



**Washington State Supreme Court  
Commission on Children in Foster Care  
March 21<sup>st</sup>, 2016  
Meeting Minutes**

**Members Present**

Justice Bobbe Bridge (ret.), Washington State Supreme Court, Commission Co-Chair  
Mr. Brett Ballou, Office of Public Defense (for Joanne Moore)  
Mr. Jim Bamberger, Director, Office of Civil Legal Aid  
Judge Kitty-Ann van Doorninck, Superior Court Judges' Association  
Mr. Mike Canfield, Co-Chair of Foster Parents Association of Washington  
Mr. Sabian Hart, Foster Youth in Care Representative  
Ms. Kristy Healing, NW Intertribal Council  
Rep. Ruth Kagi, Washington State House of Representatives  
Ms. Jeannie Kee, Foster Youth Alumni Representative  
Ms. Tonia Morrison, Parent Advocate Representative  
Mr. Ryan Murrey, Executive Director, Washington State CASA  
Ms. Carrie Wayno, Attorney General's Office (for Bob Ferguson)

**Members Not Present**

Dr. Dan Newell, Office of Superintendent of Public Instruction (for Randy Dorn)  
Jennifer Strus, Assistant Secretary, Children's Administration, Commission Co-Chair  
Senator Steve O'Ban, Washington State Senate  
Judge Harold D. Clarke III, Superior Court Judges' Association

**Guests**

Ms. Jill Malat, Office of Civil Legal Aid  
Ms. Laurie Lippold, Partners for Our Children  
Ms. Andi Smith, Senior Policy Advisor – Governor's Office  
Mr. Patrick Dowd, Office of the Family and Children's Ombuds  
Ms. Erin Shea McCann, Mockingbird Society  
Mr. Antonio Anderson, Mockingbird Society  
Ms. Cindy Bricker, Sr. Court Program Analyst, AOC  
Mr. Nicholas Oakely, Center for Children and Youth Justice  
Ms. Carolee Vergeer, Public Participant

**Staff Present**

Ms. Kimberly Ong, CCFC Staff Intern, Center for Children & Youth Justice  
Ms. Nichole Kloepfer, AOC

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### **Call to Order**

Justice Bridge called the meeting to order at 1:05pm. She welcomed all Commission members and guests and invited everyone to introduce themselves.

### **Approval of May and December 2015 Meeting Minutes**

Justice Bridge invited a motion to approve the May and December minutes from 2015. Judge van Doorninck moved to approve the minutes. Mr. Bamberger seconded the motion with the request that he be removed from the list of attendees at the December 2015 meeting as he was unable to attend last quarter. The motion passed.

### **DSHS/Children's Administration Updates**

Justice Bridge notified the group that Asst. Secretary Strus was unable to attend the meeting or provide updates on DSHS and the Children's Administration. Judge van Doorninck agreed to summarize updates from her last meeting with Asst. Secretary Strus.

Judge van Doorninck reminded the Commission that recruitment and retention of caseworker staff remain a problem, but that Asst. Secretary Strus is negotiating a proviso to change the classification of CA caseworkers. Rep. Kagi added that the 70% turnover rate is gradually getting worse and that the research shows that there is an average six month increase in time in care with every change in caseworker.

Justice Bridge added that another problem apparently contributing to the retention issue is preparation and training. Though the UW Alliance for Child Welfare Excellence trains case workers, the individuals coming out of the Alliance are not prepared to interact with the Courts and have little knowledge of how to best prepare their reports. A concentrated effort examining what can be done to improve preparation, such as providing caseworker mentors in addition to Alliance training, needs to occur.

Rep. Kagi added that addressing recruitment is also vital, noting that DSHS was granted an additional 52 FTE positions for 2016 and that there were still 60 vacancies. Mr. Dowd asked if CA caseworkers participated in exit interviews and, if so, were caseworkers asked what system improvements could better support their work and improve retention. Judge van Doorninck confirmed that exit interviews occur and that the line of questioning happens for every CA caseworker. Mr. Canfield added that the work itself is difficult and that it might work to change the requirement from the UW MSW CA program from a two-year commitment to CA to a four year-commitment. Mr. Hart was concerned that doubling the commitment may deter potential caseworkers from applying to the UW MSW. Mr. Canfield responded that it is still important to make sure that the people who are in the program and getting their education paid for are people who want to work in the public child welfare system.

