



Judicial Council of California · Administrative Office of the Courts

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on: December 13, 2011

Title	Agenda Item Type
Blue Ribbon Commission on Children in Foster Care: Implementation Progress Report	Information Only
Submitted by	Date of Report
Blue Ribbon Commission on Children in Foster Care	November 8, 2011
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Executive Summary

This is an informational report on two and a half years of implementation efforts by the Blue Ribbon Commission on Children in Foster Care, which issued sweeping recommendations for reform of the juvenile court and child welfare systems that were unanimously accepted by the Judicial Council in August 2008. In June 2009, Chief Justice Ronald M. George extended the work of the commission, modified its charge to include implementation activities, and requested reports on implementation progress.

Previous Council Action

The Judicial Council received and unanimously accepted the Blue Ribbon Commission's final recommendations on August 15, 2008, and directed the commission to complete the following steps:

- Develop an implementation plan, in keeping with the commission's principles and values and including key milestones, for recommendations that require collaboration with nonbranch partners;
- Present the implementation plan to the council for approval;
- Prepare and distribute a final report and implementation plan to the public; and
- Report progress on implementation of the recommendations to the council.

The Blue Ribbon Commission released its final report and action plan to the public in May 2009 in conjunction with National Foster Care Month activities in Sacramento. On June 30, 2009, the Chief Justice extended the work of the commission, modified its charge to include implementation activities, reappointed most of the commissioners, and requested that the commission report to the Judicial Council on implementation progress by June 2010. The commission made its first implementation progress report to the council in August 2010 and promised another by December 2011. The commission is currently set to expire on June 30, 2012.

In April 2011, Chief Justice Tani Cantil-Sakauye appointed Associate Justice Richard D. Huffman, Court of Appeal, Fourth Appellate District, Division One, to replace Justice Carlos Moreno as chair of the Blue Ribbon Commission after Justice Moreno retired from the California Supreme Court.

Implementation Efforts

The commission has continued to work with its statewide and local child welfare partners on implementation activities for the past two and a half years, focusing on recommendations that were targeted for early action in its implementation plan and on those recommendations that could be implemented with limited resources. Those areas of initial focus include:

- 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; and
 - 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; and
 - Ensuring that all attorneys, social workers, and Court Appointed Special Advocates (CASAs) have adequate training and resources.
- Collaboration among courts and child welfare partners
 - Facilitating data and information exchange;
 - Establishing local foster care commissions; and
 - Improving Indian child welfare.
- Resources and funding
 - Prioritizing foster care;
 - Advocating for flexible funding for child abuse prevention and services; and
 - Expanding educational services.

Ongoing challenges. As might be expected in these tough economic times, implementation efforts are facing some challenges. The commission is most concerned about the following:

- *Judicial branch budget cuts may affect strides in implementation.* With many courts absorbing crushing budget cuts, the commission anticipates an adverse impact on juvenile dependency courts statewide. With some courtroom closures planned or already executed, it is likely that counties will find it much harder to handle their juvenile dependency calendars and to ensure timely hearings. Further, many courts are eliminating commissioner positions to cope with their budget challenges. Many of those positions have traditionally been deployed in the juvenile dependency courts. Eliminating those positions without backfilling them with judges will significantly increase the workload in the remaining juvenile dependency courtrooms. Both of these challenges taken together will likely prolong the time children spend in foster care.
- *The impact of recent criminal justice legislation (realignment) on the juvenile dependency courts is uncertain.* When the California Legislature enacted a major shift of state program responsibilities to local governments in its 2011–2012 budget plan as part of its public safety realignment, it created some uncertainty. While the shift provides approximately \$6.3 billion to fund certain public safety programs, including mental health services, substance abuse treatment, child welfare programs, and other social services programs at the local level, the legislation is complex and wide-ranging, and is based on estimated, not actual revenue. Counties will need to be cautious in determining the most effective use of funding. Until the realignment legislation is fully implemented, it is difficult to predict how this shift in responsibility will affect the implementation of the Blue Ribbon Commission’s recommendations, particularly those on reasonable efforts to prevent removal and achieve permanency, which rely heavily on the provision of appropriate and comprehensive services to families who are in the child welfare system or are in danger of entering the child welfare system.

Successful efforts. Some early notable highlights of implementation progress thus far include the following:

- *Drop in number of children in foster care.* Numbers of children in foster care in California have dropped dramatically over the last decade, attributed in part to a “more intense focus by local and state policymakers on the problems of foster care, which in turn led to innovations in child welfare policies and practices.” By 2009, California had seen a 45 percent drop in share of children in the system, mainly by shortening the time that most children spend in foster care. That decline is “most pronounced among black children, who have long been overrepresented in the child welfare system.” In 2009, 2.7 percent of black children were in foster care, compared to 5.4 percent in 2000—certainly still too high a percentage, but an encouraging drop.¹ That downward trend has continued. Data for 2010 indicate the state’s drop in share of children in the system has reached almost 50 percent.²

¹ See Public Policy Institute of California, *Foster Care in California: Achievements and Challenges* (May 12, 2010), at p.1; available at http://www.ppic.org/content/pubs/report/R_510CDR.pdf.

² B. Needell, et al., *Child Welfare Services Reports for California* (2011). Retrieved 10/27/11, from University of California, Berkeley, Center for Social Services Research website: http://cssr.berkeley.edu/ucb_childwelfare.

- *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 has already been passed and chaptered in California, most notably Assembly Bills 12 and 212, which will provide federally subsidized relative guardianships and extend foster care jurisdiction to age 21 (pending a further appropriation by the Legislature effective January 1, 2014). This legislation will facilitate the expansion of California's Kin-GAP program and will also give support for expanded title IV-E waiver projects in the state. The commission, along with the Administrative Office of the Courts (AOC) at the Judicial Council's direction, is actively involved in efforts to implement the legislation.
- *Successful statewide collaborative work.* Statewide collaborative efforts to reform the foster care system and reduce the number of children in foster care have been impressive. The Blue Ribbon Commission has worked closely with the Child Welfare Council, the AOC, the Co-Investment Partnership, the State Interagency Team, and the California Department of Social Services to prioritize children and families in the foster care system in the allocation of resources and services. The Child Welfare Council is currently cochaired by Justice Vance W. Raye, Administrative Presiding Justice of the Court of Appeal, Third Appellate District (appointed by Chief Justice Tani Cantil-Sakauye to replace Justice Carlos R. Moreno as cochair) and Diana S. Dooley, Secretary of the California Health and Human Services Agency.
- *Local foster care commissions active.* There are now more than 40 counties with active local foster care commissions, which formed or expanded in response to the Blue Ribbon Commission's recommendation encouraging their formation. Those local commissions are working in their communities to identify and resolve local systemic concerns, to address the commission's recommendations, and to build the capacity to provide a continuum of services to children and families in the foster care system. The AOC hosted two summits (in 2008 and 2010) to support the work of these local commissions. Since his appointment as chair of the Blue Ribbon Commission, Justice Huffman has made it a priority to visit local county commissions in order to continue the commission's support and encouragement for their implementation work and to facilitate the provision of technical assistance where indicated. In 2011, he visited local commissions in Imperial, Orange, San Joaquin, Sacramento, and Santa Barbara Counties. His site visits have generated much enthusiasm and renewed implementation energy; other counties are clamoring to be scheduled for a site visit. Justice Huffman will begin site visits again in January 2012.
- *Tribal court/state court forum established.* Chief Justice Ronald M. 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. One of the first cochairs of the forum was Justice Richard D. Huffman, now the chair of the Blue Ribbon Commission. Chief Justice Tani Cantil-Sakauye appointed Justice 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 co-chairs Judge Richard Blake, Chief Judge of the Hoopa, Smith River Rancheria, and Redding Rancheria Tribal Courts, and Justice Perluss, the coalition is continuing to develop measures to improve the working relationship between California's tribal and state courts. There are already promising tribal court/state court collaborations in a number of counties. Most notably, there are strong tribal court/state court collaborative efforts in the area of foster care and juvenile court reform in Imperial, Inyo, and Humboldt Counties.

- *Rapidly expanding educational services.* There has been significant implementation activity 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 Foster Youth Education Task Force. Many of the local commissions are prioritizing 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.
- *Training for court-appointed counsel ongoing.* The AOC has continued the work of providing support and training for court-appointed counsel representing parents and children in the juvenile dependency system. The Judicial 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 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.
- *Initial design for court/child welfare data exchange completed.* The AOC, working closely with the California Department of Social Services (CDSS) and the Department of Child Support Services (DCSS), has completed the initial design of the California Court Case Management System (CCMS) to ensure that information used in both the court and child welfare systems will be exchanged in real time and accessible to all authorized users. CDSS has incorporated the same data exchange and integration rules into its guidelines for redesigning its child welfare case management system. Although both of these systems are still some years from full implementation and have been delayed due to serious budget

issues, this level of collaboration in the design of information systems is extremely promising and almost unprecedented, either in California or nationally.

- *Enthusiastic statewide interest in facilitating data and information exchange to improve outcomes for foster children.* Leaders and advocates from across California convened in Sacramento in October 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 Blue Ribbon Commission–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. The symposium was held at the AOC’s Northern Central Regional Office in Sacramento and was funded by the federal Department of Health and Human Services Juvenile Dependency Court Improvement Program and the Stuart Foundation. Attendees of this special event were joined by several nationally renowned speakers and representatives from the federal Department of Health and Human Services who provided an overview of successful models and invaluable promising practices. Prior to 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 Ventura, Orange, San Diego, Fresno, Alameda, and Sacramento Counties. Building on the momentum generated from the October symposium, the information obtained, lessons learned, and visionary road map will be presented to the California Child Welfare Council Data Linkage and Information Sharing Committee. That committee will assess the information and provide a detailed report with recommendations to the council, the Blue Ribbon Commission, and local county-level foster care commissions. Feedback from the symposium will also be provided to the local courts.
- *Recommendation on family placements advances due to legislation and training efforts on family finding.* Under AB 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 in order to give them notice of the child’s removal and advise them of their options to participate in the care and placement of the child. The Judicial Council approved new rules and forms to implement the legislation in October 2010, which were effective in January 2011. 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 (FFE) 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. While data is not yet available 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.

- *Ongoing online distribution of the Foster Care Reform Update: A Briefing for County and Statewide Collaborations.* This quarterly update, which shares the *Court News Update* distribution software, focuses on California statewide and county-level foster care reform efforts and is intended as a vehicle for the cross-pollination of information, ideas, and inspiration. It is one of the commission's efforts to ensure implementation of its recommendations to help California's overstressed juvenile dependency courts do a better job of safeguarding children, reduce the need for foster care, and improve the foster care system. Back issues of the newsletter can be accessed at <http://www.courts.ca.gov/4185.htm>.

A full accounting of implementation progress can be found in the Blue Ribbon Commission's attached *Implementation Tracker* (Attachment A), which documents implementation progress for each recommendation at a point in time, in this case December 2, 2011, and in its implementation progress report, *Building a Brighter Future for California's Children: Making Progress in Tough Economic Times* (August 2010), which was distributed to council members in August 2010 and can be found online at <http://www.courts.ca.gov/documents/brc-progress-0810.pdf>.

Next Steps

The commission met telephonically in November 2011 to evaluate its progress in implementing the recommendations and to plan its priorities for the coming year. After reviewing the work of the last two and a half years, the commissioners affirmed their commitment to seeing their initial action plan through to its full implementation. They voted to approve new recommendations encouraging the reunification of families, specifically urging incentives for successful family reunification and access to postpermanency services for newly reunified families. (See Attachment B.) Commissioners will participate in the Leadership Forum scheduled in conjunction with the annual Beyond the Bench conference on December 14, 2011.

Attachments

1. Attachment A: Blue Ribbon Commission on Children in Foster Care, *Implementation Tracker* (December 2, 2011)
2. Attachment B: New reunification recommendation, approved by commission members on November 7, 2011

**California Blue Ribbon Commission on Children in Foster Care
Implementation Tracker**

Recommendation 1: Reasonable Efforts to Prevent Removal and Achieve Permanency

Because families who need assistance should receive necessary services to keep children safely at home whenever possible, the Blue Ribbon Commission recommends that the Judicial Council, the California Department of Social Services, and local courts and child welfare agencies implement improvements to ensure immediate, continuous, and appropriate services and timely, thorough review for all families in the system.

