



**Washington State Supreme Court
Commission on Children in Foster Care
May 3, 2021
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
Mike Canfield, Foster Parent Allies of Washington State
Senator Jeannie Darneille, Washington State Senate
Jeannie Kee, Foster Youth Alumni Representative
Drew Pugsley, Attorney General's Office (Designee for Bob Ferguson)
Laurie Lippold, Partners for Our Children
Jill Malat, OCLA
Jill May, Washington Children & Families
Tonia McClanahan, Parent Advocate Representative
Martin Mueller, Office of Superintendent of Public Instruction (Designee for Chris Reykdal)
Ryan Murrey, Washington Association of Child Advocate Programs
Rachel Sottile, Center for Children & Youth Justice (CCYJ)
Emily Stochel, Youth who has Reunified (New CCFC Position); Mockingbird Society (Tacoma)
Judge Kitty Ann van Doorninck, Superior Court Judges' Association (SCJA)

Members Not Present:

Beth Canfield, Foster Parent Allies of Washington State
Tory Gildred, Coordinated Care
Sophia Byrd McSherry, Deputy Director, Washington State Office of Public Defense (OPD)
Representative Tana Senn, Washington House of Representatives

Guests Present:

Kwesi Booker, DCYF Assistant Secretary of Child Welfare Field Operations
Sarah Burns, Administrative Office of the Courts (AOC)
Peggy Carlson, Office of Superintendent of Public Instruction (OSPI)
Gina Cumbo, CCYJ
Patrick Dowd, Office of the Family and Children's Ombuds
Tracy Freckleton, Foster Parent Allies of Washington State
Lauren Frederick, Mockingbird Society
Sydney Forrester, Governor's Office
LaToya Holmes-Ware, Administrator, DCYF Office of Racial Equity & Social Justice
Evette Jasper, Administrator, DCYF Office of Racial Equity & Social Justice
Lisa A. Kelly, Professor of Child Advocacy, University of Washington School of Law
Allison Krutsinger, DCYF Government Affairs Deputy Director
Judge Cindy Larsen, Snohomish County Superior Court
Sam Martin, S. D. Martin Consulting
Erin Shea McCann, Legal Counsel for Youth & Children

Carl McCurley, Washington State Center for Court Research, AOC
Angela Murray, Washington Court Appointed Special Advocate (CASA) Association
Matt Orme, Washington State Center for Court Research, AOC
Dan Ophardt, TeamChild
Emily Penoyar Rambo, Children's Rep Study Attorney, OCLA
Jorene Reiber, WAJCA Representative
Em Rose, Partners for Our Children
Dawn Marie Rubio, State Court Administrator, AOC
Lorrie Thompson, AOC
Julie Watts, DCYF Government Affairs
Kelly Warner-King, Court Improvement Training Academy (CITA) Director

Staff Present:

Cindy Bricker, AOC
Moriah Freed, AOC
Susan Goulet, AOC

Call to Order

Justice Madsen called the meeting to order at 1:02 p.m. Introductions and roll call were conducted virtually through the Zoom meeting chat box.

Approval of the Minutes

Justice Madsen invited a motion to approve the March 2021 meeting minutes. The motion to approve the minutes passed.

Department of Children, Youth, and Families (DCYF) Updates

Allison Krutsinger, DCYF Government Affairs Deputy Director, gave a high-level DCYF Legislative Update on highlights of the 2021 Legislative Session that are most relevant to the Commission. The legislative session ended eight days ago, and DCYF teams are actively meeting regarding what came out of the session. Overall the legislative session was a tremendous success for children, youth, and families throughout the state, and key takeaways include: (1) expanded access to services for children, youth, and families; (2) investment in and doing things differently to lead to better outcomes; (3) strong partners (lawmakers, advocates, stakeholders) who believed in the agency, the staff and the mission—taking their work together to the next level; and (4) a reflection of trust in the agency to live into the mission.

