



**Washington State Supreme Court
Commission on Children in Foster Care
May 4, 2020
Meeting Minutes**

Members Present:

Jody Becker, Department of Children, Youth, and Families (DCYF), Commission Co-Chair
Justice Barbara Madsen, Washington State Supreme Court, Commission Co-Chair
Raven Arroway-Healing, Northwest Intertribal Council
Jim Bamberger, Office of Civil Legal Aid (OCLA)
Jolie Bwiza, Tacoma Chapter Leader, Mockingbird Youth Network
Beth Canfield, Foster Parent Allies of Washington State
Mike Canfield, Foster Parent Allies of Washington State
Peggy Carlson, Office of Superintendent of Public Instruction (OSPI)
Senator Jeannie Darneille, Washington State Senate
Judge Kitty Ann van Doorninck, Superior Court Judges' Association
Tory Gildred, Coordinated Care
Jeannie Kee, Foster Youth Alumni Representative
Laurie Lippold, Partners for our Children
Jill Malat, Office of Civil Legal Aid
Jill May, Washington Children & Families
Tonia McClanahan, Parent Advocate Representative
Joanne Moore, Washington State Office of Public Defense
Ryan Murrey, Washington Association of Child Advocate Programs
Representative Tana Senn, Washington House of Representatives
Rachel Sottile, Center for Children & Youth Justice (CCYJ)
Carrie Wayno, Attorney General's Office (Designee for Bob Ferguson)

Members Not Present:

Martin Mueller, Office of Superintendent of Public Instruction (Designee for Chris Reykdal)

Guests Present:

Kwesi Booker, DCYF
Sally Erny, National CASA
Sydney Forrester, Governor's Office
Lauren Frederick, Mockingbird Society
Steven Grilli, DCYF
Barbara Harris, Washington State Office of Public Defense
Juliette Knight, DCYF
Carl McCurley, Washington State Center for Court Research
Angela Murray, Washington CASA Association
Matt Orme, Washington State Center for Court Research
Carol Piddock, CASA
Dawn Marie Rubio, State Court Administrator

Staff Present:

Cindy Bricker, Administrative Office of the Courts
Sehej Singh, Center for Children & Youth Justice

Call to Order

Justice Madsen called the meeting to order at 1:05pm and completed roll call and introductions.

Approval of the Minutes

Justice Madsen invited a motion to approve the March 2020 meeting minutes. The motion to approve the minutes passed.

Re-visit of December Meeting Minutes

Justice Madsen invited a motion to approve Ryan Murrey's revisions to the CASA discussion section of the December 2019 meeting minutes. Rachel Sottile and Jim Bamberger abstained from approving the minutes and revisions to the minutes. The motion to approve the revisions and the minutes passed.

CASA Changes Discussion

Justice Madsen initiated the discussion on the CASA organizational changes. Ryan Murrey leads a new organization, Washington Association of Child Advocate Programs, and Angela Murray leads the newly formed Washington CASA under the National CASA Program. Both Ryan Murrey and Angela Murray presented on their respective organizations and the future of these organizations.

Washington Association of Child Advocate Programs (WACAP)

- **About the program:**
 - This organization has 36 programs that are members of the association consisting of court-based, non-profit, and tribal programs. WACAP serves all 36 programs regardless of external membership.
 - The only counties that do not have a child advocate program are Adams, Lincoln, Pacific, and Wahkiakum Counties.
 - The structure of the organization has been in existence since 1988 with a board consisting of six program managers, two Juvenile Court Administrators, two judges, and one volunteer. It's not a new organization, just changed the name and logo.
- **Activities since the December CCFC Meeting:**
 - Legislative Advocacy Day
 - Days of Data Survey
 - Assisting Programs with name change efforts
 - Extensive work with Office of Crime Victims to develop an RFP for programs to access federal Crime Victim funding to increase number of children served by volunteers
 - New Advocate Core Training Program reviewed, edited and approved by AOC.
 - Conducting statewide training online for 70+ volunteers from 14 different programs.