Recommendation 1A

Children and families need access to a range of services to prevent removal whenever possible. All reasonable efforts should be made to maintain children at home in safe and stable families. The courts should make an informed finding as to whether these efforts actually have been made.

The Blue Ribbon Commission recommends that:

Recommendation	Implementation Progress
<p>The courts and partnering agencies tailor resources to make sure they have sufficient information and time to establish that all reasonable efforts have been made to prevent removal.</p>	<p><i>Federal Efforts</i> <u>Federal Fostering Connections to Success Act (10/08):</u></p> <ul style="list-style-type: none"> • New Family Connection Grants to help children stay safely with family members and out of foster care or, once in care, return to their parents or other family members. <p><i>Statewide Efforts</i> <u>State Legislation</u></p> <ul style="list-style-type: none"> • AB 2015 (Arambula)—Died in committee Existing law authorizes a county to establish a computerized data base system within the county to allow designated provider agencies, including (1) social services, (2) children’s services, (3) health services, (4) mental health services, (5) probation, (6) law enforcement, and (7) schools to share identifying information regarding families at risk for child abuse or neglect, for the purpose of forming multidisciplinary personnel teams, for the

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	<p>prevention, identification, management, or treatment of child abuse. This bill also would have included the tracking of child abuse as one of the specified objectives of the multidisciplinary teams using the computerized database system.</p>
<p>All children and families receive timely and appropriate mental health, health care, education, substance abuse, and other services, whether children reside with their own parents or with relatives, foster parents, guardians, or adoptive parents or are in another setting.</p>	<p><i>Federal Efforts</i> <u>Federal Fostering Connections to Success Act (10/08):</u></p> <ul style="list-style-type: none">• Guarantees funds for Kinship Navigator programs, through new Family Connection grants, to help connect children living with relatives, both in and out of foster care, to supports and assistance they need. <p><i>Statewide Efforts</i> <u>State Legislation</u></p> <ul style="list-style-type: none">• AB 1655 (Evans)—Died in committee This bill would have, in a pilot project operative only until January 1, 2014, in 3 counties that are selected by the State Department of Social Services in consultation with the County Welfare Directors Association, the Judicial Council, and the California Mental Health Directors Association, expanded the authority of a juvenile court judicial officer to make orders regarding the administration of psychotropic medications to include a dependent child or ward who has been removed from the physical custody of his or her parent or guardian, or a child who has been removed from the physical custody of a parent or guardian pending adjudication as a dependent child.• SB 597 (Liu)—Chaptered 10/09 This bill provides provisions for licensed foster family agencies; requires court, when considering termination of parental rights, to take into account barriers to a parent’s

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	<p>ability to remain in contact with the child due to parent’s incarceration or institutionalization; requires DSS to develop a plan for the ongoing oversight and coordination of health care for a child in foster care; requires additional information in a transitioning foster child’s case plan that will help the child prepare for the transition from foster care to independent living.</p> <p><u>Judicial Council</u></p> <ul style="list-style-type: none">• Amended rule 5.710 to comply and ensure consistency with with Welfare and Institutions Code section 366.215 (which was amended by SB 597 (Liu)) on 10/29/10, effective 1/1/11. <p>Local Efforts</p> <ul style="list-style-type: none">• A number of local foster care commissions have projects assessing services and working on access to services
<p>At the earliest possible point in their involvement with the family, child welfare agencies engage family members, including extended family wherever they may live, to support the family and children in order to prevent placement whenever possible. Child welfare systems should develop and improve internal protocols for finding family members.</p>	<p>Federal Efforts</p> <p><u>Federal Fostering Connections to Success Act (10/08):</u></p> <ul style="list-style-type: none">• Provides notice to relatives when children enter foster care. Increases opportunities for relatives to step in when children are removed from their parents and placed in foster care by ensuring they get notice of this removal. <p>State Efforts</p> <p><u>State Legislation</u></p> <ul style="list-style-type: none">• <u>AB 12 (Bass) –Chaptered (9/10)</u> <p>The California Fostering Connections to Success Act, was signed into law by Governor Schwarzenegger on September 30, 2010. Because California has 20% of the children and youth in foster care in the country, this</p>

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	<p>legislation will ensure that 1 in 5 youth who “age out” nationally will have the option to receive the support of the foster care system to age 21, ending an era of neglect and providing youth in foster care with the same common-sense assistance provided to children from intact families. Thousands of relative care providers will participate in the new, federally-funded subsidized guardianship program, providing much needed support that promotes stability among children. CDSS, the Judicial Council (through extensive new rules and forms), the Legislature (through extensive “clean-up legislation – AB 212), and many other local and statewide agencies and courts are involved in planning the implementation of AB 12 provisions for extending foster care and dependency court services to foster youth eligible to remain in the system after age 18 beginning in 2012. This bill will take effect on January 1, 2012.</p> <ul style="list-style-type: none">• <u>AB 458 (Atkins)—Chaptered (7/11)</u> Existing law, the Guardianship-Conservatorship Law, authorizes a court, upon hearing a petition, to appoint a guardian of a person or estate of the proposed ward in accordance with specified provisions of law governing the custody of a minor child. This Judicial Council-sponsored bill would prohibit a court from appointing a minor's parent as a guardian of the person of the minor, except as specified. The bill would establish requirements for transferring a proceeding to another court in circumstances in which a proceeding that concerns custody or visitation of a minor child is pending in one or more counties at the time the petition for guardianship is filed, and would specify circumstances under which the court in a guardianship proceeding would maintain exclusive jurisdiction to determine issues of custody or
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	<p>visitation. The bill also requires the court in which a guardianship proceeding is filed to communicate with each court where a custody or visitation proceeding is pending prior to making a determination on maintaining or transferring the guardianship proceeding, and requires the Judicial Council, on or before January 1, 2013, to adopt rules of court to implement this provision.</p> <ul style="list-style-type: none">• <u>AB 938 (Committee on Judiciary)—Chaptered 10/09</u> This bill requires a social worker, when a child is removed from the home, to conduct, within 30 days, an investigation in order to identify and locate all grandparents, adult siblings, and other adult relatives of the child, in order to provide, except when that relative’s history of family or domestic violence makes notification inappropriate, those persons with specified information, including that the child has been removed from the custody of his or her parents or guardians and an explanation of various options to participate in the care and placement of the child, and to report to the court at the initial petition hearing regarding that effort. The bill would require the State Department of Social Services to develop the written notice providing that information to relatives.• <u>AB 1852 (Portantino)—Died in committee</u> This bill would have revised the social study and the assessment required from the social worker at disposition to include information regarding whether the county welfare department has attempted to locate relative and nonrelative, as defined, extended family members of the child and establish permanent familial connections between the child and those persons. The bill would also have revised the statewide child welfare training program
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	<p>to include training in making efforts to locate extended family members of dependent children and establish permanent familial connections for those children.</p> <ul style="list-style-type: none">• <u>AB 212 (Beall)—Chaptered (10/11)</u> Judicial Council-sponsored clean-up bill to AB 12; to the extent that it clarifies AB 12, it will enhance the implementation of extended foster care to age 21, which begins in 2012. <p><u>Child Welfare Council</u></p> <ul style="list-style-type: none">• Adopted recommendation for a statewide commitment to increase the number of children who have permanency through the implementation of Family Finding and Engagement (FFE) in all 58 California counties. <p><u>Judicial Council</u></p> <ul style="list-style-type: none">• Proposal creating new rules and forms to implement the mandates and legislative intent of AB 938 was approved by the Judicial Council on 10/29/10 and rules and forms were effective as of 1/1/11. <p><i>Local Efforts</i></p> <ul style="list-style-type: none">• CASA working with court and collaborative partners on family finding efforts in a number of counties• Several counties have held long-term family finding trainings with Kevin Campbell, and a number are developing family-finding protocols• Some county probation depts. are getting title IV-E training that includes family finding information on identifying a caring adult and choosing a permanent plan• A number of local foster care commissions have put a priority on family-finding training and efforts
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The courts and partnering agencies work to reduce the disproportionate number of African-American and American Indian children in the child welfare system.

Statewide Efforts

California Partners for Permanency (CAPP)

- California Partners for Permanency (CAPP) is a new (2011) federally funded five-year project to reduce the number of children in long term foster care specifically focusing on African American and Native American children who are overrepresented in the child welfare system. The \$14.5 Million collaborative project is being administered by CDSS and includes an impressive array of collaborative partners, including 14 California counties, the California Child Welfare Co-Investment Partnership (which includes the Administrative Office of the Courts), the Child and Family Policy Institute of California, University of California Berkeley, Center for Social Services Research, the California Regional Training Academies, California Youth Connection, and the Center for the Study of Social Policy. The project will pilot a new child welfare practice model in four counties and then replicate the model in ten additional counties during the life of the project. An institutional analysis to determine individual county needs has been completed in three counties to date: Los Angeles (Pomona and Torrance), Fresno, and Santa Clara.

Casey Family Programs

- The California Disproportionality Project was implemented in 14 selected county child welfare agencies throughout California between 2007 and 2010. The project was developed in conjunction with the Child and Family Policy Institute of California, CalSWEC, Casey Family Programs and The Annie E. Casey Foundation. The project's objective was to address disproportionate

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	<p>representation of ethnic minorities in California’s public child welfare system and initiate steps towards creating positive change using the Casey Family Program’s Breakthrough Series Collaborative methodology, a model whereby local collaboratives constantly try out and evaluate “small tests of change”, rather than trying to change everything at once. The three-year project concluded its work in 2010 and a report with recommendations is being developed.</p> <p><u>State Interagency Team Workgroup</u></p> <ul style="list-style-type: none">• Participating in the California Disproportionality Project, co-sponsored by CDSS and the Annie E. Casey Foundation, is one of the Workgroup’s strategies to decrease racial disproportionality and disparities in outcomes across systems.• Strengthening collaboration across state agencies is another of the Workgroup’s strategies to address disproportionality. <p><u>American Indian Enhancement Team</u></p> <p>A project of the California Disproportionality Project (CDP), a collaboration of Casey Family Programs, the Annie E. Casey Foundation, the California Department of Social Services, with participation from the AOC Tribal Projects Unit, to support the work of California counties and the state in eliminating racial disproportionality and disparities in child welfare. The CDP began in July 2008 and ended June 30, 2010.</p> <ul style="list-style-type: none">• Provided technical assistance to counties to assist them with their plans for reducing disproportionality• Provided technical assistance for the Bay Area Collaborative of American Indian Resources (BACAIR)
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	<p>to further collaborations among probation, social services, and Native agencies</p> <ul style="list-style-type: none">• Created tools that assist in addressing disproportionality within Native American populations in the child welfare system <p><i>Local Efforts</i></p> <ul style="list-style-type: none">• Participation in Breakthrough Series Collaborative on Disproportionality
<p>Judicial officers, attorneys, social workers, and other professionals who serve foster children and their families increase the diversity and cultural competence of the workforce.</p>	<p><i>Statewide Efforts</i></p> <p><u>Casey Family Programs</u></p> <ul style="list-style-type: none">• The California Disproportionality Project was implemented in 14 selected county child welfare agencies throughout California between 2007 and 2010. The project was developed in conjunction with the Child and Family Policy Institute of California, CalSWEC, Casey Family Programs and The Annie E. Casey Foundation. The project’s objective was to address disproportionate representation of ethnic minorities in California’s public child welfare system and initiate steps towards creating positive change using the Casey Family Program’s Breakthrough Series Collaborative methodology, a model whereby local collaboratives constantly try out and evaluate “small tests of change”, rather than trying to change everything at once. The three-year project concluded its work in 2010 and a report with recommendations is being developed. <p><u>State Interagency Team Workgroup</u></p> <ul style="list-style-type: none">• Participation in the California Disproportionality Project, co-sponsored by CDSS, Casey Family Programs, and the Annie E. Casey Foundation, was one of the Workgroup’s strategies to decrease racial disproportionality and disparities in outcomes across systems.

