



**Washington State Supreme Court  
Commission on Children in Foster Care  
December 9, 2019  
Meeting Minutes**

**Members Present:**

Jody Becker, DCYF, Commission Co-Chair  
Justice Barbara Madsen, Washington State Supreme Court  
Jim Bamberger, Office of Civil Legal Aid (OCLA)  
Mike Canfield, Foster Parents Association of Washington State  
Senator Jeannie Darneille, Washington State Senate  
Jeannie Kee, Foster Youth Alumni Representative  
Judge Gretchen Leanderson, Superior Court Judges' Association  
Jill Malat, Office of Civil Legal Aid  
Tonia McClanahan, Parent Advocate Representative  
Joanne Moore, Washington State Office of Public Defense  
Ryan Murrey, Washington State CASA  
Carrie Wayno, Attorney General's Office (Designee for Bob Ferguson)

**Members Not Present:**

Raven Arroway-Healing, Northwest Intertribal Council  
Jolie Bwiza, Tacoma Chapter Leader, Mockingbird Youth Network  
Beth Canfield, Foster Parents Association of Washington State  
Peggy Carlson, Office of Superintendent of Public Instruction (OSPI)  
Martin Mueller, Office of Superintendent of Public Instruction (Designee for Chris Reykdal)

**Guests Present:**

Kwesi Booker, DCYF  
Patrick Dowd, Office of the Family and Children's Ombuds  
Lauren Frederick, Mockingbird Society  
David del Villar Fox, DCYF  
Judge Anne Hirsch, Thurston County Superior Court  
Jess Lewis, DCYF  
Laurie Lippold, Partners for our Children  
Dawn Marie Rubio, Administrative Office of the Courts  
Rachel Sottile, Center for Children & Youth Justice

**Staff Present:**

Cindy Bricker, Administrative Office of the Courts  
Moriah Freed, Administrative Office of the Courts  
Sehej Singh, CCFC Staff Intern, Center for Children & Youth Justice

### **Call to Order:**

Jody Becker called the meeting to order at 1:10 pm and invited everyone present in the room to introduce themselves.

### **Approval of the Minutes:**

Jody Becker invited a motion to approve the September 2019 meeting minutes. The motion to approve the September 2019 minutes passed.

### **DCYF Updates:**

Jody Becker provided the Commission the following updates from the Department of Children, Youth, and Families (DCYF):

- **Welcoming new people to DCYF**
  - Jess Lewis (Director of Adolescent Programs)
  - Kwesi Booker (Assistant Secretary of Child Welfare Field Operations)
- **Updates on things that DCYF has under way:**
  - *Two-year Performance Improvement Plan (PIP):*
    - DCYF will turn in its PIP at the end of January and looks forward to a strong court component within the PIP.
  - *Family First Prevention Services Act (FFPSA) Plan:*
    - DCYF will be submitting the FFPSA prevention plan on December 20<sup>th</sup>. Federal partners have an expectation that the FFPSA plan is also aligned with the PIP.
  - *DCYF Strategic Plan:*
    - Now that DCYF is a full family, they are working on their first strategic planning effort. This is being led by Dr. Vickie Ybarra, Director, Office of Innovation, Alignment, and Accountability, who is hosting many events and webinars as attempts to connect to as many people as possible for suggestions and feedback. DCYF hopes to have a draft by mid-January (and they are on target to meet this deadline).
  - *Permanency Grant:*
    - DCYF is continuing to negotiate a work plan with federal partners. This grant must align with the PIP.
  - *Strengthening Family and Community Grant:*
    - DCYF is a recipient of this 5-year grant of about half a million dollars every year. The grant is targeted for community-based child abuse and neglect prevention activities. DCYF has targeted four communities through a random sample that have the highest prevalence of child abuse and neglect. This grant will allow DCYF to test community-driven prevention activities.
- **2020 Legislative Agenda**
  - David del Villar Fox from DCYF discussed three pieces of request legislation regarding child welfare, which have not been approved by the Governor's Office

yet. An email with more information will be sent to Commission members. The titles of these requests include:

- Concerning reports alleging child abuse and neglect
  - Modifying the six-month trial return home
  - DCYF Technical Fix
- **Questions for DCYF from CCFC Members**
    - Was Washington D.C.'s FFPSA plan approved? It was approved a few months ago (first one). Utah has also submitted their FFPSA plan.
    - Question regarding FFPSA Webinar: During the webinar, there was no discussion of preventive legal assistance as an evidence-based practice. It is possible that states can add additional evidence-based practices in amendments? Jody Becker suggested that OCLA connect to Rachel Mercer (DCYF Administrator for FFPSA).

