



## Washington State Office of Civil Legal Aid

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To: Judge Ann Schindler, Chair  
WSCCR Advisory Board

CC: Carl McCurley, Manager  
WSCCR

From: Jim Bamberger, Director  
Jill Malat, Children's Representation Program Manager

Re: Request for WSCCR Support – Legally Free Children; Comparative Time to Permanency Analysis

Date: January 27, 2015

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This memo requests that the WSCCR Advisory Board authorize and prioritize a limited research effort focused on comparing median and range times to permanency for children who remain in the dependency system six months following the termination of their parents' legal rights.

### **Background**

With the passage of [Laws of 2014, ch. 108](#), the Legislature established a new program requiring the appointment of attorneys for children who remain in the foster care/dependency system six months following the termination of their parents' legal rights. Provision was made for the state to pay for attorney representation where such representation was delivered consistent with caseload, practice and training standards previously established by a Children's Representation Work Group established at legislative request in 2010. The Office of Civil Legal Aid (OCLA) was assigned responsibility to administer this new program and funding was appropriated to enable OCLA to pay for qualifying legal representation.

One expressed purpose in passing this legislation is to accelerate permanency for the legally free children for whom attorney appointment would be required. In conversations with the principal sponsors in both the House (Rep. Goodman) and Senate (Sen. O'Ban), we have received a clear directive to monitor and report on the impact that attorney representation has on the time to permanency for these children.

### **Research Request**

OCLA requests that WSCCR work within the court data resources available to it to do the following:

1. For the period July 1, 2012 through June 30, 2014, run an analysis and provide a report documenting (a) the mean time to permanency for legally free children from the point following six months after the termination of the legal rights of a dependent child's parents, and (b) the frequency range of times to permanency for such children. This analysis should be limited to cases where the child did not have an attorney appointed to represent him or her. To the extent possible, we would like to have the data broken down by age group as follows: 0-5; 6-11; 12-18.
2. For the period July 1, 2014 through December 31, 2015 run an analysis and provide a report documenting the same information as captured and presented for the two-year period immediately prior to the time at which attorneys began to be appointed for these children. This latter analysis should be limited to those cases where attorneys have actually been appointed.
3. Provide a comparison of the mean and frequency range of timelines between the two periods outlined in sections 1 and 2 above and identify variables other than the appointment of an attorney that WSCCR believes might affect the validity of any inferences that might be drawn regarding the impact of attorney representation on the time to permanency for this cohort of children.

We have tailored the request in a manner that limits both the data and the analysis for the bare minimum necessary to respond to legislative inquiries. We have discussed the feasibility of this request with Dr. McCurley and Matt Orme at WSCCR. Dr. McCurley advises that the request is feasible from the data and analysis viewpoints.

Please feel free to contact us with questions regarding the scope, substance or purpose of this request. We look forward to the Advisory Board's favorable consideration of this request.