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- Strengthening collaboration across state agencies is another of the Workgroup’s strategies to address disproportionality.
- The SIT Workgroup continues to meet to develop recommendations and resources for the state.
- In 2010, the Workgroup sponsored two “Courageous Conversation” workshops for representatives from state agencies, including the AOC, to promote work to address unintended bias within their organizations and to strengthen interagency collaboration on issues of disproportionality and disparities.

American Indian Enhancement Team

A project of the California Disproportionality Project (CDP), a collaboration of Casey Family Programs, the Annie E. Casey Foundation, the California Department of Social Services, with participation from the AOC Tribal Projects Unit, to support the work of California counties and the state in eliminating racial disproportionality and disparities in child welfare. The CDP began in July 2008 and ended June 30, 2010.

- Provided technical assistance to counties to assist them with their plans for reducing disproportionality
- Provided technical assistance for the Bay Area Collaborative of American Indian Resources (BACAIR) to further collaborations among probation, social services, and Native agencies
- Created tools that assist in addressing disproportionality within Native American populations in the child welfare system

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<p>The Judicial Council work with local, state, and federal leaders to advocate for greater flexibility in the use of federal, state, and local funding for preventive services.</p>	<p><i>Federal Efforts</i> <u>Federal Fostering Connections to Success Act (10/08):</u></p> <ul style="list-style-type: none"> • New Family Connection Grants to help children stay safely with family members and out of foster care or, once in care, return to their parents or other family members. <p><i>Statewide Efforts</i> <u>State Legislature</u></p> <ul style="list-style-type: none"> • Implementation of realignment of child welfare services funding to give counties more local control will take place in the coming years under newly passed budget plans. It is too early to tell how much effect realignment will have on a statewide basis and some revenue elements are dependent on further legislation and/or public initiatives that may be voted on later this year. <p><u>Federal Financing Reform and Waiver Extension Workgroup</u></p> <ul style="list-style-type: none"> • A joint Casey Family Programs and Co-Investment Partnership initiative to advocate for more flexibility in the use of federal funding
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Recommendation 1B

If foster care placement is necessary, children, families, and caregivers should have access to appropriate services and timely court reviews that lead to prompt reunification with family whenever it is possible, or, when it is not, to alternative permanency as quickly as possible. Service delivery and court review should ensure that all reasonable efforts are made to return children home, to make sure families and workers comply with case plans, and to achieve timely and stable transitions home or, if necessary, to place with relatives or in another permanent, stable family.

The Blue Ribbon Commission recommends that:

Recommendation	Implementation Progress
<p>The Judicial Council work with state and federal leaders to advocate for changes in law and practice to increase and encourage more relative placements, including:</p> <ul style="list-style-type: none"> ○ Addressing funding disparities; ○ Developing greater flexibility in approving relative 	<p><i>Federal Efforts</i> <u>Federal Fostering Connections to Success Act (10/08):</u></p> <ul style="list-style-type: none"> • Provides subsidized guardianship payments for relatives to provide permanent homes for children when they

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<p>placements whereby relatives would not, by virtue of federal law, be held to the same standard as nonrelatives; and</p> <ul style="list-style-type: none">o Formulating protocols to facilitate swift home assessments and placement with family members when appropriate.	<p>cannot be returned home.</p> <ul style="list-style-type: none">• Clarifies that states may waive non-safety related licensing standards for relatives on a case-by-case basis and requires the Department of Health and Human Services (HHS) to report to Congress on ways to further eliminate licensing barriers so that more children can be placed with relatives in foster care and be eligible for federal support. <p><i>Statewide Efforts</i> <u>State Legislation</u></p> <ul style="list-style-type: none">• <u>AB 12 (Bass) –Chaptered (9/10)</u> The California Fostering Connections to Success Act, was signed into law by Governor Schwarzenegger on September 30, 2010. Because California has 20% of the children and youth in foster care in the country, this legislation will ensure that 1 in 5 youth who “age out” nationally will have the option to receive the support of the foster care system to age 21, ending an era of neglect and providing youth in foster care with the same common-sense assistance provided to children from intact families. Thousands of relative care providers will participate in the new, federally-funded subsidized guardianship program, providing much needed support that promotes stability among children. CDSS, the Judicial Council (through extensive new rules and forms), the Legislature (through extensive “clean-up legislation – AB 212), and many other local and statewide agencies and courts are involved in planning the implementation of AB 12 provisions for extending foster care and dependency court services to foster youth eligible to remain in the system after age 18 beginning in 2012. This bill will take effect on January 1, 2012.
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	<ul style="list-style-type: none">• <u>AB 212 (Beall)—Chaptered (10/11)</u> Clean-up bill to AB 12; to the extent that it clarifies AB 12, it will enhance the implementation of extended foster care to age 21, which begins in 2012. <p><u>California Partners for Permanency (CAPP)</u></p> <ul style="list-style-type: none">• California Partners for Permanency (CAPP) is a new (2011) federally funded five-year project to reduce the number of children in long term foster care specifically focusing on African American and Native American children who are overrepresented in the child welfare system. The \$14.5 Million collaborative project is being administered by CDSS and includes an impressive array of collaborative partners, including 14 California counties, the California Child Welfare Co-Investment Partnership (which includes the Administrative Office of the Courts), the Child and Family Policy Institute of California, University of California Berkeley, Center for Social Services Research, the California Regional Training Academies, California Youth Connection, and the Center for the Study of Social Policy. The project will pilot a new child welfare practice model in four counties and then replicate the model in ten additional counties during the life of the project. The CAPP initiative involves implementing a Child and Family Practice Model that includes:<ul style="list-style-type: none">• Culturally-sensitive engagement• Empowerment of family, Tribal, and community networks• Use of culturally-based healing practices and practice adaptationsAn institutional analysis to determine individual county needs has been completed in three counties to date: Los
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	<p>Angeles (Pomona and Torrance), Fresno, and Santa Clara.</p> <p><u>Federal Financing Reform and Waiver Extension Workgroup</u></p> <ul style="list-style-type: none"> • A joint Casey Family Programs and Co-Investment Partnership initiative to advocate for more flexibility in the use of federal funding
<p>The courts and child welfare agencies expedite services for families and ensure that foster children maintain a relationship with all family members and other important people in their lives.</p>	<p><i>Local Efforts</i></p> <ul style="list-style-type: none"> • A number of local foster care commissions have projects assessing services and working on access to services • Many counties are working on family finding initiatives
<p>Because family reunification is the preferred form of permanency in the overwhelming majority of child welfare cases under federal and state law, the Judicial Council and the state Department of Social Services work together to urge Congress to provide financial incentives to state child welfare agencies for the successful reunification of families, similar to the incentives provided for the successful completion of adoptions from the child welfare system.</p>	<p>This recommendation was just adopted by the commission on November 7, 2011.</p>
<p>The courts and child welfare agencies ensure the provision of appropriate postpermanency services for newly reunified families.</p>	<p>This recommendation was just adopted by the commission on November 7, 2011.</p>
<p>The courts ensure that children who cannot return home receive services and court reviews to enable them to successfully transition into a permanent home and into adulthood. This includes paying attention to each child’s language, development, and cultural needs in making decisions about home and school placements, visitation, education, and mental health needs. It also means making sure they have consistent community ties and help from supportive adults, such as mentors, as they grow up.</p>	<p><i>Statewide Efforts</i></p> <p><u>State Legislation</u></p> <ul style="list-style-type: none"> • <u>AB 295 (Ammiano)—Chaptered 10/09</u> Extended to June 30, 2010 availability of funds for a 4-county pilot project providing funding for preadoption and postadoption services to ensure the successful adoption of a targeted population of children who have been in foster care for 18 months or more. • <u>AB 2342 (Evans)—Vetoed by Governor Schwarzenegger on 9/30/2010</u>

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	<p>This bill would have required the State Department of Social Services to develop a resource guide for foster youth that outlines available statewide programs and services, and the eligibility standards for those programs and services, including, but not be limited to, those associated with education, housing, mental health services, independent living programs, and career and job opportunities. This bill would require the department to make the resource guide available on its Internet Web site, in addition to a printed format.</p> <ul style="list-style-type: none">• <u>SB 597 (Liu)—Chaptered 10/09</u> This bill provides provisions for licensed foster family agencies; requires court, when considering termination of parental rights, to take into account barriers to a parent’s ability to remain in contact with the child due to parent’s incarceration or institutionalization; requires DSS to develop a plan for the ongoing oversight and coordination of health care for a child in foster care; requires additional information in a transitioning foster child’s case plan that will help the child prepare for the transition from foster care to independent living.• <u>SB 654 (Leno)—Chaptered (9/10)</u> Existing law requires the State Department of Social Services to develop statewide standards for the Independent Living Program for emancipated foster youth established and funded pursuant to federal law, to assist these individuals in making the transition to self-sufficiency. Under existing law, a child in receipt of Kinship Guardianship Assistance Payment (Kin-GAP) Program benefits is also entitled to request and receive these independent living services. This bill, <i>in addition</i>, requires services available under the Independent Living
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	<p>Program to be provided to former dependent children of the juvenile court meeting prescribed requirements.</p> <p><u>California Department of Social Services</u></p> <ul style="list-style-type: none">• Issued an All County Letter on 1/19/11 to explain and clarify the new ILP eligibility requirements of SB 654, stating in part, “beginning January 1, 2011, youth residing with a non-related legal guardian, whose guardianship was established between the ages of 8 and 15 and are receiving permanent placement services, must be served with state only ILP funding at age 16 and 17 and served with federal funding between age 18 and 21.” <p><u>California Independent Living Program Transformation Breakthrough Series Collaborative</u></p> <ul style="list-style-type: none">• Initiated by participation in National Governor’s Association Policy Academy on Youth Transitioning out of Foster Care• Broad representation of state leadership, partners, and advocacy organizations• Focus on permanency, education, and employment• This project completed work in 2010. It developed improved practices for and participation by transitioning youth in participating counties through constant implementation and evaluation of “small tests of change.” <p><i>Local Efforts</i></p> <p>Some counties have produced community resource guides for youth who are aging out or have aged out of the foster care system.</p>
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All court participants continuously review and make extraordinary efforts to preserve and promote sibling connections and co-placement.

Federal Efforts

Federal Fostering Connections to Success Act (10/08):

- Preserves the sibling bond for children by requiring states to make reasonable efforts to place siblings together when they must be removed from their parents' home, provided it is in the children's best interests. In the case of siblings not placed together, interaction, unless it would be harmful to any of the siblings.

Statewide Efforts

State Legislation

- AB 743 (Portantino)—Chaptered (9/10)
This bill requires any order placing a dependent child in foster care, and ordering reunification services, to provide for visitation between the child and any sibling unless the court finds by clear and convincing evidence that the interaction is contrary to the safety or well-being of either child. If siblings are not placed together, the social worker is required to explain why those efforts are contrary to the safety or well-being of any sibling. It also requires reasonable efforts to be made to provide for ongoing and frequent sibling interaction. This bill requires the placing agency to make a specified notification to the child's attorney and the child's sibling's attorney when a planned change of placement will result in the separation of siblings currently placed together.

Judicial Council

- Amended rule 5.670 and revised optional form, *Visitation Attachment: Sibling* (form JV-401), to comply and ensure consistency with Welfare and Institutions Code section 16002(a) (which was amended by AB 743 (Portantino)) on 4/29/11, effective 7/1/11.