### **Follow-up on The Mockingbird Society Youth Leadership Summit**

DCYF had a follow-up meeting in November with leaders from each of The Mockingbird Society Chapters along with the Department of Commerce's Office of Homeless Youth (OHY).

### **Updates from The Mockingbird Society (TMS):**

- Some of the legislative ideas from the Youth Leadership Summit (YLS) will be on the administrative advocacy agenda for 2020.
- **Training Ideas:**
  - Lauren Frederick reminded the Commission of the legislative ideas on trainings for foster parents to better support LGBTQ+ youth in foster care and to increase trainings for foster parents and social workers through trauma informed and culturally responsive approaches. Currently, TMS is getting commitment on these training ideas from the University of Washington Alliance for Child Welfare Excellence.
- **“My Voice, My Story” (by the Everett Chapter):**
  - Jess Lewis and Jody Becker discussed the possibility of DCYF Region 6 to pilot this concept with the Everett Chapter members' participation.
  - DCYF's Region 6 will start the pilot with two populations: legally free youth (LFY) and youth who have a history of running.
  - Questions and Comments Regarding “My Voice, My Story”:
    - Jill Malat asked about the “My Voice, My Story” project: Since the LFY have lawyers will they be working with their lawyers to implement this? Jess responded that yes, they will have lawyers for an accountability perspective as well. Youth have also expressed wanting delegates to speak for them to make them feel more comfortable. They need a lawyer at the table too because youth may incriminate themselves.
    - Jeannie Kee asked that DCYF and TMS consider reaching out to Passion to Action (P2A) as well because the organization consists of DCYF youth who are not on the advisory committee and have shared concerns around these issues as well.

- Jody Becker mentioned that this project should consider the potential beneficial impacts of the project on our youth who are incarcerated.

### **Housing and Shelter-Specific Ideas Discussion:**

- Lauren Frederick discussed the idea of expanding master leasing housing programs. TMS is also working with young people for more accurate vulnerability assessments, as these affect homeless youth when they get assessed for potential housing opportunities.
- A complementary training idea came up to evaluate and have youth voice be part of the training that staff receive at young adult shelters.

### **Concerns Regarding Homeless Youth Not Having Access to their IDs**

- Lauren Frederick stated that this is on the TMS Legislative Agenda for 2020. This prospective bill would include everything regarding this--from trying to get an ID at-cost to having a point of contact at the Department of Licensing who can verify the identity of the youth (and therefore, can sign off on the young person's documents). Lauren Frederick stated that TMS will need support from the Commission on this bill and will send more information as this develops.

### **Report on National Judicial Leadership Summit IV on Child Welfare**

This was a discussion on the fourth convening of the National Judicial Leadership Summit on Child Welfare, bringing together judicial systems with child welfare leadership. Information on the Summit, themes, and strategies was provided to CCFC members.

Themes from the Summit were intended to give the state teams ideas on where their state has strengths and where the states could do more work.

- **Themes that surfaced for Justice Madsen included:**
  - *Strong national trend to get attorneys for children*
    - A significant missing player in child welfare is the legal advisor for children. The age at which a child received representation looks different in each county.
  - *The children's voice*
    - The system does not always provide systematic opportunities for children to come to court when their cases are being considered. Children are not always being invited to those hearings where their voice would be critical. What can our state do to encourage such opportunities?
  - *Family First Prevention Services Act (FFPSA)*
    - Leaders are continuing to find ways to get involved as early as possible to provide services to families in order to prevent removals from occurring in the first place.

### **Discussion regarding proposed plans and next steps from the Summit:**

- Justice Madsen noted how, while CCFC members work on realizing the Summit themes, there may be further ideas that members want to bring to the Commission. Justice Madsen discussed the possibility of creating a workgroup of Commission members to

organize continual ideas. Another option discussed was a means through the Innovative Dependency Court Collaborative (IDCC) to plan and implement future plans. Justice Madsen concluded that the Commission has multiple avenues where certain additional plans can fit best.

#### **Questions and Comments from CCFC Members:**

- Carrie Wayno brought up the idea that if there are certain plans that do not specifically align with DCYF's plans, then these potential plans can be presented to the Commission.
- Jim Bamberger wanted the Commission to know that he and Jill Malat will be exploring some innovative ideas directly with the DCYF Secretary— this discussion will surface funding and the statute on representation to use available funds to expand the frequency and quality of appointments.
- Senator Darneille commented on foster care youth and their co-occurring involvement in the justice system. She stated that there is considerable difficulty getting data from OSPI on girls in this group specifically (and girls of color) regarding education attainment.
  - In response, the Family Juvenile Court Improvement Program (FJCIP) programs were mentioned as they have coordinators that do that casework for children who are both in the dependency and the juvenile justice systems. Thurston and Kitsap Counties have these FJCIP programs (Kitsap County also has a Girls Court initiative).
  - Jess Lewis stated that they will have a meeting with OSPI to discuss this issue on how DCYF can receive access to education data.
  - Cindy Bricker mentioned the Washington Association of Juvenile Court Administrators (WAJCA) meeting as a means to improve the relationship between DCYF and juvenile court administrators. Jess Lewis responded that they will also have a meeting with WAJCA in January.
  - Jody Becker concluded this discussion by stating that there is more to come on the education data as it is complex and governed by various legalities.