Washington CASA Association

- **About the program:**
 - The mission of this organization is to support and promote court-appointed volunteer advocacy.
 - 16 programs in 15 counties across the state that are publicly administered or non-profit, and belong to the National CASA/GAL network.
 - This organization is currently building their board members and will start hiring staff in 2021.
 - Promote awareness of WA CASA Association and the children who have experienced abuse and neglect.
 - Support local programs.
 - Work in partnership with the National CASA/GAL network.
- **Activities:**
 - Creation of the website for WA CASA as a recruiting and awareness tool for more volunteers.
 - Provided COVID-19 resources, including grants and opportunities assistance from National CASA/GAL, webinars and virtual trainings.
 - Campaigns tools for local programs for Child Abuse Prevention Month and National Foster Care Month
- **Next Steps and Moving Forward:**
 - Building relationships with external and internal stakeholders
 - Funding, legislation, and presence
 - Leadership & Diversity Plan
 - Continuous learning and improvement

Commission Discussion and Debrief on Presentations:

- Jill Malat asked how many counties or programs joined WACAP after the parting from National CASA. Ryan Murray responded that all 36 counties are still within WACAP.
- Jim Bamberger wanted to clarify that WACAP is no longer affiliated with National CASA and how this is a significant change for the new organization. Ryan responded that this is correct, WACAP is no longer a member of National CASA.
 - Jim asked if the general philosophy of the new WA CASA organization is relative to accountability of conduct at the local level. Angela stated that she sees the state as an intermediary between local and national CASA to provide support for local programs to meet the national standards.
 - Jim expressed concern that these two organizations are functionally engaged in providing the same set of services and will be competing with one another in the legislature for increasingly scarce legislative support for non-lawyer assistance to courts and asked about moving to a single entity that has consistent certification and meets the requirements of National CASA. Sally Erny reiterated that it is

critical for National CASA to have a state office in Washington that meets the requirements of the national association. Ryan Murrey stated that all the WA CASA programs passed the standards in 2012. To clarify what occurred, Ryan stated that the process for accreditation had not gone smoothly for many local programs with frustrating experiences with National CASA. The local programs were questioning the benefits of staying with National CASA and if it was worth the stress to continue as members.

- Joanne Moore asked how the new WACAP organization is funded. Ryan responded that they are funded by a training contract with AOC, individual donations and various small contracts. Additionally, about 75% of funding for Dependency GALs comes from local county funding, \$3 million comes from the state every year which is distributed to the local programs.
 - Joanne asked what caused the parting of ways and why National CASA came into Washington. Sally Erny responded that the former WA State CASA did not meet certain requirements and standards of National CASA membership. Thus, National CASA took action. Collaboration, coordination, and communication are key for an effective relationship between National and State CASA organizations--National CASA did not have this relationship with the former WA state organization.
- Tonia McClanahan asked why the Commission has all three organizations -- WACAP, WA CASA, and National CASA -- at the table. Justice Madsen answered that this was brought to the Commission as the Court Order establishing membership on the Commission provides a seat for Washington State CASA, and to have members evaluate whether we should recommend another seat for child advocates. As the Commission, there is a concern about whether systems are working properly, a responsibility to know what went wrong, and ensuring that the process does not go wrong again.
- Laurie Lippold asked Angela Murray where the funding for the new WA State CASA comes from and to specify the legislative request for funding. Laurie additionally asked if there has been any discussion between the two organizations, and specifically between Ryan and Angela, regarding role clarification. Is there a way for two organizations to exist in a mutually good space? Angela answered that National CASA provides new state associations a development grant and branding grant for the first two years and she is working on a legislative request. Angela is still exploring the differences in roles, but emphasized that the organization exists to collaborate, rather than impede on other organizations' equally important work to serve children. Laurie emphasized that this situation must be solved either through figuring how these two organizations will co-exist or how to have one organization.
- Judge van Doorninck commented that in May 2016, the Commission heard a presentation on issues that were occurring in Snohomish County. Judge Linda Krese was present to discuss the Snohomish County case and what the county was doing to move forward.