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<p>Children and families receive continuous and comprehensive services if a child enters the delinquency system from foster care.</p>	<p><i>Statewide Efforts</i> <u>State Legislation</u></p> <ul style="list-style-type: none">• SB 945 (Liu)—Chaptered (9/10) This bill requires a probation officer or parole officer, whenever the juvenile court terminates jurisdiction over a ward, or upon release of a ward from a facility that is not a foster care facility, to provide to the person a written notice stating that the person is a former foster child and may be eligible for the services and benefits that are available to a former foster child through public and private programs, and information that informs the person of the availability of, and assistance to enable the ward to apply for, and gain acceptance into, federal and state programs that provide independent living services and benefits to former foster children for which the person is or may be eligible.
<p>The Judicial Council and the state Department of Social Services work together to urge Congress, the state Legislature, and state and local agencies to ensure that THP-Plus programs for transitional housing sustain a level of funding sufficient to maintain and expand program capacity to meet the demonstrated need of youth aging out of the foster care system.</p>	<p><i>Federal Efforts</i> <u>Federal Fostering Connections to Success Act (10/08):</u></p> <ul style="list-style-type: none">• Requires states to assist a child aging out of foster care to develop a transition plan. <p><i>Statewide Efforts</i> <u>State Legislation</u></p> <ul style="list-style-type: none">• <u>AB 12 (Bass) –Chaptered (9/10)</u> The California Fostering Connections to Success Act, was signed into law by Governor Schwarzenegger on September 30, 2010. Because California has 20% of the children and youth in foster care in the country, this

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	<p>legislation will ensure that 1 in 5 youth who “age out” nationally will have the option to receive the support of the foster care system to age 21, ending an era of neglect and providing youth in foster care with the same common-sense assistance provided to children from in-tact families. Thousands of relative care providers will participate in the new, federally-funded subsidized guardianship program, providing much needed support that promotes stability among children. CDSS, the Judicial Council (through extensive new rules and forms), the Legislature (through extensive “clean-up legislation – AB 212), and many other local and statewide agencies and courts are involved in planning the implementation of AB 12 provisions for extending foster care and dependency court services to foster youth eligible to remain in the system after age 18 beginning in 2012. This bill will take effect on January 1, 2012.</p> <ul style="list-style-type: none">• <u>AB 212 (Beall)—Chaptered (10/11)</u> Clean-up bill to AB 12; to the extent that it clarifies AB 12, it will enhance the implementation of extended foster care to age 21, which begins in 2012. <p><u>Budget Issues</u></p> <ul style="list-style-type: none">• Efforts to restore \$80 million cut from THP-Plus in the budget have so far not been successful given the current budget crisis. Implementation of AB 12 will help by allowing California to tap in to federal foster care funding for some THP-Plus placements.
<p>The Judicial Council work with federal and state leaders to support or sponsor legislation to extend the age when children receive foster care assistance from age 18 to age 21. This change should apply to those children who at age 18 cannot be returned</p>	<p><u>Federal Fostering Connections to Success Act (10/08):</u></p> <ul style="list-style-type: none">• Extension of services for older youth. Helps youth who turn 18 in foster care without permanent families to

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home safely, who are not in a permanent home, and who choose to remain under the jurisdiction of the court. If the court terminates jurisdiction before a youth's 21st birthday, the youth should have the right to reinstatement of jurisdiction and services.

remain in care, at state option, to age 19, 20, or 21 with continued federal support to increase their opportunities for success as they transition to adulthood.

State Legislation

- AB 12 (Bass) –Chaptered (9/10)

The California Fostering Connections to Success Act, was signed into law by Governor Schwarzenegger on September 30, 2010. Because California has 20% of the children and youth in foster care in the country, this legislation will ensure that 1 in 5 youth who “age out” nationally will have the option to receive the support of the foster care system to age 21, ending an era of neglect and providing youth in foster care with the same common-sense assistance provided to children from intact families. Thousands of relative care providers will participate in the new, federally-funded subsidized guardianship program, providing much needed support that promotes stability among children. CDSS, the Judicial Council (through extensive new rules and forms), the Legislature (through extensive “clean-up legislation – AB 212), and many other local and statewide agencies and courts are involved in planning the implementation of AB 12 provisions for extending foster care and dependency court services to foster youth eligible to remain in the system after age 18 beginning in 2012. This bill will take effect on January 1, 2012.

- AB 212 (Beall)—Chaptered (10/11)

Clean-up bill to AB 12; to the extent that it clarifies AB 12, it will enhance the implementation of extended foster care to age 21, which begins in 2012.

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	<ul style="list-style-type: none">• <u>AB 719 (Lowenthal, Bonnie)—Chaptered 10/09</u> This bill required the State Department of Social Services to propose a Transitional Food Stamps for Foster Youth demonstration project, effective July 1, 2010. The demonstration project would provide independent foster care adolescents, who are not eligible for CalWORKs or SSI benefits, with eligibility for food stamps without regard to income or resources.
<p>The Judicial Council work with local, state, and federal leaders to develop practices, protocols, and enhanced services to promote both placement and placement stability of children and youth in family-like, rather than institutional, settings.</p>	<p><u>State Legislation</u></p> <ul style="list-style-type: none">• <u>AB 1758 (Ammiano)—Chaptered (9/10)</u> Under existing law, the State Department of Social Services administers a pilot project that authorizes a county to develop and implement a plan for providing wraparound services designed to enable children who would otherwise be placed in a group home setting to remain in the least restrictive, most family-like setting possible. The pilot project also imposes specified evaluation and reporting requirements for participating counties, and training requirements for staff in participating counties. This bill would remove the designation of this program as a pilot project and make conforming changes.

Recommendation 2: Court Reform

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:

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Recommendation	Implementation Progress
<p>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.</p>	<p><i>Local Efforts</i> <u>County Courts</u></p> <ul style="list-style-type: none"> • Conversions continuing as opportunity arises
<p>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.</p>	
<p>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.</p>	<p><i>Statewide Efforts</i></p> <ul style="list-style-type: none"> • Most courts in CA are complying with standard 5.40 • Several larger counties have a tradition of juvenile court assignments that last much longer than 3 years—10 or more in some
<p>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.</p>	<p><i>Statewide Efforts</i> <u>Administrative Office of the Courts</u></p> <ul style="list-style-type: none"> • Center for Families, Children & the Courts is working with the Office of Court Research on the Juvenile sections of the new AOC Judicial Needs Study. The BRC both co-funded and co-staffed this study. The judicial and staff portions of the study were completed in summer 2011. AOC staff has reviewed the results with participating courts through site visits, and workload measures have been constructed with groups of experts. Early results from the judicial needs study show that dependency court

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	<p>judicial officers are severely underresourced, requiring an 81 percent increase to meet the need assessed by the study. The SB 56 Working Group discussed the data and how to incorporate it into the AOC’s Resource Allocation Model in September 2011. The data from the staff study is still being analyzed. The results will be presented to the Judicial Council’s Workload Working Group for approval in early 2012, and then it will go to the Judicial Council for approval.</p> <ul style="list-style-type: none"> • California Government Code section 69614, as amended by chapter 690 of the Statutes of 2010, requires the Judicial Council to prepare a special assessment of the need for new judgeships in family and juvenile law assignments for each superior court. A report on the special assessment was presented to the Judicial Council for approval and will be submitted to the Legislature.
<p>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.</p>	<p><i>Statewide Efforts</i> <u>Budget Issues</u></p> <ul style="list-style-type: none"> • Current budget difficulties probably preclude substantial progress on this recommendation for the near future.
<p>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</p>	<p><i>Statewide Efforts</i> <u>Administrative Office of the Courts</u></p> <ul style="list-style-type: none"> • With the cutbacks in education for judicial officers from the AOC, BRC staff and funding were used to support two additional judicial officer full-day education events in juvenile dependency: one at Beyond the Bench June 2010

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<p>and duties of juvenile court judicial officers as outlined in the standard.</p>	<p>and one at the Family Law Education Program April 2011.</p> <ul style="list-style-type: none"> • Ongoing training at local and regional sites • Juvenile court administration broadcasts in April 2010 • Beyond the Bench conferences in June 2010 and December 2011
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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:

<p>Recommendation</p>	<p>Implementation Progress</p>
<p>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.</p>	<p><i>Statewide Efforts</i> <u>AOC Tribal Projects Unit</u></p> <ul style="list-style-type: none"> • Providing intensive training and technical assistance throughout the state on all aspects of the Indian Child Welfare Act through the ongoing AOC ICWA Initiative (in partnership with CDSS) <p><i>Local Efforts</i></p> <ul style="list-style-type: none"> • Several counties received training by Judge Edwards on engaging fathers
<p>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.</p>	<p><i>Statewide Efforts</i> <u>State Legislation</u></p> <ul style="list-style-type: none"> • <u>SB 962 (Liu)—Chaptered (9/10)</u> This bill provides that an incarcerated parent who has either waived the right to be physically present at the proceeding or who has not been ordered by the court to be present at the proceeding may be given the opportunity, at

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the discretion of the court, to participate in the proceeding by videoconference or teleconference, if that technology is available, as long as the parent's participation otherwise complies with the law. This bill provides that a prisoner may only lose job placement opportunities, be removed from a court-ordered course, or be denied earned privileges if the prisoner's participation in the proceedings causes the prisoner to be absent from the custodial institution for more than 10 days. This bill permits the Department of Corrections and Rehabilitation to establish a pilot program to facilitate the participation of incarcerated parents in dependency court hearings, provided that the project is funded by private funds, as specified.

- AB 73 (Feuer)—Pending 2-year bill

Existing law provides that the public shall not be admitted to a juvenile court hearing in a dependency proceeding, unless requested by a parent or guardian and consented to or requested by the minor concerning whom the petition has been filed. Existing law permits the judge or referee to admit those persons as he or she deems to have a direct and legitimate interest in the particular case or the work of the court. This bill would require, contingent upon the securing of private funding, the Judicial Council to establish a 4-year pilot project in 3 counties to create a presumption that juvenile court hearings in juvenile dependency cases be open to the public, unless the court finds that admitting the public would not be in a child's best interest, as provided. The bill would require the Judicial Council to contract with an independent organization to conduct an evaluation and prepare a report to the Legislature regarding the results of the pilot project, as specified. The bill would also include a related

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	<p>statement of legislative findings and declarations.</p> <p><u>Judicial Council</u></p> <ul style="list-style-type: none">• In response to the passage of SB 962, the Judicial Council approved amendments to rule 5.530 and adopted rule 5.531 of the California Rules of Court, revised <i>Order for Prisoner’s Appearance at Hearing Affecting Parental Rights</i> (form JV-450), and adopted <i>Prisoner’s Statement Regarding Appearance at Hearing Affecting Parental Rights</i> (form JV-451) that implements requirements of the Welfare and Institutions Code, including section 388(e) as amended in 2010 by Assembly Bill 12, and Penal Code section 2625, which was amended by Senate Bill 962 and governs the appearance of an incarcerated parent in juvenile court proceedings affecting his or her parental rights. The adoption of rule 5.531 also sets minimum standards for procedures governing appearances by telephone, videoconference, or other electronic means in a juvenile court proceeding. These changes will go into effect on January 1, 2012.
<p>The Judicial Council and other stakeholders develop and implement laws and policies to promote relative finding, funding, assessment, placement, and connections.</p>	<p><i>Federal Efforts</i></p> <p><u>Federal Fostering Connections to Success Act (10/08):</u></p> <ul style="list-style-type: none">• Provides notice to relatives when children enter foster care. Increases opportunities for relatives to step in when children are removed from their parents and placed in foster care by ensuring they get notice of this removal. <p><i>State Efforts</i></p> <p><u>State Legislation</u></p> <ul style="list-style-type: none">• <u>AB 12 (Bass) –Chaptered (9/10)</u> The California Fostering Connections to Success Act, was

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signed into law by Governor Schwarzenegger on September 30, 2010. Because California has 20% of the children and youth in foster care in the country, this legislation will ensure that 1 in 5 youth who “age out” nationally will have the option to receive the support of the foster care system to age 21, ending an era of neglect and providing youth in foster care with the same common-sense assistance provided to children from intact families. Thousands of relative care providers will participate in the new, federally-funded subsidized guardianship program, providing much needed support that promotes stability among children. CDSS, the Judicial Council (through extensive new rules and forms), the Legislature (through extensive “clean-up legislation – AB 212), and many other local and statewide agencies and courts are involved in planning the implementation of AB 12 provisions for extending foster care and dependency court services to foster youth eligible to remain in the system after age 18 beginning in 2012. This bill will take effect on January 1, 2012.

