educators and practitioners in education, child welfare and juvenile justice. The training will include discussions on how implicit bias results in the use of racially coded language found in court reports and student records, why terms such as willful-defiance are not race neutral, how stereotypes can distort perceptions of risk, disruptive behavior or delinquency, and how biases can result in ambiguous charges that can affect decisions at each decision point.

The training is organized around the following three learning objectives: 1. To explain how stereotypes and colorblindness work in tandem to preserve and camouflage racism in contemporary society. 2. To help participants identify bias in individual and institutional decision-making. 3. To teach participants how to develop intervention strategies to reduce and eliminate bias.

**Dr. Rita Cameron-Wedding**, *Chair, Women's Studies and Professor, Women's Studies and Ethnic Studies, California State University Sacramento*

### **D3. California School Discipline Innovators Panel**

Many schools and districts in California have been implementing evidence based and promising practices to improve their school climates and reduce the need for exclusionary discipline measures such as suspension and expulsion. This workshop will include innovators from around California describing the interventions they have used and the positive results for their students and communities. The interventions they have deployed include Positive Behavioral and Interventions and Supports, Social and Emotional Learning, and Restorative Justice/Practices.

**Mr. Billy Aydlett**, *Principal, Leataata Floyd Elementary School, Sacramento City Unified School District*

**Dr. Ramona Bishop**, *Superintendent, Vallejo City Unified School District*

**Mr. Eric Butler**, *Restorative Justice Coordinator, Ralph Bunche High School, Oakland Unified School District*

**Mr. Godwin Higa**, *Principal, Cherokee Point Elementary School, San Diego Unified School District*

## **TEAM DEBRIEFING WITH CHIEF JUSTICE: 5:45 – 6:45 P.M.**

Chief Justice Tani G. Cantil-Sakauye will greet and welcome teams. Light refreshments will be served.

**Keeping Kids in School and Out of Court Summit, December 3-4**

*An Overview of How Truancy, School Discipline, and Trauma Affect Children and Youth and What We Can Do About It*

**WEDNESDAY, DECEMBER 4, 2013**

**SUMMIT AGENDA**

**7:30 – 8:15 A.M.**

**Breakfast**

**8:30 – 9:30 A.M.**

**Welcome**

**Hon. Tani Cantil-Sakauye**, *Chief Justice, California Supreme Court*

**Mr. Tom Torlakson**, *Superintendent of Public Instruction, California Department of Education*

**Setting the Tone for the Day**

**Hon. Richard D. Huffman**, *Chair, California Blue Ribbon Commission on Children in Foster Care*

**Opening Address**

**Ms. Sade Daniels**, *Former Foster Youth*

**Presentation of Legislative Resolution (ACR 80)**

**Hon. Darrell Steinberg**, *President pro Tempore, California State Senate*

**Hon. Roger Dickinson**, *Assembly Member, California State Assembly*

**9:30 – 10:15 A.M.**

**Talk it Out! A Community Conversation to Fix School Discipline**

*Cornerstone Theater Company*

**10:15 – 10:30 A.M.**

**Break**

**10:30 – 11:00 A.M.**

**Federal Perspective on Truancy and School Discipline Problems**

**Ms. Russlyn H. Ali**, *Former Assistant Secretary, Office for Civil Rights, U.S. Department of Education; Chair, Emerson Education Fund, Emerson Collective*

**11:00 – 11:15 A.M.**

**Truancy & Chronic Absenteeism are Public Health Issues**

**Ms. Diana Dooley**, *Secretary, California Department of Health and Human Services*

**Keeping Kids in School and Out of Court Summit, December 3-4**

*An Overview of How Truancy, School Discipline, and Trauma Affect Children and Youth and What We Can Do About It*

- 11:15 A.M. – 12:45 P.M.**     **Hon. Stacy Boulware Eurie**, *Presiding Juvenile Court Judge, Sacramento County*, will introduce the county data packets and set the tone for a productive working lunch.  
**Working Lunch** (at County Tables-Distribution of County Data by CDE – County Teams Draft Blueprint for Change)
- 12:45 – 1:00 P.M.**            **Making the Connection: Habitual Chronic Truancy and Crime**  
**Attorney General Kamala Harris**, *Attorney General of California*
- 1:00 – 1:45 P.M.**            **Breaking Schools’ Rules Presentation**  
**Mr. Michael Thompson**, *Director, Council on State Governments*
- 1:45 – 2:15 P.M.**            **Suspended Education in California**  
**Ms. Tia Elena Martinez, J.D., M.P.P.**, *Researcher, Center for Civil Rights Remedies at the UCLA Civil Rights Project*
- 2:15 – 3:00 P.M.**            **The Need for Collaborative Leadership for Common-Sense School Discipline Reform**  
**Dr. Robert K. Ross, M.D.**, *President & Chief Executive Officer, The California Endowment*  
**Dr. John E. Deasy**, *Superintendent, Los Angeles Unified School District*  
**Mr. Gordon Jackson**, *Director, Coordinated Student Support & Adult Education Division, California Department of Education*
- 3:00 – 3:30 P.M.**            **It Takes a Community! The Walla Walla, Washington Experience**  
**Mr. James Sporleder**, *Principal (2008-2013), Lincoln High School, Walla Walla Washington*
- 3:30 – 3:45 P.M.**            **Break**

## **Keeping Kids in School and Out of Court Summit, December 3-4**

*An Overview of How Truancy, School Discipline, and Trauma Affect Children and Youth and What We Can Do About It*

**3:45 – 4:15 P.M.**

### **Court Leadership and Reforming School-Justice Policies**

**Hon. Stacy Boulware Eurie**, *Presiding Juvenile Court Judge, Superior Court of California, County of Sacramento*

**Hon. Donna Groman**, *Juvenile Court Judge, Superior Court of California, County of Los Angeles*

**Ms. Laura Faer**, *Education Rights Director, Public Counsel Law Center*

**Ms. Deborah Escobedo**, *Staff Attorney, Youth Law Center*

**4:15 – 5:15 P.M.**

### **Youth Perspectives**

*The California Council on Youth Relations presents a statewide panel of youth and adult experts on school success, focusing on best practices for keeping youth in school and out of the court system.*

**Ms. Miriam Krinsky** (*Moderator*), *Member, California Blue Ribbon Commission on Children in Foster Care; Policy Consultant, The California Endowment*

**Mr. Kaz Lek**, *Youth Advocate, Fathers and Families, San Joaquin County*

**Mr. Michael Muscadine**, *Youth Advocate, Center for Restorative Youth Justice (CRYJ), Oakland*

**Hon. Michael Nash**, *Presiding Juvenile Court Judge, Los Angeles*

**Mr. Jose Huerta**, *Principal, Garfield High School, Los Angeles (Additional youth to participate on this panel.)*

**5:15 – 5:30 P.M.**

### **Closing Remarks**

**Hon. Richard D. Huffman**, *Chair, California Blue Ribbon Commission on Children in Foster Care*