A summary of the policy bills that moved during session that are relevant to the Commission's work include: House Bill (HB) 1061, Concerning youth eligible for developmental disability services who are expected to exit the child welfare system; HB 1194, Strengthening parent-child visitation during child welfare proceedings; HB 1227, Protecting the rights of families responding to allegations of abuse or neglect of a child; Senate Bill (SB) 5151, Concerning foster care and child care licensing by the department of children, youth, and families; and HB 1186, Establishing the Community Transitions Service Program. Stakeholder engagement will be part of the process they build out as they go.

The following items were funded in the budget that are tethered to one of DCYF's strategic priorities: (1) **FFPSA Plan Implementation**—authority to implement the FFTA grant; (2) **Wendy's Wonderful Kids**—ongoing funding is provided to DCYF to facilitate placement of legally-free youth through adoption in partnership with Dave Thomas Foundation; (3) **Concrete Goods and Services**—support for

children and families at risk of impacted by COVID-19 through CBO partnerships and direct family grants; (4) **Community Prevention Pilot**—funding is provided to contract with a non-profit provider with expertise in a prevention pilot, in Pierce County, to prevent child abuse and neglect; (5) **Family Connections Program**—ongoing funding is provided to implement HB 2525 (2020)the Family Connections Program; (6) **Youth Development Workgroup**—Convene a workgroup to assess and provide recommendations for creating new infrastructure and funding streams that support youth development; (7) **YV LifeSet**—contract with a community based provider to offer YV LifeSet; (8) **Transitions from Care and Independent Living**—one-time funding for DCYF to create and implement a new approach to transition planning & independent living programs (7 FTE); (9) **Family Resource and Referral System**—funding for the state-wide resource and referral; (10) **Expand ECLIPSE**—funding is provided to expand ECLIPSE services, directs geographic expansion and encouraged Department referrals; (11) **Home Visiting Expansion**—expansion in FY 22 and FY 23. New proviso to include reporting requirements and timeline for contract execution; (12) **Early ECEAP Expansion**—funding is provided to expand access to early ECEAP; (13) **Language Access Planning**—DCYF to develop Language Access plan to address equity for immigrant, multilingual providers, caregivers, and families; (14) **Language Access Planning**—DCYF to develop Language Access plan to address equity for immigrant, multilingual providers, caregivers, and families; (15) **Caseworker Caseload Ratios**—119 new FTE to support reduced caseloads; (16) **Implementation Costs**—SSPS changes and Replacement. Further, Allison provided an overview of the one-time federal increases the Legislature appropriated authority for, which include: (1) Child Care and Development Fund (CCDF); (2) Child Care Stabilization Grant; (3) Chaffee –Transition to Adulthood; (4) Community-Based Child Abuse Prevention (CBCAP); (5) Individuals with Disabilities Education Act (IDEA); (6) Child Abuse Prevention and Treatment Act (CAPTA); (7) Title IVB; (8) Education Training Voucher (ETV); (9) Maternal, Infant, and Early Childhood Home Visiting (MIECHV); and (10) FMAP Increase (CCDF, Title IV-E, Title XIX).

Those with lived experience will be included at the table to implement legislation. On Tuesday, May 4, there will be a webinar that will look at the entire DCYF success this legislative session; details of the full DCYF Legislative Update can be found here:

<https://www.dcyf.wa.gov/sites/default/files/pdf/SessionWrapUp2021.pdf>.

OCLA Outline Approach for Convening a Workgroup to Update the Children’s Representation Standards

Jill Malat of OCLA reported that [HB 1219](#), concerning the appointment of counsel for youth in dependency court proceedings, is sitting on the governor’s desk waiting for his signature and that a lot of people in this meeting are responsible it being there. She provided a summary of the bill, including what it does and the implementation schedule (a Synopsis of 2SHB as Enacted is available [here](#)). HB 1219 requires the Commission to convene a Children’s Representation Workgroup to review and update the standards of practice, caseload limits, and training guidelines developed and adopted by the Statewide Children’s Representation Workgroup from 2010, and the updated standards must be developed by March 31, 2022.