Judge van Doorninck stated that this issue is an old issue, and that the Superior Court Judges Association (SCJA) had many discussions on the National CASA standards and how they are onerous with a lack of staff or resources to meet the national obligations. Sally Erny responded that National CASA has had standards for local programs since the 1990s and they are now more robust. The most recent version of the standards was passed in 2012 and in 2018, CASA undertook a process to revise the local program standards (which is still in progress). Overall, the standards have changed little compared to the 2012 standards and were draft standards that went through CASA's network engagement processes. The new draft standards will likely pass in June.

- Senator Darneille emphasized how the issue may stem from a failure of communication between organizations and asked for further information on what occurred between April to August of 2019, when rapid changes were made to standards and how National CASA communicated these changes to the state organizations. What happened in the communication process? Sally Erny stated the National CASA has a standards committee made up of state organization and local program directors that facilitates the feedback process for standard updates. Then, National CASA gives opportunities for networks to submit input. National CASA received hundreds of pages of comments regarding the draft standards. National CASA additionally went through a second iteration of the draft with the network standards committee. With more than 950 CASA programs, it is difficult to find a "best way" to implement standards across local programs.
- Senator Darneille mentioned that one of benefits of having a national organization presiding over state and local programs is that national standards have a problem-solving aspect. Senator Darneille stated her assessment of this situation is that rather than attempting to reach a resolution with National CASA, Ryan made the decision to secede, and that when an organization secedes, they lose fidelity to standards.
- Representative Tana Senn stated that Senator Darneille's comments don't necessarily reflect the Legislature's opinion.
- Judge van Doorninck clarified for the record that on August 13th there was a meeting with the WACASA Board, SCJA liaisons, and National CASA where they discussed communication and the CASA standards. On August 16th, the letter arrived to terminate WACASA from National CASA. Judge van Doorninck clarified that it was not Ryan who decided to secede, rather, National CASA terminated the relationship.
- Carrie Wayno asked whether Snohomish County's standing with National CASA was unchanged. Angela Murrey responded that Snohomish County is still in good standing with WA CASA. Sally stated that National CASA did not have the information they needed regarding Snohomish County when National CASA saw the Court of Appeals decision on the case. Within days after reading the decision, National CASA made a site visit to Snohomish County to evaluate the situation in terms of national standards and determined that the county is still a part of CASA.

- Carrie further asked if the plan is to have representation from only one of the two groups on the Commission, and if so, it may be problematic to have the organization that does not represent all 36 counties on the Commission. However, there is also the question of what standards WACAP is compliant with, making this decision difficult for the Commission. Ryan Murray responded that WACAP has a set of draft standards that would go through the approval of the Juvenile Court Administrators to certify programs in Washington and WACAP can share the standards with the Commission when they pass.
- Jolie Bwiza asked what the new WA State CASA will do differently to make the organization special. Sally Erny emphasized CASA's membership process and standards. The former WA CASA organization was not meeting those requirements and standards. Where CASA is looking to be different in the future is in having a full partnership in terms of communication and collaboration.
 - Jolie followed up by clarifying again what specifically went wrong--was the former WA CASA not serving as well? Were they not meeting the needs of the children? What are the specifics of what was wrong? Sally Erny responded that the issue was not about the children as the state organization does not serve children directly (the local programs do) and this organizational change does not affect local program membership. The issue was more about the expectations for collaboration and communication, as National CASA works together with states as a national network.

Justice Madsen concluded the discussion by stating that this situation will not be resolved in one meeting, however, it is important for the Commission to understand the issue as much as possible.

AOC Court Research: Annual Dependency Timeliness Annual Report

Matt Orme, Senior Research Associate from the Washington State Center for Court Research (WSCCR) presented findings from the 2019 Annual Dependency Timeliness Report.