- AB 212 (Beall)—Chaptered (10/11)
Clean-up bill to AB 12; to the extent that it clarifies AB 12, it will enhance the implementation of extended foster care to age 21, which begins in 2012.
- AB 938 (Committee on Judiciary)—Chaptered 10/09
This bill requires a social worker, when a child is removed from the home, to conduct, within 30 days, an investigation in order to identify and locate all grandparents, adult siblings, and other adult relatives of the child, in order to provide, except when that relative’s history of family or domestic violence makes notification inappropriate, those persons with

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	<p>specified information, including that the child has been removed from the custody of his or her parents or guardians and an explanation of various options to participate in the care and placement of the child, and to report to the court at the initial petition hearing regarding that effort. The bill requires the State Department of Social Services to develop the written notice providing that information to relatives.</p> <ul style="list-style-type: none">• <u>AB 1852 (Portantino)—Died in committee</u> This bill would have revised the social study and the assessment required from the social worker at disposition to include information regarding whether the county welfare department has attempted to locate relative and nonrelative, as defined, extended family members of the child and establish permanent familial connections between the child and those persons. The bill would also have revised the statewide child welfare training program to include training in making efforts to locate extended family members of dependent children and establish permanent familial connections for those children. <p><u>Child Welfare Council</u></p> <ul style="list-style-type: none">• Adopted recommendation for a statewide commitment to increase the number of children who have permanency through the implementation of Family Finding and Engagement (FFE) in all 58 California counties.• With Casey Family Programs, funded family finding pilot project and evaluation in Sacramento, which began in August 2011. <p><u>Judicial Council</u></p> <ul style="list-style-type: none">• Proposal creating new rules and forms to implement the mandates and legislative intent of AB 938 was approved
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	<p>by the Judicial Council on 10/29/10 and rules and forms were effective as of 1/1/11.</p> <p><u>California CASA</u></p> <ul style="list-style-type: none">• Working with local collaborations in a number of counties on family finding initiatives <p><i>Local Efforts</i></p> <ul style="list-style-type: none">• CASA working with court and collaborative partners on family finding efforts in a number of counties• Several counties have scheduled long-term family finding trainings with Kevin Campbell, and a number are developing family-finding protocols• Some county probation depts. are getting title IV-E training that includes family finding information on identifying a caring adult and choosing a permanent plan
<p>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.</p>	<p><i>Statewide Efforts</i></p> <p><u>Judicial Council</u></p> <ul style="list-style-type: none">• Proposal to amend rule 8.416 to allow trial and appellate courts to agree to follow the expedited procedures for appeals in juvenile dependency cases that are now followed in the Superior Courts of Orange, Imperial, and San Diego Counties was passed by the council in October 2009. The new forms took effect on July 1, 2010.
<p>The Judicial Council require the appointment of independent counsel for all children in juvenile dependency appeals.</p>	<p><i>Statewide Efforts</i></p> <p><u>Budget Issues</u></p> <p>Current budget difficulties probably preclude substantial progress on this recommendation for the near future.</p>

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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:

Recommendation	Implementation Progress
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.	Local Efforts <ul style="list-style-type: none">• Some courts have initiatives to reduce delay in calendaring and to minimize delays in general, including a pilot project with Alameda, CFCC, and the State Justice Institute.
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	Statewide Efforts <u>Administrative Office of the Courts</u> <ul style="list-style-type: none">• Ongoing training at local and regional sites• Juvenile court administration broadcasts in April 2010

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<p>issues.</p>	<ul style="list-style-type: none">• Beyond the Bench conferences in June 2010 and December 2011. <p><i>Local Efforts</i></p> <ul style="list-style-type: none">• Many local commissions are working on initiatives to promote more meaningful participation in court, including orientation materials, increasing parent participation, children’s waiting rooms, enhancing CASA participation, etc.
<p>The same judicial officer hear a case from beginning to end, when possible.</p>	<p><i>Statewide Efforts</i></p> <ul style="list-style-type: none">• This is already happening in many courts, and seems to be a trend.
<p>Courts explore telephonic appearance policies and new technology options to ensure participation in juvenile court hearings.</p>	<p><i>Statewide Efforts</i></p> <p><u>State Legislation</u></p> <ul style="list-style-type: none">• SB 962 (Liu)—Chaptered (9/10) This bill provides that an incarcerated parent who has either waived the right to be physically present at the proceeding or who has not been ordered by the court to be present at the proceeding may be given the opportunity, at the discretion of the court, to participate in the proceeding by videoconference or teleconference, if that technology is available, as long as the parent’s participation otherwise complies with the law. This bill provides that a prisoner may only lose job placement opportunities, be removed from a court-ordered course, or be denied earned privileges if the prisoner’s participation in the proceedings causes the prisoner to be absent from the custodial institution for more than 10 days. This bill permits the Department of Corrections and Rehabilitation to establish a pilot program to facilitate the participation of incarcerated parents in dependency court

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	<p>hearings, provided that the project is funded by private funds, as specified.</p> <p><u>Judicial Council</u></p> <ul style="list-style-type: none"> In response to the passage of SB 962, the Judicial Council approved amendments to rule 5.530 and adopted rule 5.531 of the California Rules of Court, revised <i>Order for Prisoner’s Appearance at Hearing Affecting Parental Rights</i> (form JV-450), and adopted <i>Prisoner’s Statement Regarding Appearance at Hearing Affecting Parental Rights</i> (form JV-451) that implements requirements of the Welfare and Institutions Code, including section 388(e) as amended in 2010 by Assembly Bill 12, and Penal Code section 2625, which was amended by Senate Bill 962 and governs the appearance of an incarcerated parent in juvenile court proceedings affecting his or her parental rights. The adoption of rule 5.531 also sets minimum standards for procedures governing appearances by telephone, videoconference, or other electronic means in a juvenile court proceeding. These changes will go into effect on January 1, 2012.
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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:

Recommendation	Implementation Progress
<p>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</p>	<p><u>Statewide Efforts</u> <u>State Legislation</u></p> <ul style="list-style-type: none"> AB 131 (Evans)—Chaptered 10/09

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<p>implement caseload standards for social services agency attorneys.</p>	<p>Provides that parents or other persons liable for the support of a minor in the dependency court shall also be liable for the cost to the county or the court for the cost of legal services rendered to the minor and provides a mechanism for collection and deposit.</p> <p><u>Judicial Council</u></p> <ul style="list-style-type: none">• Allocated special funds in 2009 to maintain court-appointed counsel budget at 2008-2009 levels• Collaborative advocacy in Sacramento on child welfare and judicial branch budgets• Adopted, on June 25, 2010, the Juvenile Dependency Counsel Collection Program Guidelines to implement AB 131
<p>The Judicial Council take active steps to promote the advancement of juvenile law as a sought-after career. Accomplishing this recommendation requires:</p> <ul style="list-style-type: none">○ 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.	<p><i>Statewide Efforts</i></p> <p><u>Administrative Office of the Courts</u></p> <ul style="list-style-type: none">• Continuation of DRAFT program

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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.

Federal Efforts

Federal Fostering Connections to Success Act (10/08):

- Expands the availability of federal training dollars, on a phased-in basis, to reach more of those caring for and working with children in the child welfare system, including relative guardians, staff of private child welfare agencies, court personnel, attorneys, guardian ad litem, and court appointed special advocates.

Statewide Efforts

State Legislation

- AB 12 (Bass) –Chaptered (9/10)

The California Fostering Connections to Success Act, was signed into law by Governor Schwarzenegger on September 30, 2010. Because California has 20% of the children and youth in foster care in the country, this legislation will ensure that 1 in 5 youth who “age out” nationally will have the option to receive the support of the foster care system to age 21, ending an era of neglect and providing youth in foster care with the same common-sense assistance provided to children from in-tact families. Thousands of relative care providers will participate in the new, federally-funded subsidized guardianship program, providing much needed support that promotes stability among children. CDSS, the Judicial Council (through extensive new rules and forms), the Legislature (through extensive “clean-up legislation – AB 212), and many other local and statewide agencies and courts are involved in planning the implementation of AB 12 provisions for extending foster care and dependency court services to foster youth eligible to remain in the system after age 18 beginning in 2012. This bill will take effect on January 1, 2012.

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	<ul style="list-style-type: none">• <u>AB 212 (Beall)—Chaptered (10/11)</u> Clean-up bill to AB 12; to the extent that it clarifies AB 12, it will enhance the implementation of extended foster care to age 21, which begins in 2012. <p><u>Administrative Office of the Courts</u></p> <ul style="list-style-type: none">• Expanded Juvenile Court Assistance Team trainings• Creation of AOC Tribal Projects Unit• Beyond the Bench conferences—June 2010 and December 2011
<p>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.</p>	<p><i>Statewide Efforts</i></p> <p><u>Administrative Office of the Courts</u></p> <ul style="list-style-type: none">• Continuing provision of technical assistance to CASA programs• New CASA programs have opened and others are developing <p><i>Local Efforts</i></p> <ul style="list-style-type: none">• Expansion of CASA programs into four new counties
<p>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.</p>	

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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:

Recommendation	Implementation Progress
Mediation and other forms of alternative dispute resolution be available in all courts at any time in the proceedings.	<p><i>Statewide Efforts</i> <u>Administrative Office of the Courts</u></p> <ul style="list-style-type: none">• Providing training and technical assistance to 28 courts with current or developing dependency mediation programs
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.	<p><i>Statewide Efforts</i> <u>AOC Collaborative Courts Project</u></p> <ul style="list-style-type: none">• Collaborating with CDSS and Dept. of Alcohol and Drug Programs on a project with the National Ctr. on Substance Abuse and Child Welfare to identify effective models for Dependency Drug Courts (DDCs) statewide, as well as current and potential caseloads, funding, and outcomes;• Visited most DDCs in state and developed an instrument to capture data related to the focus of the work;• Will be providing technical assistance and other follow up activities to increase caseloads, document results, and identify funding;• Spearheading another project funded by the State Justice Institute that is focused on DDC outcome performance measures; creating a mechanism to track DDC outcomes statewide;• Beginning a project aimed at tracking mentally ill court users in dependency to determine effective practices;• Launched a reentry court program as part of a joint project

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	<p>with BANCRO that includes family reunification;</p> <ul style="list-style-type: none"> Engaged in efforts to link drug and mental health courts with family court and child support proceedings to develop effective methods of supervision and compliance with court orders that address underlying problems of substance abuse or mental health; Supporting efforts in the courts to establish family preservation courts that are similar to DDCs, but focus on cases that are in family court or for which a dependency filing has not occurred.
<p>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.</p>	<p><i>Statewide Efforts</i> <u>Administrative Office of the Courts</u></p> <ul style="list-style-type: none"> Providing training and technical assistance to develop such programs in most counties, as requested

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:

Recommendation	Implementation Progress
<p>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:</p> <ul style="list-style-type: none"> 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 	<p><i>Statewide Efforts</i> <u>Judicial Council</u></p> <ul style="list-style-type: none"> Adoption of Cal. Rules of Court, rule 5.505 (Juvenile Dependency Court Performance Measures), effective January 1, 2009

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<p>produce management reports on performance measures; and</p> <ul style="list-style-type: none">• 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.	
<p>These performance measures and management reports be used for the following:</p> <ul style="list-style-type: none">• 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.	<p><i>Statewide Efforts</i> <u>Judicial Council</u></p> <ul style="list-style-type: none">• In conjunction with the UC Berkeley Center for Social Services Research (CSSR), prepared court-focused outcome measure reports specific to the county and distributed to each juvenile dependency court. Training on using the reports provided through a series of webinars and court visits with the Juvenile Court Assistant Team (JCAT) liasons.• Adoption of Cal. Rules of Court, rule 5.505 (Juvenile Dependency Court Performance Measures), effective January 1, 2009 [to be implemented after CCMS is operational]• Analyzed pilot data from courts to test and refine the performance measures, and disseminate preliminary data. Made well-received presentations to pilot courts on their performance measure data.
<p>The Judicial Council work with the Child Welfare Council and local courts and state agencies to develop uniform child wellbeing 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.</p>	<p><i>Statewide Efforts</i> <u>Judicial Council</u></p> <ul style="list-style-type: none">• Adoption of Cal. Rules of Court, rule 5.505 (Juvenile Dependency Court Performance Measures), effective January 1, 2009 [Initial step].• BRC staff participating in national effort led by the National Center for State Courts to define well-being measures.