In terms of implementation of the Workgroup, Jill reported that she met with Liz Trautman and they came up with a list of individuals to recommend to the Commission to staff the Workgroup that will be chaired and convened by OCLA. That list includes the following: youth voice, children’s attorney, tribal representative, national people (i.e. NACC and Children’s Bureau), an ethics person, an academic, an expert in child development with expertise in trauma, judicial representative, research person, legislator, and someone from the Washington Defenders Association. They will be identifying people in May, with the opportunity for people to self-identify, and they hope to start the

Workgroup meetings in June. Also, for individuals not on the Workgroup itself, there will be opportunities to be part of subcommittees that can be formed. They are open to suggestions for others on the Workgroup. In the chat box, Tonia McClanahan indicated she is very interested from the parent view, and Jeannie Kee recommended having both a youth in care and an alumni of care for two different perspectives.

The issue of assistance to the young people for their cost in participating on the Workgroup was raised. Cindy Bricker said CIP funding from grants can help with that. It was also suggested the Workgroup be co-chaired by someone from OCLA and an individual with lived experience. OCLA will come back to the Commission with a proposal and ask the Commission to approve it

Rachael Sottile said, in addition to the Workgroup addressing the standards practice, she wants to make sure the Commission is also able to weigh in and advise on implementation, which may be an agenda item for a future Commission meeting.

Racial Equity Discussion

LaToya Holmes-Ware and Evette Jasper from the DCYF Office of Racial Equity & Social Justice (ORESJ) presented a global overview to the Commission of what DCYF is doing to address the issue of racial equity. Copies of their PowerPoint presentation, DCYF Racial Equity and Social Justice Framework, and DCYF Strategic Priorities 2021-2026 were provided in the materials. Evette explained that the ORESJ includes three Administrators who each came from originating agencies of DCYF as follows: Evette (Early Learning & Family Support), LaToya (Juvenile Rehabilitation), and Dae Shogren (Child Welfare), and they have come together to provide levels of support throughout the agency that are aligned with the social ecological framework around answering the question: How do we address racism? That includes work within three levels: staff supports, institutional change, and system collaboration. Everett said they are also members of the Government Alliance on Race & Equity, which is a coalition of government jurisdictions who have all recognized the role of government in creating and perpetuating the outcomes for communities of color for our society, and she discussed their theory of change which includes a normalize, organize, and operationalize framework. She also referenced the DCYF Racial Equity and Social Justice Framework which guides their work. In addition, another aspect of infrastructure and change that they recently implemented is their DCYF Racial Equity & Social Justice Administrative Policy, which outlines the role and responsibility of everyone within the agency in this work, and their office is responsible for implementing the policy.

In addition to their office, they also have the DCYF Inclusive Racial Equity Change Team which is a team of individuals across DCYF, the entire state, from various offices and programs, who bring their ideas and understandings, and are working hard to do the work of racial equity and social justice within their agency. Their vision is to transform DCYF culture and practice to advance racial equity and justice, so each and every child, youth, and family can thrive. Their role is to designate, coordinate, and facilitate implementation of racial equity plans and systems change efforts. There are about 30 people on the team currently, and it is a very diverse and inclusive group. The priority of “eliminate racial disproportionalities and advance racial equity” was added to the DCYF Strategic Priorities for 2021-2026, and they intend to keep that priority at the forefront of their work. They are also looking at the overall system and root causes of racial disparities and disproportionality. Their focused areas of work include: (1) DCYF’s mission to become an anti-racist organization; (2) implementing liberatory, human-centered, and healing centered program design across DCYF for everyone; and (3) ensuring assessments and programs are equitable across DCYF. Lastly, the mantra of their office has become “nothing about us without us is for us.” That means that you cannot say you

can create something for someone without even asking them what they need; rather they need to be at the table, be visible, and have their voice heard. For more information, members may reach out directly to LaToya or Evette at dcyf.racialequityandsocialjustice@dcyf.wa.gov.