#### **Jeannie Kee: Normalcy Workgroup and Other Updates**

Jeannie Kee did not have updates regarding the sexual education legislation as they are waiting for the legislative session.

#### **Amazon Care Packages Discussion:**

- Jeannie Kee discussed packages for care that Amazon is organizing for Passion to Action (P2A) and brought this as an example for why the system needs to have young people with lived experiences at the decision-making table. When children enter the system they do not have control over anything, hence, this is abnormal youth development as the youth do not have the opportunity of control and choice. Amazon's backpack program would have been a window of opportunity for these youth to have a choice and opinion in what they need.

#### **Foster Youth Incident in Seattle Discussion:**

- Jeannie then discussed the implications of an incident that occurred with foster youth in Seattle, where youth with behavioral issues were walking the streets of Seattle alone. These foster youth were placed in the Spruce Street Inn housing program run by Pioneer Human Services at the time. Similar incidents happen on a weekly basis with these foster youth who have behavioral issues. Jeannie Kee spoke to someone at licensing (Pioneer Human Services) and similar issues have been occurring in a Tacoma group home. In Tacoma, as a response to such incidents with foster youth in group homes (temporary emergency housing), the police department came in and had a community dinner to speak with the staff. Jeannie Kee suggested a similar type of response should happen in Seattle with Seattle Police Department.
- Jody Becker responded that DCYF is doing follow-up work in Region 4 (which includes Seattle) with Seattle Police Department and other regional staff to look into these concerns.
- The fact that Spruce Street Inn is not adequately staffed with behavioral health professionals was brought up as an additional issue. Some Commission members will be talking with legislators about this staffing issue.
- This issue also highlights concerns about how youth are being treated in such facilities and how these facilities are not staffed up to work effectively.

### **CCFC Membership Discussion**

- This was a continuation of the discussion from the September meeting regarding expansion of Commission membership..
- Justice Madsen stated that if members agree, then she will take the decisions and changes to the Supreme Court in January at the administrative meeting—after which the Court may approve the changes to the order.
  - The discussion started off with who is missing at the table and who should formally become Commission members:
    - Youth voice
    - Physical and mental health representatives
    - Center for Children & Youth Justice (President/CEO)
    - Representative from Partners for our Children
  - Ryan Murrey suggested that the Commission should include the voices of youth who have been reunified. This will be specified in the membership document and the motion for this amendment was approved.
  - However, Senator Darneille reminded the Commission of how difficult it is to get these youth to join the Commission for various reasons such as transportation and compensation for their time. Jill Malat also mentioned how difficult it is to contact such youth in terms of their attorneys, guardians, and other legalities.
    - Jeannie Kee stated how Casey Family Programs has considered and prioritized compensation for foster youth and alumni participation.
    - Rachel Sottile stated that the Center for Children & Youth Justice (CCYJ) would like to contribute to those expenses through the administrative budget as the organization has space for transportation costs and other possible means for compensation. CCYJ would need support in evaluating

what necessary compensation would look like. CCYJ is able to build a budget on addressing and breaking the barriers for youth involvement in the Commission.

### **CASA Discussion**

This discussion was about the parting of ways between National CASA and Washington State CASA.

#### **Background:**

Ryan Murrey explained National CASA released a new set of standards for all CASA members which are intense and extensive. WACASA, WAJCA and the SCJA were trying to work with National CASA to resolve issues. However, National CASA abruptly revoked the Washington State CASA association membership. The majority of the local CASA programs chose not to renew their membership. Ryan Murrey is in the process of renaming the Washington organization and developing a new curriculum, which has been submitted to the Administrative Office of the Courts. The organization that Ryan Murrey leads is no longer WACASA, and the Commission should consider whether to amend the order regarding Commission membership to include the new organization.