Presentation Key Takeaways

- The 2018 and 2019 Dependency Timeliness Reports exclude data from King County due to a transition of the court case management system.
- From 2013 to 2017, dependency filings have stayed consistent and then a decrease starting in 2018 (with and without King County data). In 2018, process changes for dependency filings were implemented in some counties which may correlate with the decrease in filings (for example, extra review before filings and more use of the voluntary placement agreements).
- In 2020, the data shows that dependency numbers are already 25% behind compared to the same time last year. However, this could be due to the implications of COVID-19.

- Performance Measures of Cases:
 - **Percent of cases with fact-finding within 75 days:** Data demonstrates that Family and Juvenile Court Improvement Program (FJCIP) counties outperform non-FJCIP counties in this measure.
 - **Percent of first dependency review hearings within six months:** FJCIP counties outperform the state as a whole, with 92% of hearings within six months in 2018.
 - **Percent of cases with a permanency planning hearing within 12 months of placement:** Percentages have been consistent over time with FJCIP counties outperforming the entire state by 2-5% each year.
 - **Percent of cases with Termination of Parental Rights (TPR) petition filed within 15 months of out-of-home care:** This is a measure where the state has been consistently struggling. Since 2015, percentages in FJCIP counties were on average between 73-65%, with the percentage decreasing in 2019.
 - **Percent of cases with adoption completed within six months to termination order:** This is another measure that has been challenging for the state. Both FJCIP counties and state-wide data are similar with percentages between 30-45%.
 - **Percent of cases achieving exit before 15 months of out-of-home care:** These percentages have been consistently around 28-30% since 2015.
 - **Percent of reunification before 15 months of out-of-home care:** These percentages have also stayed consistent across 2015-2019 with an average of 45%.
- The disrupted hearing tracker was developed to track hearing continuances due to the COVID-19 public health emergency. Through the tracker, one is able to see various hearing types and whether these hearings were disrupted, continued, or delayed due to the pandemic. The tracker is available through the interactive dependency case timeliness monthly updates on WSCCR's website.

Questions and Comments from Commission Members:

- Joanne Moore asked a question regarding TPR filings and how WSCCR has treated the good cause cases that are not filed? Matt Orme responded that there are seven good cause reason codes that are tracked across all of the cases. If a petition is filed within 15 months or there was good cause, the case is noted as a success. The data shown in the presentation and report shows cases without a good cause or not filed in a timely fashion.
- Laurie Lippold asked if there are any positive reasons for lower percentages within certain measures, and if certain programs across counties are lower percentages for good reasons (such as the First Program in Snohomish County). Matt responded by reviewing the drop of filings in 2018-2019 and how these were tracked to measure correlations with programs and process changes in counties. However, the implications of COVID-19 have disrupted this tracking method.

Safe Babies Court Team Initiative Update

Rachel Sottile provided an update regarding the Safe Babies Court Team (SBCT) Initiative in Washington. The SBCT approach is an opportunity to design a plan to assess whether or not Washington could be a statewide site for an intervention targeting solutions for babies birth to three. CCYJ has brought together national partners and provided a substantial amount of education on the national framework of the SBCT approach, the data and assessment for WA state, and the high impact opportunity. There is federal HRSA funding available for the first year--the potential funding will fund 3-5 implementation sites in WA. Existing SBCT models in the country use local, philanthropic, private, federal, and state funding to sustain their Zero to Three programs over time.

CCYJ is also seeking private and public partnerships to sustain the prevention aspects and community resources where there are none. Rachel concluded the update by stating how critical it is for the Commission to engage and weigh in on how the statewide implementation plan should proceed, which is due to the Zero to Three on July 31, 2020.