Second Proposal to Integrate the CIP Multidisciplinary Task Force as a Workgroup of the CCFC

Justice Madsen noted that this topic is an Action Item. Cindy Bricker reported that she sent out a second proposal to Commission members after she had a discussion with some members of the SCJA Family & Juvenile Law Committee, and a copy of the Second Proposal to Integrate the CIP Multidisciplinary Task Force as a Workgroup of the CCFC was provided in the meeting materials. The second proposal addressed the concerns that some members had about the Commission becoming too large and having to meet more frequently. The new proposal leaves the membership and the size of the Commission the same but places the Innovative Dependency Court Collaborative (IDCC) as a subcommittee of the Commission. The Commission can continue to meet quarterly like it currently does, and the IDCC would meet on the off months in between. The IDCC would remain the multidisciplinary task force looking at data, developing strategies, etc., and provide a regular report to the Commission at their quarterly meetings. This reduces the number of meetings that the CIP Director has to staff, and that members who are on both the Commission and the IDCC have to attend.

Cindy explained that she used the first proposal provided in March and took out the sections regarding changes to the Commission (membership and meeting times); thus there would be no structural changes to the Commission. She also added the State Team Action Plan work to the work of the IDCC to be incorporated into the CIP Strategic Plan as those ideas are flushed out and action steps are developed, and that will be included as part of the IDCC report out to the Commission so everyone is on the same page regarding that work. Judge van Doorninck concurred with the changes and said Cindy laid it out very well. Justice Madsen thanked Judge van Doorninck for working with Cindy on that, and she said this was mostly about conserving our resources, making sure we have the right voices in the room, and providing opportunity for oversight by people who have such varied places in the child welfare system—and she believes this accomplishes that. She asked if there were additional questions, and seeing no further questions from Commission members, Justice Madsen invited a motion to approve the second proposal as written. The motion to approve the second proposal as written passed.

Justice Madsen then asked when the Commission will see a report from the IDCC. Cindy said the IDCC will provide some type of report to the Commission at their next meeting.

AOC Court Research: Presentation of the 2020 Dependency Timeliness Report

Matt Orme, Senior Research Associate at the Washington State Center for Court Research (WSCCR) presented findings from the 2020 Annual Dependency Timeliness Report, which is available here: <https://www.courts.wa.gov/subsite/wscrcr/docs/2020DTR.pdf>.

Presentation Key Takeaways include:

- The 2020 Dependency Timeliness Reports used dependency case data now available in the AOC's Enterprise Data Repository Statewide Data Warehouse (EDRSDW). The new statewide data warehouse includes dependency data from all 39 superior courts in Washington, including King County. Extensive work was done in 2020 that made it possible to return to statewide reporting of dependency timeliness data for 2020.
- As anticipated, the pandemic impacted dependency case processing, and the effect is evident in this 2020 report. Some examples of the challenges dependency courts experienced were: courts were closed and access via virtual hearings created challenges; hearing schedules were impacted

and case processing slowed considerably; and there was a reduction in dependency cases filed in court. The AOC and courts sought to record the pandemic's impact and so created a new public health emergency code to track hearing continuances due to the COVID-19. There was a sharp decline in the number of dependency cases filed in court.