#### **Questions and Comments from CCFC Members:**

- Judge Hirsch stated that there is a severe lack of communication between different CASA organizations and National CASA, even when (in this example) an office follows the standards, does the paperwork, and yet does not hear from National CASA. The programs were genuinely trying to meet the requirements, and this may be happening in other states as well.
- Justice Madsen then introduced Dawn Marie Rubio, State Court Administrator.
  - Dawn Marie Rubio clarified that CASA programs exist in three ways:
    - Through a non-profit organization
    - When county courts run their CASA programs
    - Hybrid program: GALs are the supervisory head of the CASA
- Senator Darneille asked to clarify whether Washington is the only state having this problem. Ryan Murrey responded that there are a number of other states having issues with National CASA.
- Jill Malat then brought up the incident and case of Snohomish County (case document provided in meeting packet) and how this issue is a possibility of National CASA investigating Washington State CASA's role in this incident. Ryan Murrey immediately responded that this is not the case.
- National CASA convened a meeting in Seattle for local CASA programs that may wish to continue being members of Washington State CASA with the idea of putting together a new board for Washington State CASA.
  - Cindy Bricker was able to attend one of these meetings and discovered several tribal and county CASA programs in Washington. These programs were renewed at the beginning of 2019 and did communicate that National CASA's standards are too high.
- Justice Madsen then circled back to the Snohomish County case discussion: She questioned whether this case makes Washington CASA an outlier or not. In the case, the

parents had been denied their due process right to an impartial judge and this was linked to the relationship between the superior court judges and the GAL program in that county. Ryan Murrey responded that he does not have oversight over the county programs and instead, it is up to county courts for supervision.

- Dawn Marie Rubio explained that government-run state CASA programs are being targeted by the National CASA office because they are preferring the 501(c)(3) model. Dawn Marie Rubio then stated that the Snohomish County case was an “easy trigger” for National CASA to utilize against Washington State CASA.
- Jim Bamberger then asked for further clarification on how the Snohomish County case and Washington State CASA’s loss of accreditation are related. Ryan Murrey responded by stating that they were “co-occurring”. Jill Malat also reiterated the concern that there was no statement regarding responsibility nor concern on behalf of Washington State CASA about the process and outcome of the Snohomish County case.
- Carrie Wayno mentioned how Snohomish County made changes to their VGAL program and how perhaps this is a time to invite the county and discuss the changes they made and the lessons they learned.
- Justice Madsen then questioned that if every county is responsible for their own programs, then who is overseeing these programs? Are there aspects of the system that need to be changed so that another case like Snohomish County does not occur again?
  - In response, the Family and Juvenile Law Committee of the Superior Court Judges Association was brought up and how it has representatives from all across the state while being actively involved with judges and commissioners who do dependency work. This group meets every month and invited Justice Madsen to attend these meetings so that she can share these concerns.
  - Judge Leanderson stated how she feels confident in Pierce County’s system regarding the GALs, VGALs, and CASAs she has worked with.
  - Justice Madsen stated how it would be advisable for her to attend the committee meeting. The Commission would also benefit from hearing directly from Snohomish County. Justice Madsen will ask Judge Weiss from Snohomish County to attend a Commission meeting in the future.
  - To also address Justice Madsen’s concern, Jim Bamberger stated that there is a structural issue in terms of the court system and its responsibility over CASA programs. He suggests that we build a dialogue with the Family Juvenile Committee to establish best practices on how courts can better operate with the CASA programs.

#### **Legislative Agenda Updates and Preparation:**

- **Patrick Dowd:** The Office of the Family and Children’s Ombuds (OFCO) Annual Report will be released and dispersed to the Commission members. The report discusses hotel stays, placement instability, and the need for an array of placement services to meet the needs of adolescents.
- **Jeannie Kee:** SB 5395 – Mandating Comprehensive Sex Ed in the state – is a priority for Passion to Action this legislative season.



- **Carrie Wayno:** Attorney General Budget request in the Governor’s Office—requesting additional FTEs.
- **Lauren Frederick:** TMS’ legislative priorities include—IDs for Homeless Youth, budget request for Mockingbird Constellations in the state, budget request for transitional living for minors 16-17-year olds (this is a pilot project with the OHY), and SB 5290.
- **Laurie Lippold:** Discussed items she is supporting. She will email documents to the Commission in conjunction with the Child Welfare Coalition and Partners for our Children.
- **Ryan Murrey:** The organization, formerly known as Washington State CASA, submitted a budget request to hire a trainer and additional support for rebranding.
- **Senator Darneille:** Discussed the financial status that the state is currently in and other such stressors that are going to be challenges. There is 1.5 billion dollars total for any kind of supplemental request, which is typically used for emergency challenges. Senator Darneille is committed to moving the dial within the Human Services Committee to address at least some forward movement for each of the areas they oversee such as child welfare, economic security for families, and the juvenile justice system.

**Adjourned at 4:18 pm by Jody Becker.**

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