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When there's no other voice for kids

Children play with pillows, trucks and cardboard ramps on the floor as the Capra family, including David Capra and his wife Marla, their son James (center), 3, and their two foster children prepare for a mid-day walk together before lunch. Photo by Matthew Zimmerman Banderas.

By Sheila Hagar

WALLA WALLA — In Marla and Dave Capra's living room in the center of Walla Walla, two of three children under their care run, bounce and shower a visitor with well-teethed toys. The third, at 7 months, snoozes in a playpen. She's oblivious to feet pattering on hardwood and excited shouts.

When the couple welcomed their first foster child, James, into their home almost three years ago, they began a steep curve of learning how shockingly bad life is for kids who come into the state's foster-care system.

"It was an experience on how low it can go for children," Marla Capra said.

It makes her "crazy" that Washington's lawmakers may soon vote on a Senate bill that would make things even harder for foster kids by cutting funds to CASA, or Court Appointed Special Advocate.

The program runs largely on volunteer power, pairing children with an invested adult trained to be the voice for them in court proceedings. "The only legal voice strictly for the child," Capra emphasized.

On any given day, there are about 10,000 kids in the state's foster system, said Chris Case, assistant director of public affairs for Department of Social and Health Services. Some of those children are placed with relatives, and the rest are in foster homes. Children may stay in the system for a few days or until they reach age 18, depending on circumstances.

Soon enough, the Capras became aware of why James came to their house. It took his CASA worker to ensure a judge heard every detail — and to make sure the boy wasn't returned to that life, Capra said.

The program responsible for speaking up for James and countless other children, however, is in the sights of potential budget cuts to the Administrative Office of the Courts, the main support agency of technology, financial and research services for courts in all of Washington. That network funnels money to counties for CASA and other programs for at-risk children.

A Senate proposal targets the office for a $3.6 million reduction, said Michael Bates, director of the county's Juvenile Justice Center, the umbrella agency over CASA.

In Walla Walla County, the state funds 70 percent of the CASA program through the Administrative Office of the Courts and the county supplies the remainder, Bates said. In fiscal 2011-2012, CASA received $148,500 but paid $154,500 in salaries for a full-time program coordinator, part-time clerical help and a full-time coordinator of volunteers.

His department made up the shortfall with a combination of dollars other counties didn't use during the fiscal year for their own CASA programs — which can happen due to a lack of CASA volunteers or fewer children in out-of-home placements — and money shifted from other departments at Juvenile Justice Center, he said.

The feet-on-the-ground workers do their jobs for free, however. They make a commitment to serve at least one year, undergo background checks, 10 hours of courtroom observation and 30 hours of training to become the eyes and ears for a judge deciding the fate of a child.

There are a number of reasons kids are removed by officials, Capra said. James, officially adopted a year ago, arrived at her home with serious vision problems and a life-threatening hormonal imbalance.

Yet, at 11 months, James had not seen a doctor since he left the hospital as a newborn. The baby didn't know how to play with toys and couldn't hold his head up properly, due to being strapped into a car seat or left in a crib much of his young life, she said.

"He didn't like eye contact," Dave Capra added. "He was completely unsocialized and would freak out if he was in a room with the door closed."

The Capras learned that Washington law demands that Department of Social and Health Services try to reunite families once a child is removed from the home. For James, that would mean going back to a mother who lived with a drug dealer, a man who sold his wares from a motel room he shared with his own 9-year-old son.

Both biological parents had used drugs for more than a decade; both were mentally unstable.

“Dad was off-the-charts crazy,” Marla Capra said. “Mom had guns in the home. We saw them in a picture.”

Initially the Capras were naive in how much such factors impact a child’s development.

“We think it’s as bad as it can get,” she said. “We’re in our third year and it’s still shocking at how bad it can be for these kids.”

No matter how horrific the baby’s environment was, it was up to caseworkers to prove James’ birth parents were unable to care for their son. For that, they needed a CASA volunteer.

“Theoretically, everyone in (the child welfare) system is on the child’s side, but they are limited in what they can do,” Capra said. “CASA is the only legal voice strictly for the child.”

In Walla Walla County, about 22 CASA volunteers speak up for an average of 200 children a year, Bates said. By law, each child must be represented in court. Without his volunteer crew, it’s far more likely that representative will be a paid guardian, typically an attorney.

“And they don’t come cheap,” he said.

The local CASA program was started about 16 years ago by Walla Walla attorney Jean Waller, at a time children had spotty legal help. It was initially funded by donations, fundraisers and a little help from the county. But the funding was not sustainable and CASA’s board asked the county to take it over in 2005, Bates said.

The program, along with others that serve youths in troubling situtations, has made an obvious impact.

“You can graph it out for 10 to 12 years,” Bates said. “It used to be we would have 1,200 to 1,400 kids in the penal system in the state. This year we had less than 600 kids in lock up in a state penal facility — almost 1,000 kids less than eight years ago.”

Bates has been urging district lawmakers to maintain CASA funding, calling the Senate proposal “a bad piece of legislation.”

The Capras couldn’t agree more.

“Services for children should not be on the chopping block,” Dave Capra said.

In James’ case, the CASA volunteer was key to ensuring their son could grow up in safety and love, Marla Capra pointed out. “Foster children have so few rights, and they have been given so little, through no fault of their own. We shouldn’t be making things worse.”

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