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	<ul style="list-style-type: none"> • BRC staff have also developed, with funding from the State Justice Institute, uniform performance measures for juvenile dependency drug courts.
<p>The Judicial Council and other stakeholders advocate at the federal, state, and local levels for the funding necessary to implement recommended court performance measures.</p>	<p><i>Statewide Efforts</i> <u>Judicial Council & Other Stakeholders</u></p> <ul style="list-style-type: none"> • Ongoing advocacy

Recommendation 3: Collaboration Between Courts and Their Child Welfare Partners

Because the courts share responsibility with child welfare agencies and other partners for the well-being of children in foster care, the courts, child welfare, and other partnering agencies must work together to prioritize the needs of children and families in each system and remove barriers that keep stakeholders from working together effectively.

Recommendation 3A

The Judicial Council, trial courts, and California Department of Social Services should work cooperatively with all departments, agencies, and other stakeholders to ensure optimal sharing of information to promote decision-making that supports the well-being of children and families in the child welfare system.

The Blue Ribbon Commission recommends that:

Recommendation	Implementation Progress
<p>The Judicial Council continue its efforts to fully develop and implement the California Court Case Management System and other data exchange protocols, so that the judicial branch, the California Department of Social Services, and other trusted partners will be able to exchange essential information about the children and families they are mandated to serve.</p>	<p><i>Statewide Efforts</i> <u>Judicial Council</u></p> <ul style="list-style-type: none"> • BRC and Department of Social Services recommendations for data exchange are incorporated into the current development version of CCMS and are being tested. • Ongoing efforts to finish developing and implement CCMS and other data exchange protocols •
<p>California Case Management System permit judicial officers in dependency courts to access information about children and families who are involved in cases in other courts.</p>	<p><i>Statewide Efforts</i> Judicial Council</p> <ul style="list-style-type: none"> • BRC recommendations for judicial officer case management information are incorporated into the current development version of CCMS and have been tested.

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	<ul style="list-style-type: none"> • Ongoing efforts to finish developing and implement CCMS and other data exchange protocols
<p>California Case Management System and the state Child Welfare Services/Case Management System promote coordinated data collection, data exchange, and filing of documents, including electronic filing, between the courts, social service agencies, and other key partners and track data that permits them to measure their performance.</p>	<p><i>Statewide Efforts</i> <u>Judicial Council & Partner Stakeholders</u></p> <ul style="list-style-type: none"> • BRC and Department of Social Services recommendations for data exchange are incorporated into the current development version of CCMS and are being tested. • Ongoing efforts to finish developing and implement CCMS and other data exchange protocols • CWS/Web procurement has been postponed due to the budget issues • AOC/CHHS collaboration underway • AOC County counsel roundtable
<p>The Child Welfare Council prioritize solutions to federal and state statutory and regulatory policy barriers that prevent information sharing between the courts and their partners and that cause delays in the delivery of services and, hence, delays in permanency for children.</p>	<p><i>Statewide Efforts</i> <u>Administrative Office of the Courts</u></p> <ul style="list-style-type: none"> • BRC and AOC staff worked with Stewards of Change, a national consulting group, to convene a symposium of stakeholders at the state and county level to plan information sharing and discuss resolving barriers to exchange. (October 2011) • BRC and AOC liaison staff are preparing county and court visits to train on data exchange and facilitate strategic planning for exchange. <p><u>Child Welfare Council</u></p> <ul style="list-style-type: none"> • Adopted data and information sharing recommendations in March 2010, including a policy statement on data sharing. • Briefs on legal issues in information sharing prepared and circulated • Focus group of county counsel held to discuss barriers to

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	information sharing
Data systems in the various agencies evolve to capture the growing complexity of California demographics, including issues such as limited English proficiency, use of psychotropic medications, and disabilities.	<p><i>Statewide Efforts</i> <u>Administrative Office of the Courts</u></p> <ul style="list-style-type: none"> • BRC staff worked with Stewards of Change, a national consulting group, to convene a symposium of stakeholders at the state and county level to plan information sharing and discuss resolving barriers to exchange. (October 2011) <p><u>Judicial Council & Partner Stakeholders</u></p> <ul style="list-style-type: none"> • Efforts are ongoing • CDSS has data sharing MOUs with sister agencies • Collaborative work on interoperable systems ongoing

Recommendation 3B

The presiding judge of the juvenile court and the county social services or human services director should convene multidisciplinary commissions at the local level to identify and resolve local system concerns, address the recommendations of the Blue Ribbon Commission, and build the capacity to provide a continuum of services.

The Blue Ribbon Commission recommends that:

Recommendation	Implementation Progress
These multidisciplinary local commissions include participation from the courts; local government officials; public and private agencies and organizations that support children and families; children, parents, and families with experience in the system; caregivers; and all other appropriate parties to the process.	<p><i>Statewide Efforts</i> <u>Administrative Office of the Courts</u></p> <ul style="list-style-type: none"> • Technical assistance and training available to local collaborations through assigned JCAT liaisons • Active local collaborations in more than 40 counties
These commissions focus on key areas of local concern and activities, including: <ul style="list-style-type: none"> • Undertaking a comprehensive assessment of existing services available in the community; encouraging development of appropriate services that are not available; coordinating services with tribal services and transitional 	<p><i>Statewide Efforts</i> <u>Administrative Office of the Courts</u></p> <ul style="list-style-type: none"> • 2008 Summit began planning local collaborations and foster care priorities • 2010 Summit followed up and planned next steps • Individual local collaboratives set priorities according to

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<p>services; and ensuring that children and families receive the support they need for reunification and permanency;</p> <ul style="list-style-type: none"> • Identifying and resolving barriers to sharing information among the courts, agencies, and schools; • Communicating local needs and concerns to the Child Welfare Council; and • Raising the visibility and public understanding of foster care issues in their communities. 	<p>the needs of their county</p>
<p>The Administrative Office of the Courts support local commissions in their efforts to collaborate and to avoid duplication with other efforts to achieve positive child welfare outcomes (including county efforts to develop system improvement plans as required by state law).</p>	<p><i>Statewide Efforts</i> <u>Administrative Office of the Courts</u></p> <ul style="list-style-type: none"> • Technical assistance and training available to local collaborations through assigned JCAT liaisons • BRC <i>Foster Care Reform Update</i> quarterly online newsletter
<p>All participating agencies prioritize children in foster care, and their families, when providing services.</p>	<p><i>Statewide Efforts</i> <u>Child Welfare Council</u></p> <ul style="list-style-type: none"> • Ongoing discussions on prioritizing foster care

Recommendation 3C

Courts, child welfare agencies, and other agencies should collaborate with Indian tribes and tribal courts to ensure that the rights of children, families, and tribes are protected and that Indian children and families have access to all appropriate services for which they are eligible.

The Blue Ribbon Commission recommends that:

<p>Recommendation</p>	<p>Implementation Progress</p>
<p>The Administrative Office of the Courts work with state trial courts and tribal courts to establish protocols for identifying and sharing jurisdiction between state and tribal courts and for sharing services, case management, and data among superior courts, tribal courts, and county and tribal service agencies. The</p>	<p><i>Federal Efforts</i> <u>Federal Fostering Connections to Success Act (10/08):</u></p> <ul style="list-style-type: none"> • Requires HHS to provide technical assistance and implementation services dedicated to improving services

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protocols established should encourage a mutual understanding of and respect for the procedures in both the state and tribal courts and the challenges that all communities face in providing services for children and families. The Administrative Office of the Courts collaborate with the state to develop and offer judicial education and technical assistance opportunities to tribal court officers and staff and legal education to tribal attorneys, lay advocates, and service providers.

and permanency outcomes for Indian children and their families.

State Efforts

State Legislation

- AB 770 (Torres)—Chaptered 8/09

This bill makes it the policy of the state to maximize the opportunities for Indian tribes to operate foster care programs for Indian children pursuant to the federal Fostering Connections to Success and Increasing Adoptions Act of 2008. This bill would require the State Department of Social Services to negotiate in good faith with the Indian tribe, organization, or consortium in the state that requests development of an agreement with the state to administer all or part of the programs under specified provisions of federal law relating to foster care and adoption assistance, on behalf of the Indian children who are under the authority of the tribe, organization, or consortium.

- AB 1325 (Cook)—Chaptered 10/09

Existing federal law, the Indian Child Welfare Act, and state law govern the placement of children who are or who may be Indian children, as specified. This bill revises those provisions to require the juvenile court and social workers to consider and recommend tribal customary adoption, as defined, as an additional permanent placement option, without termination of parental rights, for a dependent child. The bill provides that a tribal customary adoption order would have the same force and effect as an order of adoption.

AOC Tribal Projects Unit

- Maintains a clearinghouse of resources including (1) a

calendar of AOC educational events for tribal and state courts; a directory of Native American family resources in California; a listing of tribal justice grant opportunities; information on California tribal courts; and resources relating to compliance with ICWA in juvenile, family, and probate cases;

- Promotes communication and information sharing among tribal and state court systems, bringing together state and tribal court judges, as well as tribal and state/local agencies, to improve the administration of justice in cases relating to ICWA, domestic violence, dating violence, sexual assault, and stalking;
- Develops curricula on civil and criminal jurisdiction and the Indian Child Welfare Act for state court judges;
- Provides technical assistance to tribal court judges interested in applying problem-solving, collaborative court principles and starting or enhancing a supervised visitation program

Judicial Council

- Chief Justice Ronald M. George established the California Tribal Court/State Court Coalition to work on areas of mutual concern, the first organization of its kind in the state, and appointed Justice Richard D. Huffman, along with Judge Richard Blake, Chief Judge of the Hoopa Tribal Court and Presiding Judge of the Smith River Rancheria Tribal Court, to co-chair it.
- Proposal creating new rules and forms to implement the mandates and legislative intent of AB 1325 (Tribal Customary Adoptions) was approved and new rules and forms are in effect.

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<p>The Administrative Office of the Courts work with the California Department of Social Services to offer ongoing multidisciplinary training and technical assistance to judges, court staff, attorneys, social workers, and other service providers on all of the requirements of the Indian Child Welfare Act.</p>	<p><i>Federal Efforts</i> <u>Federal Fostering Connections to Success Act (10/08):</u></p> <ul style="list-style-type: none">• Requires HHS to provide technical assistance and implementation services dedicated to improving services and permanency outcomes for Indian children and their families. <p><i>State Efforts</i> <u>AOC Tribal Projects Unit</u></p> <ul style="list-style-type: none">• Providing intensive training and technical assistance throughout the state on all aspects of the Indian Child Welfare Act through the ongoing AOC ICWA Initiative (in partnership with CDSS) <p><i>Local Efforts</i> Many local collaboratives are working with tribes on issues relating to children and youth in the foster care system.</p>
<p>Indian children and families have access to the same services as other families and children regardless of whether their cases are heard in state court or tribal court.</p>	<p><i>Federal Efforts</i> <u>Federal Fostering Connections to Success Act (10/08):</u></p> <ul style="list-style-type: none">• Direct access to federal support for Indian tribes. Offers, for the first time, many American Indian and Alaska Native children federal assistance and protections through the federal foster care and adoption assistance programs (title IV-E) that other children already enjoy.

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Recommendation 4: Resources and Funding

In order to meet the needs of children and families in the foster care system, the Judicial Council, Congress, the Legislature, the courts, and partnering agencies should give priority to children and their families in the child welfare system in the allocation and administration of resources, including public funding – federal, state, and local – and private funds from foundations that support children’s issues.

Recommendation 4A

The Judicial Council should urge Congress, the state Legislature, and state and local agencies – including agencies and organizations that provide health, mental health, education, substance abuse, domestic violence, housing, employment, and child care services – to prioritize the delivery and availability of services to children and families in the child welfare system.