Normalcy Workgroup Update

Jeannie Kee provided the Commission an update regarding Senate Bill 5395 (Comprehensive Sexual Education bill). The bill passed the legislature, was signed by the Governor, and will go into effect for the 2021 school year. Peggy Carlson further detailed to the Commission that there is an Office of Superintendent of Public Instruction (OSPI) implementation plan regarding SB 5395, and reminded the Commission of a disinformation campaign which is an effort to place a referendum that would not require schools to implement stipulations of SB 5395. OSPI has information on their website that lays out SB 5395 and critical information regarding implementation--Peggy provided the link to Commission members to refer to when potentially confronted with disinformation.

<https://www.k12.wa.us/student-success/resources-subject-area/sexual-health-education/new-legislation-senate-bill-5395-comprehensive-sexual-health-education>

Jeannie highlighted the population of youth and alumni who recently aged out of care and concerns regarding their access to resources during the pandemic, such as: Education and Training Voucher Program (ETV), Coordinated Care, and Independent Living. Youth have expressed fears around loss of income and access to basic necessities such as food and housing stability. Jeannie hoped to ensure that this population's voices are heard by Commission members as policies are in the planning process, especially during the pandemic.

Questions and Comments from Commission Members:

- Tory Gildred responded to Jeannie's statement to highlight what Coordinated Care is doing for the population. Coordinated Care has provided outreach to extended foster care and alumni of care populations (age bracket of 18-26 year olds) to connect members to resources such rent assistance and telehealth services. Coordinated Care is also using grants for each member to access non-Medicaid services such as grocery gift cards and to support shelters and food banks across Washington.

DCYF and COVID-19 Updates

Jody Becker started this discussion by providing overarching DCYF programmatic highlights. DCYF is still running organizational activities through the DCYF Emergency Operations Center (EOC). DCYF is pulling together a DCYF Recovery Team to begin preparation to safely bring staff back to the office and to revisit services that have been modified due to COVID-19 (such as visitation and in-home services). DCYF is planning how to make these services available online while also being in line with the reopening phases that Governor Jay Inslee has laid out. The Department is looking at metrics such as county-specific data to understand the programmatic needs of those served.

Steve Grilli, DCYF: Updates on Child Welfare Programmatic Work

Three main areas that DCYF's programmatic efforts are focusing on in relation to COVID-19:

- Emergency Planning for the Behavior Rehabilitation Services (BRS) Facilities
 - This planning is led by DCYF's Licensing Division. In terms of this, DCYF has been working on licensing issues and enhancing flexibility in the system for providers.
 - The Department is planning for facilities to move youth who have been exposed to the COVID virus, youth who run away and return to a facility without knowledge of potential exposure, and how to handle situations around youth who are ill.
- Combined In-Home Services and Family Time
 - Combined In-Home Services and Family Time services are now set with flexibility contracts to assist providers with continuing their work without onerous contracts.
 - DCYF is providing a retainer to combine in-home and family service providers to preserve the network throughout the pandemic and to ensure providers are able to function during the pandemic.
 - Family Time is one of DCYF's most crucial programs. However, remote provision of visits was a difficult decision. Steve explained the recent proclamation to institute remote visitation and DCYF is addressing concerns of lack of access to technology for such visitations. DCYF has been able to double the amount of equipment dispersed to families in need since early April.
 - DCYF has been working to collect data on remote visitations. Sprout is a new database that DCYF has asked its Family Time providers to use. DCYF is able to gather information on visits that are occurring, not occurring, and why they are not occurring, which also informs when remote visits are not happening due to technological issues.
 - DCYF is planning for in-person visits for specific populations including new dependencies where families agree that in-person visits can occur safely. Other populations include children who were to be reunified prior to COVID-19, children who are able to be reunified at this moment, children who are in kinship placements, and toddlers and infants.