Rep. Kagi reminded everyone that improving support for caseworkers is an ongoing conversation. For example, Asst. Secretary Strus was able to secure funding for mobile apps, making Washington the first state in the country to mobilize case files. This is an exciting opportunity because it could make information much more accessible. She also discussed an effort to revise the Individual Services and Safety Plan (ISSP).

Ms. Bricker recalled that there is an effort to develop a new visitation policy. Their aim is to provide ways to work towards more unsupervised visits and create a plan for graduating from supervised to unsupervised. No protocol currently exists, but there is interest in developing language that would encourage parents to respond more effectively to their children's ISSP.

### **Youth Summit Report**

Ms. McCann began the Mockingbird update by officially introducing Mr. Sabian Hart as the Commission's Foster Youth in Care Representative. She and other Mockingbird staff, Antonio Anderson and Fredrick Kingston, will be in regular attendance at Commission meetings to support Mr. Hart.

Mr. Hart briefly introduced himself to the Commission. He was in foster care for 6 months before he was placed at the age of 15. He joined Mockingbird a year and a half ago and was already familiar with the organization from accessing IOS. He has previous experience in activism and advocacy from serving as a Planned Parenthood peer educator.

Mr. Hart then gave the Commission an update on Youth Advocacy Day. A total of 341 people attended, resulting in the highest recorded turnout and a 30% increase in attendance from the year prior. The Mockingbird Society youth are now just restarting the advocacy cycle, which centers on the Foster Youth and Alumni Summit where youth advocates can engage conversations in youth homelessness and child welfare.

The 2016 legislative agenda was modest, but mindful of realities. The youth focused on funding for Hope Beds – which are difficult to access because there are only 23 beds in the state and they are primarily for dependent youth, more access to street resources, and technical corrections to the Youth Homelessness Protection Act. Ms. McCann stated that the youth advocates and their Mockingbird advisors are working on how to follow through with a bill once it has died and are developing more ways to define and achieve success in the legislative process.

Representative Kagi stated that she hopes that the AGO office will seriously consider the youth advocates' agenda. Ms. Lippold followed that, sharing that the agenda is important for the Commission to make a push for support to make these bills successes even if they aren't yet passed in legislature.

Mr. Hart advised the Commission that Mockingbird youth leaders are currently brainstorming to prepare for the next legislative session. Their two main questions are "If you could change foster care in one way, what would you do to change it?" and "If you could end homelessness, how would you do it?" The 2016 Summit is scheduled for August 2<sup>nd</sup> and 3<sup>rd</sup> at the UW Center for Urban Horticulture, with the Commission meeting scheduled for the 3<sup>rd</sup>.

Justice Bridge asked Mr. Hart and Ms. McCann what the Commissioners could do to help the youth reach their goals. Ms. McCann asked Commission members to attend Chapter meetings to serve as experts, so they could play a more ongoing role as the youth developed their proposals.

Representative Kagi asked for a clarification on how extended foster care works. Ms. McCann explained that youth in extended foster care are no longer minors, but they get support for

finding housing outside of foster homes. Representative Kagi followed up by asking how they could help at the end of that process. Ms. McCann stated that the Commission could advocate for more Hope Beds. Mr. Hart stated that Mockingbird and the Commission have both provided phenomenal opportunities and programs for youth to get involved in the conversations about child welfare and homelessness. As a youth, he would like to have a better understanding of each member and organization's role in order to know how to relay youth leaders to the right people. He shared that the youth leaders have a lot of ideas, but that they may not have all the information.

### **Executive Order on Department of Children & Families**

Ms. Smith, a senior policy advisor in Governor Inslee's office, informed the Commission about the Governor's Executive Order creating a Blue Ribbon Commission to explore the creation of a Department of Children and Families. The Blue Ribbon Commission is tasked with developing recommendations on how such a department would be formed and would function by November 1<sup>st</sup>. The Commission is to have 16 members, though not everyone has been appointed. Representative Kagi has agreed to serve.