The Blue Ribbon Commission recommends that:

Recommendation	Implementation Progress
<p>Congress and the state Legislature fund dissemination of evidence-based or promising practices that lead to improved outcomes for foster children and their parents. Examples include therapeutic foster care and drug courts.</p>	<p><i>Federal Efforts</i> <u>2010 Office of Juvenile Justice and Delinquency Prevention (OJJDP) Family Drug Court Grants</u></p> <ul style="list-style-type: none">• \$500K/yr for up to 3 yrs for new programs• \$350K/yr for up to 3 yrs for existing programs <p><i>Statewide Efforts</i> <u>California Partners for Permanency (CAPP)</u></p> <ul style="list-style-type: none">• California Partners for Permanency (CAPP) is a new (2011) federally funded five-year project to reduce the number of children in long term foster care specifically focusing on African American and Native American children who are overrepresented in the child welfare system. The \$14.5 Million collaborative project is being administered by CDSS and includes an impressive array of collaborative partners, including 14 California counties; the California Child Welfare Co-Investment Partnership (which includes the Administrative Office of the Courts); the Child and Family Policy Institute of California; University of California Berkeley, Center for Social Services Research; the California Regional Training Academies; California Youth Connection; and the Center

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	<p>for the Study of Social Policy. The project will pilot a new child welfare practice model in four counties and then replicate the model in ten additional counties during the life of the project. The CAPP initiative involves implementing a Child and Family Practice Model that includes:</p> <ul style="list-style-type: none">• Culturally-sensitive engagement• Empowerment of family, Tribal, and community networks• Use of culturally-based healing practices and practice adaptations <p>An institutional analysis to determine individual county needs has been completed in three counties to date: Los Angeles (Pomona and Torrance), Fresno, and Santa Clara.</p> <p><u>AOC Collaborative Courts Project</u></p> <ul style="list-style-type: none">• Collaborating with CDSS and Dept. of Alcohol and Drug Programs on a project with the National Ctr. on Substance Abuse and Child Welfare to identify Dependency Drug Courts (DDCs) statewide, as well as current and potential caseloads, funding, and outcomes;• Visited most DDCs in state and developed an instrument to capture data related to the focus of the work;• Will be providing technical assistance and other follow up activities to increase caseloads, document results, and identify funding;• Spearheading another project funded by the State Justice Institute that is focused on DDC outcome performance measures; creating a mechanism to track DDC outcomes statewide;• Beginning a project aimed at tracking mentally ill court users in dependency to determine effective practices;• Launched a reentry court program as part of a joint project
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	<p>with BANCRO that includes family reunification;</p> <ul style="list-style-type: none"> • Engaged in efforts to link drug and mental health courts with family court and child support proceedings to develop effective methods of supervision and compliance with court orders that address underlying problems of substance abuse or mental health; • Supporting efforts in the courts to establish family preservation courts that are similar to DDCs, but focus on cases that are in family court or for which a dependency filing has not occurred.
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Recommendation 4B

States and counties should be given permission to use federal funding more flexibly. Flexible funding should be used to address the needs of children and families in a timely manner that recognizes the child’s developmental needs and relationship with his or her parents, guardian, and extended family. The commission supports key financial recommendations of the Pew Commission on Children in Foster Care and encourages innovative funding strategies at the federal, state, and local levels of government.

The Blue Ribbon Commission recommends that:

Recommendation	Implementation Progress
<p>The Judicial Council urge Congress to adopt the following federal financing reform recommendations, based on those advocated in 2004 by the Pew Commission on Children in Foster Care, a national panel of experts that issued proposals around financing child welfare and court reforms:</p> <ul style="list-style-type: none"> • Creation of an incentive model for permanency. Based on the adoption incentive, this model would encompass all forms of permanency, including reunification and guardianship, and would offer equal payment levels; <ul style="list-style-type: none"> • Federal adoption assistance for all children adopted from foster care; • Federal guardianship assistance for all children who leave foster care to live with a permanent, legal guardian; • Elimination of the income limit for eligibility for federal 	<p><i>Federal Efforts</i> <u>Federal Fostering Connections to Success Act (10/08):</u></p> <ul style="list-style-type: none"> • Provides incentives for adoption. Increases incentives to states to find adoptive families for children in foster care, especially those with disabilities or other special needs and older youth. • Provides subsidized guardianship payments for relatives to provide permanent homes for children when they cannot be returned home. • Direct access to federal support for Indian tribes. Offers, for the first time, many American Indian and Alaska Native children federal assistance and protections through

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<p>foster care funding;</p> <ul style="list-style-type: none">• Flexibility for states and counties to use federal funds to serve children from Indian tribes and children living within U.S. territories;• Extension of federal title IV-E funding to children in Indian tribes and the U.S. territories;• Reinvestment of local, state, and federal dollars saved from reduced foster care placements into services for children and families in the child welfare system;• Reinvestment of penalties levied in the federal Child and Family Services Review process into program improvement activities; and• Bonuses when the state demonstrates improved worker competence and lighter caseloads.	<p>the federal foster care and adoption assistance programs (title IV-E) that other children already enjoy.</p> <p><i>Statewide Efforts</i> <u>State Legislation</u></p> <ul style="list-style-type: none">• <u>AB 12 (Bass) –Chaptered (9/10)</u> The California Fostering Connections to Success Act, was signed into law by Governor Schwarzenegger on September 30, 2010. Because California has 20% of the children and youth in foster care in the country, this legislation will ensure that 1 in 5 youth who “age out” nationally will have the option to receive the support of the foster care system to age 21, ending an era of neglect and providing youth in foster care with the same common-sense assistance provided to children from intact families. Thousands of relative care providers will participate in the new, federally-funded subsidized guardianship program, providing much needed support that promotes stability among children. CDSS, the Judicial Council (through extensive new rules and forms), the Legislature (through extensive “clean-up legislation – AB 212), and many other local and statewide agencies and courts are involved in planning the implementation of AB 12 provisions for extending foster care and dependency court services to foster youth eligible to remain in the system after age 18 beginning in 2012. This bill will take effect on January 1, 2012.• <u>AB 194 (Beall)—Chaptered (10/11)</u> Provides that former foster youth are to be given priority in enrollment and registration at UC, CSU, and community colleges.• <u>AB 154 (Evans)—Chaptered 10/09</u> To conform state statutes with federal Fostering
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	<p>Connections to Success Act provisions on adoption assistance and to spend resulting savings from changes in eligibility for adoption assistance on specified services.</p> <ul style="list-style-type: none">• <u>AB 665 (Torricono)—Chaptered 10/09</u> Requires state to reinvest adoption incentive payments received through the implementation of the federal Fostering Connections to Success and Increasing Adoptions Act of 2008 (Public Law 110-351) into the child welfare system, in order to provide legal permanency outcomes for older children, including, but not limited to, adoption, guardianship, and reunification of children whose reunification services were previously terminated. <p><u>Judicial Council</u></p> <ul style="list-style-type: none">• Initiating coordination efforts with Casey Family Programs Trustees on federal advocacy in this area. <p><u>California Department of Social Services</u></p> <ul style="list-style-type: none">• Working with National Association of Public Child Welfare Administrators (NAPCWA) on a proposal that would address several of these recommendations• Issued, on July 10, 2010, instructions on how to report and claim eligible costs for Adoption Incentive Payments as provided in AB 665 for increasing permanency outcomes for older children. Counties and CDSS district offices receive monetary incentives for all three types of legal permanence for older children. The monetary incentives are used to fund activities to improve legal permanency outcomes for foster youth ages nine or older, including post adoption services, resolving barriers to adoption, intensive family finding, permanency support services, recruitment of adoptive parents, and reunification with
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	family members whose services were previously terminated.
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Recommendation 4C

No child or family should be denied services because it is unclear who should pay for them. Funding limitations that prohibit or delay the delivery of services to children and families should be addressed through coordinated and more flexible funding.

The Blue Ribbon Commission recommends that:

Recommendation	Implementation Progress
The Judicial Council work with other branches of federal, state, and local governments to identify barriers to funding for services and to develop solutions.	<p><i>Statewide Efforts</i> <u>Child Welfare Collaborations</u></p> <ul style="list-style-type: none"> Child Welfare Council, Judicial Council, Blue Ribbon Commission, Co-Investment Partnership, State Interagency Team, and others are working collaboratively on this recommendation.
The Judicial Council should urge Congress to change any federal law that prevents federal funds from being coordinated among several agencies to support specific services.	<p><i>Statewide Efforts</i> <u>Child Welfare Collaborations</u> Child Welfare Council, Judicial Council, Blue Ribbon Commission, Co-Investment Partnership, State Interagency Team, and others are working collaboratively on this recommendation.</p>

Recommendation 4D

The Judicial Council, along with other stakeholders, should work to improve the foster care system by supporting those who provide care to dependent children.

The Blue Ribbon Commission recommends that:

Recommendation	Implementation Progress
The Judicial Council and other stakeholders advocate for increasing foster care rates and supports to enable foster parents to care for their foster children.	<p><i>Statewide Efforts</i> <u>State Legislation</u></p> <ul style="list-style-type: none"> SB 84 (Committee on Budget and Fiscal Review. Human

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	<p>Services.)—Chaptered 8/07 Increased foster care provider rates by 5% under the AFDC-FC program.</p>
<p>The Judicial Council and other stakeholders advocate for funding and other resources to provide statewide legal and informational support for caregivers so they understand the dependency process and know what to expect in court.</p>	

Recommendation 4E

The Judicial Council, the executive and legislative branches of federal and state government, local courts, businesses, foundations, and community service organizations should work together to establish a fund to provide foster youth with the money and resources they need to participate in extracurricular activities and programs to help make positive transitions into adulthood.

The Blue Ribbon Commission recommends that:

<p>Recommendation</p>	<p>Implementation Progress</p>
<p>Children in foster care and partnering agencies have access to reliable funding to support their access to extracurricular activities and transitional programs. These activities should include music and dance lessons, sports, school events, and independent living activities.</p>	
<p>Systemic barriers that prevent foster children from participating in the above events be eliminated, including transportation, licensing restrictions, and confusion regarding waivers and consents.</p>	<p><i>Statewide Efforts</i> <u>State Legislation</u></p> <ul style="list-style-type: none"> • AB 81 (Strickland, Audra)—Chaptered 08/09 Requires that a foster child who changes residences pursuant to a court order or decision of a child welfare worker be immediately deemed to meet all residence requirements for participation in interscholastic sports or other extracurricular activities.

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	<p><u>California Dept. of Social Services</u></p> <ul style="list-style-type: none"> In 2010, new CDSS regulations took effect specifying that decisions to allow foster children’s participation in athletics and other extracurricular activities should be made consistent with that of a “reasonable and prudent parent.”
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Recommendation 4F

Educational services for foster youth and former foster youth should be expanded to increase access to education and to improve the quality of those services.