- From 2019 to 2020, dependency filings dropped dramatically by over 24%. April 2021 data shows dependency numbers are already lagging compared to the same time last year. It is important to keep eyes on this, so we can be in a position to be proactive (as opposed to reactive). Once things are back to normal, we could see a big surge of folks coming into the system. From 2017-2020, dependency filings also dropped by 35%.
- From 2019 to 2021, dependency petitions were tracked weekly. It is important to keep eyes on the numbers in 2021 to see what is coming into the system.
- Appendix B data is broken down by demographic: age, gender, and race. The Washington Racial Disproportionality Advisory Committee's recommended racial/ethnic breakouts are used for this. They are also available in each county section, so every county can see the demographics of the kids coming into the system. This information is available on the Washington State Center for Court Research website under [Dependency Case Timeliness](#), and there is also link there to the [Dependency Dashboard](#) that is available to the public and can be accessed by stakeholders outside the courts.
- Performance Measures of Cases:
 - **Percent of cases with fact-finding within 75 days:** The rate of compliance for 2020 dropped 18% from the previous reporting year to 47%.
 - **Percent of first dependency review hearings within six months:** The rate of compliance for 2020 dropped 14% from the previous reporting year to 68%.
 - **Percent of cases with a permanency planning hearing within 12 months of placement:** Percentages decreased 16% in 2020 to 69%.
 - **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 2016, percentages in FJCIP counties were on average between 60-44%, with a drop of 9% from the previous reporting year.
 - **Percent of cases with adoption completed within six months to termination order:** This sits at 32% for 2020, an increase of 3% from the previous reporting year. Interestingly, we did fewer adoptions in 2020 than previous years, so we may have done better in timeliness but may see this number go back down as more adoptions are completed.
 - **Percent of cases achieving exit before 15 months of out-of-home care:** These percentages decreased 2% to 24% in 2020.
 - **Percent of reunification before 15 months of out-of-home care:** These percentages fell 5% from 44% to 39% in 2020.
- The data demonstrates Family and Juvenile Court Improvement Program (FJCIP) counties had the same effect with declines in almost every indicator, but they still out performed the rest of the state, which generally happens in FJCIP counties because they have a case manager.
- It appears that in 2021, the numbers are bouncing back up, but prior dependency is something we need to watch.

Matt thanked all court partners who contributed to this report. For questions or suggestions to improve this annual report, Commission members should contact carl.mccurley@courts.wa.gov, cindy.bricker@courts.wa.gov or matt.orme@courts.wa.gov.

Family Reunification Celebrations

Lorrie Thompson reported on family reunification celebrations. She said last year, in spite of the COVID-19 pandemic, about five courts got very creative and held reunification celebrations between July and October (for example: via video online, drive-through, etc.), and the Tacoma News Tribune did a nice article about it. So at least they were able to get some presence last year.

Lorrie expects a much more active year this year, and the team is very excited to get going again. Lorrie already had some courts contact her to ask if teddy bears are available, and she talked with Warm 106.9 Radio who said they can have all the teddy bears they want. She already put in for a Governor's proclamation this year. They are also reforming their steering committee and have some new DCYF members; the new steering committee is just getting started and has not met yet. In addition, Cindy Bricker has generously offered \$100 mini grants for the courts, to assist with their expenses for their reunification celebrations, which Lorrie said really seems to get the courts excited about their celebrations. Their team is also looking for other outreach methods and various ways to raise awareness, and they are very excited for the opportunity to have more celebrations this year. Tonia McClanahan, who is also a member of the team, reported that there are some preliminary conversations happening around the courtrooms, and that Thurston and Mason Counties are already working on their planning. Lorrie will keep the Commission informed as more information about the upcoming family reunification celebrations becomes available.

CIP Strategic Plan

A Court Improvement Program (CIP) Overview of 5-Year Strategic Plan Activities was provided in the materials. Cindy asked Commission members to review it and send her any comments they have about it. The comments will be incorporated into the IDCC discussion of the CIP 5-Year application package that will be submitted to the Children's Bureau by the end of June.

Member Updates/Discussion

Jeannie Kee reported that it is National Foster Care Awareness Month, and she expressed her appreciation to everyone for all they do every day to improve the lives of her brothers and sisters. As someone who has advocated for youth engagement and youth voice for more than a decade now, she said today's meeting has filled her heart with joy to hear all the talk about workgroups being co-led by youth with lived experience and compensation for all of them.

The next Commission meeting is The Mockingbird Society's Youth Leadership Summit on August 4, 2021.

Adjourned at 3:02 p.m. by Justice Barbara Madsen.