The Blue Ribbon Commission's first stage has revolved primarily around planning and structure. Ms. Smith shared their five main deliverables: developing a mission and vision, determining the state government's level of involvement, estimating the cost of creating the department, developing a plan to manage the change, and identifying benchmarks to evaluate progress and effectiveness. These five deliverables will most likely be produced through workgroups within the Commission. Their goals have focused more on who needs to be served, rather than what functional parts of government need to move.

Mr. Murrey asked if there were any other states that we can reach out to that have engaged in this kind of undertaking before. Ms. Smith said that New Jersey, New York, Arizona, Georgia, and Wisconsin have all done something similar and that their connections at Chapin Hall could probably provide some insight and technical assistance.

Justice Bridge asked where juvenile justice reform fits into the new department's priorities. Ms. Smith agreed with Justice Bridge that many children at the county and state level are dually involved, therefore child welfare would be at the top of the pyramid in terms of priorities and that every layer below would be a method of prevention.

Mr. Hart asked if there was any way that the Mockingbird Society could help or if there was any room for a youth member. Ms. Smith told him that Commission membership is articulated in the Executive Order and does not have an appointment for youth membership. While deliverables will be completed by workgroups, they can be informed by youth and youth advocacy groups. Ms. Lippold then asked how people will know how to get involved in the workgroups. Ms. Smith said that she would post further details on the website that will be launched soon. Ms. Kee suggested that Passion to Action and Foster Care Alumni of America would also like to be involved.

Justice Bridge asked if there was any funding to staff the Commission. Ms. Smith said that the Commission has not yet come up in Legislature, but they have \$300,000 in funding currently and

are looking at the opportunities for public private partnerships. Representative Kagi stated that the Senate Republicans are very much on board and excited about the case study-based approach.

### **Legislative Updates**

Ms. Lippold provided the Commission with a legislative update. Her perspective was that, despite the budget not yet being done, the child welfare area has fared well. The Children's Administration acknowledged that the list of items that has passed is much more manageable than previous years and that the significant changes were moderate – whether or not they are worked into the budget.

Some key bills passed were Host Homes, CROP (Certificate of Restoration of Opportunity), Homeless Student Stability and Opportunity Gap, Foster Youth Education Outcomes, Children & Youth Mental Health and Foster Care Managed Care, Truancy Reduction, and Dependency Hearing Notices.

Mr. Canfield asked if Governor Inslee has signed any of the bills. Ms. Lippold said that he has not taken action on any of the child welfare bills yet, however, he would be signing Foster Youth Education Outcomes at the Treehouse luncheon on March 30<sup>th</sup>.

Ms. Lippold said that there are also a variety of exciting provisos that could happen. The child welfare-related provisos are the following: One Family One Team; Family Foster Care One; FAR; classification for CA case workers; and, additional funding for kinship navigators.

### **2015 Civil Legal Needs Study**

Mr. Bamberger presented the Commission with the results of the 2015 Civil Legal Needs Study. This was the first survey since 2003 and the purpose of the study was to evaluate what barriers and obstacles families with civil legal needs were experiencing. Mr. Bamberger asked Ms. Ong to share his presentation slides with the rest of the Commission. Justice Bridge commented that youth voice was much better represented in this year's report and that the return rates were excellent.

### **Office of the Family and Children's Ombuds 2015 Annual Report**

Mr. Dowd presented OFCO's 2015 Annual Report to the Commission. He reminded the Commission that the Office works out of the Governor's office and independently from the DSHS. OFCO's primary duty is to respond to complaints regarding children and families involved with the child welfare system and to investigate whether or not the Department is acting in a matter that is consistent with state law and department policy. He also noted that OFCO is involved in the review process of child fatalities and near fatalities.