The Blue Ribbon Commission recommends that:

Recommendation	Implementation Progress
<p>Courts and partnering agencies ensure that foster children receive the full education they are entitled to, including the support they need to graduate from high school. This includes tutoring and participation in extracurricular activities. The courts should require other agencies to justify any denial of such services to foster youth in school.</p>	<p><i>Federal Efforts</i> <u>Federal Fostering Connections to Success Act (10/08):</u></p> <ul style="list-style-type: none"> Educational stability. Helps children and youth in foster care, guardianship and adoption achieve their educational goals by requiring that states ensure that they attend school and, when placed in foster care, they remain in their same school where appropriate, or, when a move is necessary, get help transferring promptly to a new school; also provides increased federal support to assist with school-related transportation costs. <p><i>State Efforts</i> <u>State Legislation</u></p> <ul style="list-style-type: none"> <u>AB 12 (Bass) –Chaptered (9/10)</u> The California Fostering Connections to Success Act, was signed into law by Governor Schwarzenegger on September 30, 2010. Because California has 20% of the children and youth in foster care in the country, this legislation will ensure that 1 in 5 youth who “age out”

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	<p>nationally will have the option to receive the support of the foster care system to age 21, ending an era of neglect and providing youth in foster care with the same common-sense assistance provided to children from intact families. Thousands of relative care providers will participate in the new, federally-funded subsidized guardianship program, providing much needed support that promotes stability among children. CDSS, the Judicial Council (through extensive new rules and forms), the Legislature (through extensive “clean-up legislation – AB 212), and many other local and statewide agencies and courts are involved in planning the implementation of AB 12 provisions for extending foster care and dependency court services to foster youth eligible to remain in the system after age 18 beginning in 2012. This bill will take effect on January 1, 2012.</p> <ul style="list-style-type: none">• <u>AB 194 (Beall)—Chaptered (10/11)</u> Provides that former foster youth are to be given priority in enrollment and registration at UC, CSU, and community colleges. <p><u>California Department of Social Services</u></p> <ul style="list-style-type: none">• In 2010, new CDSS regulations took effect specifying that decisions to allow foster children’s participation in athletics and other extracurricular activities should be made consistent with that of a “reasonable and prudent parent.” <p><u>Foster Youth Education Task Force</u></p> <ul style="list-style-type: none">• Continuing statewide collaboration and encouraging local practices that support increased collaboration and accountability.• The task force sponsored the 4th Statewide Foster Youth
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	<p>Education Summit in Sacramento in February, 2011. Over 500 legal, child welfare, education, mental health and other professionals attended as well as many current and former foster youth. A contingent from Washington State also attended to observe how California is collaboratively addressing the educational needs of children in foster care.</p> <ul style="list-style-type: none">• The task force, in collaboration with the National Center for Youth Law and the Stuart Foundation, recently developed a new online resource on education of foster youth. www.fosteredconnect.org is an online community connecting and supporting California’s foster youth liaisons, foster youth advocates, and all professionals working to improve the educational outcomes of foster youth. <p><u>California Department of Education, Foster Youth Services (FYS)</u></p> <ul style="list-style-type: none">• Expanded to 57 County Offices of Education serving over 40,000 students. <p><u>California College Pathways</u></p> <ul style="list-style-type: none">• Continuing to work with the higher education intersegmental entities to continue collaboration and to provide more support and technical assistance in creating comprehensive student assistance programs for foster youth in the higher education communities. <p><i>Local Efforts</i></p> <p><u>Foster Youth Services Programs</u></p> <p>FYS programs have become key members of local foster care commissions in a number of counties that have a strong focus on education. These local collaboratives have created an elevated level of awareness about the pre-k- higher education pipeline.</p>
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The Judicial Council urge Congress and the state Legislature to strengthen current education laws to explicitly include all foster children and to fill funding gaps, such as the lack of support for transportation to maintain school stability.

Federal Efforts

Federal Fostering Connections to Success Act (10/08):

- Educational stability. Helps children and youth in foster care, guardianship and adoption achieve their educational goals by requiring that states ensure that they attend school and, when placed in foster care, they remain in their same school where appropriate, or, when a move is necessary, get help transferring promptly to a new school; also provides increased federal support to assist with school-related transportation costs.

Federal Fostering Success in Education (S 2801-Franken)-Died in committee

- Further defined the responsibilities of education agencies to support the educational achievement of children in foster care.

Statewide Efforts

State Legislation

- AB 81 (Strickland, Audra)—Chaptered 08/09
Would require that a foster child who changes residences pursuant to a court order or decision of a child welfare worker be immediately deemed to meet all residence requirements for participation in interscholastic sports or other extracurricular activities.
- AB 167 (Adams)—Chaptered 10/09
Requires a school district to exempt a pupil in foster care from coursework adopted by the local governing board of the district that is in addition to the statewide coursework requirements if the pupil, while he or she is in 11th or 12th grade, transfers from another school district or between high schools within the district, unless the district makes a finding that the pupil is reasonably able to complete the additional requirements in time to graduate from high

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	<p>school while he or she remains eligible for foster care benefits.</p> <ul style="list-style-type: none">• AB 1393 (Skinner)—Chaptered 10/09 This bill requests or requires community college, state university, and University of California campuses to give priority for housing to current and former foster youth. The bill also requests or requires campuses that maintain student housing facilities open for occupation during school breaks, or on a year-round basis, to give first priority to current and former foster youth for residence in the housing facilities that are open for uninterrupted year-round occupation, and for housing that is open for occupation during the most days in the calendar year.
<p>The Child Welfare Council prioritize foster children’s educational rights and work with educators to establish categorical program monitoring to oversee compliance with education laws and regulations that support foster youth in school.</p>	<p><i>Statewide Efforts</i> <u>Child Welfare Council</u></p> <ul style="list-style-type: none">• Child Development and Successful Youth Transitions committee has a strong focus on supporting the education of foster youth, first focusing on developing a strategy to provide technical assistance to the district in awarding partial credits. <p><u>California Dept. of Education</u></p> <ul style="list-style-type: none">• In process of developing a Categorical Program Monitoring tool, but project has been slightly delayed due to current budget constrictions.
<p>The California Department of Education designate foster youth as “at-risk” students to recognize that foster care creates challenges and obstacles to a child’s education that other children do not experience and to increase the access of foster youth to local education programs.</p>	<p><i>Statewide Efforts</i> <u>State Legislation</u></p> <ul style="list-style-type: none">• AB 167 (Adams)—Chaptered 10/09 Would require a school district to exempt a pupil in foster care from coursework adopted by the local governing

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	<p>board of the district that is in addition to the statewide coursework requirements if the pupil, while he or she is in 11th or 12th grade, transfers from another school district or between high schools within the district, unless the district makes a finding that the pupil is reasonably able to complete the additional requirements in time to graduate from high school while he or she remains eligible for foster care benefits.</p>
<p>Foster Youth Services grants be expanded to include all children age five or older, including those in kinship placements, because close to half of foster children are placed with kin and Foster Youth Services is not currently funded to serve those children.</p>	<p><i>Statewide Efforts</i> <u>State Legislation</u></p> <ul style="list-style-type: none">• Attempt to expand Foster Youth Services to youth in kinship and guardianship placements (AB 1259) was killed due to budget constraints.
<p>The Judicial Council urge legislative bodies and higher education officials to expand programs, such as the Guardian Scholars, statewide to ensure that all current and former foster youth who attend college have access to housing and other support services and to waive tuition and other educational fees for current and former foster youth.</p>	<p><i>Statewide Efforts</i> <u>State Legislation</u></p> <ul style="list-style-type: none">• AB 1393 (Skinner)—Chaptered 10/09 This bill would request or require community college, state university, and University of California campuses to give priority for housing to current and former foster youth. The bill would also request or require campuses that maintain student housing facilities open for occupation during school breaks, or on a year-round basis, to give first priority to current and former foster youth for residence in the housing facilities that are open for uninterrupted year-round occupation, and for housing that is open for occupation during the most days in the calendar year. <p><u>California State University System</u></p> <ul style="list-style-type: none">• On March 16, 2010, the CSU Board of Trustee unanimously supported the Title 5 revision in the Education Code granting housing priority to current and

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	<p>former foster youth during the academic year, as well as during critical transitional periods such as school breaks; and establishing reasonable systems for determining priority housing when implementing the Assembly Bill 1393 (Skinner).</p> <p><u>California College Pathways</u></p> <ul style="list-style-type: none">• Continuing to work with the higher education intersegmental entities to continue collaboration and to provide more support and technical assistance in creating comprehensive student assistance programs for foster youth in the higher education communities. <p><u>Expansion of Campus Support Programs and Services for Foster Youth</u></p> <ul style="list-style-type: none">• Currently 21 CSU, 9 UC and 110 community college campuses that have in place support services (e.g. financial assistance, housing, academic advising) for former foster youth. Some of the programs supporting foster youth in higher education are called by various names including Foster Youth Success Initiative (FYSI), Guardian Scholars, Renaissance Scholars, CME Society, Resilient Scholars, Court Scholars, ACE Scholars Services and EOP/EOPS.• Currently 51 comprehensive support programs at the UC, CSU and community colleges serving students from foster care.
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ATTACHMENT B

Recommendation 1: Reasonable Efforts to Prevent Removal and Achieve Permanency

Because families who need assistance should receive necessary services to keep children safely at home whenever possible, the Blue Ribbon Commission recommends that the Judicial Council, the California Department of Social Services, and local courts and child welfare agencies implement improvements to ensure immediate, continuous, and appropriate services and timely, thorough review for all families in the system.

Recommendation 1A

Children and families need access to a range of services to prevent removal whenever possible. All reasonable efforts should be made to maintain children at home in safe and stable families. The courts should make an informed finding as to whether these efforts actually have been made.

The Blue Ribbon Commission recommends that:

- The courts and partnering agencies tailor resources to make sure they have sufficient information and time to establish that all reasonable efforts have been made to prevent removal.
- All children and families receive timely and appropriate mental health, health care, education, substance abuse and other services, whether children reside with their own parents or with relatives, foster parents, guardians or adoptive parents or are in another setting.
- At the earliest possible point in their involvement with the family, child welfare agencies engage family members, including extended family wherever they may live, to support the family and children in order to prevent placement whenever possible. Child welfare systems should develop and improve internal protocols for finding family members.
- The courts and partnering agencies work to reduce the disproportionate number of African-American and Native American children in the child welfare system.
- Judicial officers, attorneys, social workers and other professionals who serve foster children and their families increase the diversity and cultural competence of the workforce.
- The Judicial Council work with local, state, and federal leaders to advocate for greater flexibility in the use of federal, state, and local funding for preventive services.

Recommendation 1B

If foster care placement is necessary, children, families, and caregivers should have access to appropriate services and timely court reviews that lead to prompt reunification with family whenever it is possible, or, when it is not, to alternative permanency as quickly as possible.

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Service delivery and court review should ensure that all reasonable efforts are made to return children home, to make sure families and workers comply with case plans, and to achieve timely and stable transitions home or, if necessary, to place with relatives or in another permanent, stable family.

The Blue Ribbon Commission recommends that:

- The Judicial Council work with state and federal leaders to advocate changes in law and practice to increase and encourage more relative placements; including:
 - Addressing funding disparities;
 - Developing greater flexibility in approving relative placements whereby relatives would not, by virtue of federal law, be held to the same standard as nonrelatives; and
 - Formulating protocols to facilitate swift home assessments and placement with family members when appropriate.
- The courts and child welfare agencies expedite services for families and ensure that foster children maintain a relationship with all family members and other important people in their lives.
- Because family reunification is the preferred form of permanency in the overwhelming majority of child welfare cases under federal and state law, the Judicial Council and the state Department of Social Services work together to urge Congress to provide financial incentives to state child welfare agencies for the successful reunification of families, similar to the incentives provided for the successful completion of adoptions from the child welfare system.
- The courts and child welfare agencies ensure the provision of appropriate postpermanency services for newly reunified families.
- The courts ensure that children who cannot return home receive services and court reviews to enable them to successfully transition into a permanent home and into adulthood. This includes paying attention to each child's language, development, and cultural needs in making decisions about home and school placements, visitation, education, and mental health needs. It also means making sure they have consistent community ties and help from supportive adults, such as mentors, as they grow up.
- All court participants continuously review and make extraordinary efforts to preserve and promote sibling connections and coplacement.
- Children and families receive continuous and comprehensive services if a child enters the delinquency system from foster care.
- The Judicial Council and the state Department of Social Services work together to urge Congress, the state Legislature, and state and local agencies to ensure that THP-Plus programs sustain a level of funding sufficient to maintain and expand program capacity to meet the demonstrated need of youth aging out of the foster care system.

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- The Judicial Council work with federal and state leaders to support or sponsor legislation to extend the age when children receive foster care assistance from age 18 to age 21. This change should apply to those children who at age 18 cannot be returned home safely, who are not in a permanent home, and who choose to remain under the jurisdiction of the court. If the court terminates jurisdiction prior to a youth's 21st birthday, the youth should have the right to reinstatement of jurisdiction and services.
- The Judicial Council work with local, state, and federal leaders to develop practices, protocols, and enhanced services to promote both placement and placement stability of children and youth in family-like, rather than institutional, settings.