Questions and Comments from Commission Members:

- Laurie Lippold asked regarding the Sprout database and why caseworkers are unable to enter data on visitations in the database. Steve responded that this is a planned capability for Sprout but has not been developed yet.
- Joanne Moore commented regarding the Office of Public Defense's (OPD) Parent Representation Program and how OPD has been attempting to track remote visitations over the last month, from the parents' and parent attorney's perspectives. OPD has sent another notice to their attorneys asking them for client specific information that will dovetail with what DCYF is finding through data. Joanne will communicate with Steve regarding OPD's findings. OPD is also investigating issues with why remote visitations may not be happening.
- Steven further mentioned that DCYF will enable a short form on their website that can be submitted for any family that does not have technology necessary for remote visits. The form can be filled out by the family, attorney, or whoever represents that family. DCYF will use the form to find direct solutions for such families.
- Tonia McClanahan asked regarding soft openings for Family Time services. Tonia knows of parents who are rightfully upset that they are unable to see their own children. Steve responded that he does not know of an actual date for soft openings. When DCYF is able to receive all the personal protective equipment in place, the dates for in-person visits can move forward.

Kwesi Booker: Updates Regarding Field Operations

Kwesi Booker provided updates regarding child abuse intakes and how intakes have fallen by 45% since March. DCYF attributes this directly to consequences of COVID-19 and a lack of access to mandated reporters. This is a grave concern as this creates a tendency for child abuse to continue. Therefore, DCYF has started a social media campaign to push neighbors and family members to report any suspected abuse and to call the intake line. The campaign is advertised in both English and Spanish with the slogan "If You See Something, Say Something." DCYF sent out communications to all partners regarding resources available to families.

In terms of quarantine facilities, DCYF has identified three quarantine facilities across the state. These facilities exist for youth who tested positive for COVID-19, have been exposed to it, when caretakers are no longer able to care for these youth, or when there is an issue with a BRS facility. DCYF is sending communications to case managers regarding these facilities of care.

In regards to the spike of cases DCYF is expecting once normal operations continue, DCYF is using and managing data to examine how productive teams are and if cases are being safely closed. This is for the department to ensure that its staff will be prepared to address the influx of cases expected to arrive in September when schools reopen.

Kwesi explained how foster care numbers continue to decrease and as of May 3, 2020, the official number of children in care and out-of-home placement was at 7,800 children.

Questions and Comments from Commission Members:

- Laurie Lippold asked regarding the quarantine sites for youth in care--specifically the Delridge site and whether the site will be remodeled so that individuals can live within it. Kwesi answered that there is a visitation center on the first floor of Delridge and youth will be housed at the site for 14-21 days. Additionally, DCYF is planning to have more beds at the site and there are bathroom facilities for staff and children. DCYF is currently working on food accommodation at Delridge.
- Tonia McClanahan asked to clarify whether parents and families are receiving the same services from before the pandemic virtually and if there are any services that parents and families are not able to receive. Steve responded that health and safety visits are still occurring remotely (unless there are safety concerns). Additionally, DCYF is responding to all new intakes in-person. For other visits, DCYF is checking with families through video conferencing. If any safety issues arise, case managers are responding to these cases immediately. In order to keep staff safe, the intake line asks COVID-related questions to ensure that parties have not been exposed to the virus in the home and case managers are taking the same actions.
- Carrie Wayno asked what remedial services are available to parents remotely. For example, parent protections groups, family counseling, DV counseling, anger management, and psyche evaluation services. Steve responded that these services can be delivered remotely, however, he cannot specify whether there are certain sectors that are not delivering as much, as there is a lack of data on whether such remedial programs are delivering to the extent that they normally can.

Reunified CCFC Youth Member Position and Youth-Adult Partnership Training

Justice Madsen announced that Lauren Frederick from The Mockingbird Society provided the Commission chairs and staff with assistance to look for the Commission's new reunified youth member position. An official announcement regarding this will be sent out to current Commission members.

Additionally, Justice Madsen announced how The Mockingbird Society made an offer to work with the Commission on youth and adult partnership training. For the September Commission meeting, Justice Madsen and Jody Becker will propose to meet two hours early to conduct this training on youth and adult partnerships and how Commission members can learn to work with youth.

Adjourned at 4:12pm by Justice Barbara Madsen.