In 2015, OFCO received 694 complaints, a majority of which came from parents and other family members and mostly concerning children age 9 or younger. The top concerns of these complaints were separation and reunification of families and the safety of children living at home or in out-of-home care. Mr. Dowd then presented the study's adverse findings, the historic trend of complaints over time, and the systemic issues and recommendations. Mr. Dowd also asked Ms. Ong to share his presentation slides and the report itself with the rest of the Commission.

Representative Kagi asked if OFCO received feedback from foster parents. Mr. Dowd confirmed that they received a lot of complaints, in particular about the pace of transitioning a child from foster placement back to the child's parent or family member.

### **Children's Representation Workgroup**

Justice Bridge noted that the Commission was running short on time and asked everyone whether or not they felt that devoting a longer time to the discussion at the next meeting would be better than discussing for a short time now. Judge van Doorninck agreed that the Commission table the conversation until the May meeting. Justice Bridge asked that all Commission members please prepare for the discussion in May.

### **Washington State – Tribal Consortium**

Ms. Bricker updated the Commission on the activities of the Tribal State Court Consortium since the initial partnership between the Gender and Justice Commission, CCFC, and the Minority and Justice Commission.

She stated that the Consortium has been an excellent networking opportunity for tribal and state judges to develop relationships with one another and to coordinate regional meetings. The increased networking has helped to improve tribal representation on state committees and commissions – including the new liaison positions, Superior Court Judges Association, Court Improvement Program Steering Committee, and OFOT Planning and Design Committee. Affiliated Tribes of the Northwest Union met and encouraged tribal courts to be involved in the consortium.

The Consortium has also been involved in encouraging more tribal voice in trainings. They are currently planning an Indian Child Welfare Summit for June 2016, which the Commission is invited to attend.

So far, the Consortium has been able to find funding for each program on an individual basis, but they are hoping to find sustainable funding for their overall operations. One tool they hope will help them accomplish that is their new website, which Ms. Ong will share with the rest of the Commission.

Justice Bridge acknowledged that the collaboration was appreciated, but asked when the tribal and state courts were going to start hearing cases together. She wondered if that effort was still on the list of things that the consortium would eventually address. Ms. Bricker stated that a tribal-state joint shared hearing is something that they are still working toward and that it has happened successfully in a few cases.

### **New Business**

Mr. Nicholas Oakley from the Center for Children and Youth Justice shared one of the organization's newer initiatives, the eQuality Project. The initiative is based on research done in 2013 on LGBTQ youth involved in the juvenile justice and child welfare systems. The study engaged focus groups of youth alumni and other stakeholders and professionals in the system. The results confirmed national literature of LGBTQ negative experiences in these systems. The

final report is titled “Listening to Their Voices.” The Report suggests that there is no legislative fix but that solutions come down to stakeholder practices and policies.

The eQuality initiative will develop and pilot a Protocol for Safe and Affirming Care. Components of the Protocol will include: training and methods of accountability; identification and engagement of youth; delivery of services and housing; and, data collection. CCYJ has organized mini-summits this spring and a statewide summit in August to design the Protocol. Once completed, the Protocol will be piloted in King County from October 2016 – October 2017. The goal is to bring the Protocol to use throughout the State in 2018.

Mr. Hart asked if the Mockingbird Society’s recommendation to make LGBTQ training mandatory in foster parent training is a part of the pilot. Justice Bridge confirmed that it was. Mr. Oakley stated that the initiative has ongoing conversations with Ms. McCann to make sure that youth voice is involved.

Justice Bridge acknowledged that though we have good statutes and policies now, some could obviously be updated to reflect new research and best practices. There’s the concern that a third of professionals surveyed during the research phase of the initiative were not aware of the existing policies nor the research that the policies were built on. The Protocol should be of assistance.

Mr. Oakley openly invited the Commission to come to the summits and encouraged members to share the invitation with their contacts. Ms. Morrison asked who he would like to see at these summits. Mr. Oakley said he would hope to see regional administrators, CASA representatives, foster parent representatives, court personnel, service providers, and essentially any and all stakeholders to have all perspectives in the room. Mr. Bamberger noted that his office is also close to completing a supplement to the Civil Legal Needs Study for LGBTQ demographics.

Adjourned at 4:10pm by Justice Bridge.