



**Washington State Supreme Court  
Commission on Children in Foster Care  
March 13, 2023  
Meeting Minutes**

**Members Present:**

Justice Barbara Madsen, Washington State Supreme Court, Commission Co-Chair  
Ross Hunter, Department of Children, Youth, and Families (DCYF) Secretary, Commission Co-Chair  
Judge Sabrina Ahrens, Pierce County Superior Court (on behalf of Judge Alicia Burton, Designee for Superior Court Judges' Association President)  
Mike Canfield, Foster Parent Alliance of Washington State (FPAWS)  
Alyssa Connolly, Northwest Intertribal Council  
Sydney Doherty, Coordinated Care of WA; Foster Care Physical/Mental Health Representative  
Veronica Gallardo, Office of Superintendent of Public Instruction (Designee for Chris Reykdal)  
Larry Jefferson, Washington State Office of Public Defense (OPD) Director  
Jeannie Kee, Foster Youth Alumni Representative  
Laurie Lippold, Partners for Our Children  
Tonia McClanahan, Parent Advocate Representative  
Ryan Murrey, Washington Association of Child Advocate Programs (WACAP)  
Rachel Sottile, Center for Children & Youth Justice (CCYJ)  
Carrie Wayno, Attorney General's Office (Designee for Bob Ferguson)  
Bailey Zydek, Children's Representation Program Manager, OCLA

**Members Not Present:**

Jim Bamberger, Director, Office of Civil Legal Aid (OCLA)  
Jolie Bwiza, Tacoma Chapter Leader, Mockingbird Youth Network  
Beth Canfield, Foster Parent Allies of Washington State  
Jill May, Washington Association for Children & Families  
Representative Tana Senn, Washington House of Representatives  
Emily Stochel, Youth Who Has Been Reunified; College Success Foundation  
Senator Claire Wilson, Washington State Senate

**Guests Present:**

Jeffrey Adams, Children's Representation Program Training Coordinator, OCLA  
Katie Anderson, Early Childhood Courts Statewide Coordinator, AOC  
Eleanor Bosman-Clark, DCYF  
Sarah Burns, Statewide Innovation Coordinator, Family & Youth Justice Programs, AOC  
Jacob D'Annunzio, Washington State OPD, Parents Representation Program  
Cynthia Delostrinos, Office of Court Innovation Associate Director, AOC  
Patrick Dowd, Office of the Family and Children's Ombuds  
Jana Huffman, Washington CASA Association  
Sally Mednansky, FJCIP Coordinator, Pierce County Superior Court  
Erin Shea McCann, Legal Counsel for Youth & Children  
Dawn Marie Rubio, State Court Administrator, AOC  
Kelly Ryan, Washington Association of Juvenile Court Administrators  
Jarel Sanders, Policy Associate, Partners for Our Children  
Laura Vogel, CIP Director & Training Specialist, AOC  
Julie Watts, DCYF Government Affairs  
Cheryl White, Washington CASA Association Executive Director

**Staff Present:**

Kelly Warner-King, Family & Youth Justice Programs, AOC  
Susan Goulet, Family & Youth Justice Programs, AOC  
Barbara Murphy, DCYF

**Call to Order**

The meeting was called to order at 1:04 p.m. Introductions and roll call were conducted virtually through the Zoom meeting chat box.

Larry Jefferson, OPD Director, provided a Land Acknowledgement which included a PowerPoint (PPT) presentation. Members thanked Larry for the information and requested a copy of the PPT slides so they can access the information and links in it.

Next Steps:

Larry's Land Acknowledgement PPT slides will be sent to the Commission listserv.

**Approval of the Minutes**

Justice Madsen invited a motion to approve the December 2022 meeting minutes. The motion to approve the minutes passed.

**DCYF Presentation and Discussion on Kinship Placement and Licensing**

Department of Children, Youth, and Families (DCYF) Secretary Ross Hunter presented to the Commission regarding DCYF relative placements and licensing. His presentation included a PowerPoint (PPT) presentation titled "Progress Toward Permanency: Relative placements, kinship, and licensing to safely reduce children in care." He provided a DCYF data chart showing the number of children entering and exiting out of home care 2010-2022. Secretary Hunter shared that DCYF's goal is to safely reduce the number of children in care and that the Department monitors the return to care rate as an indicator of how well the system is operating. He explained that, for the last five years, the number children in care has decreased from 9,000 in 2010 to about 6,100 at the end of 2022. This reflects national trends and intentional work by DCYF to reduce filings. From 2010-2022, DCYF data does not show a significant change in the return to care numbers, which leads Secretary Hunter to conclude that DCYF is successfully achieving its goal by bringing fewer lower-risk children into care.

Secretary Hunter then described DCYF's child welfare strategy to prevent child abuse and neglect by focusing on children at high risk. He shared that DCYF has identified 22 areas in the state with high density removal rates where they are focused on secondary prevention – creating safety plans and connecting families to services – to prevent removal in specific cases. These efforts leverage high value activities that provide safety in the home, such as FAR and Family Voluntary Services.

If DCYF concludes that removal is necessary to ensure child safety, the goal is placing a child with kin and working to reunify children with parents as soon as reasonably possible. DCYF's definition of kin is family or unrelated others who are suitable, who children know and trust, and who often share the same culture as the child. Research shows that children almost always fare better on many measures – including behavioral health, number of placements and permanency – when they are placed with kin. If a child cannot ultimately be safely returned home, DCYF aims to support kin as the long-term family for the child. To understand the importance of staying connected to kin for children and youth in care, Secretary Hunter recommended reading Sixto Cancel's guest essay in the New York Times, titled "[I Will Never Forget That I Could Have Lived With People Who Loved Me.](#)"

DCYF is working to promote a Kin First culture. A key component of this effort is ensuring that kin receive adequate support to care for a child placed with them. Secretary Hunter explained the work that DCYF has undertaken to bring about this change:

- Licensing changes being co-designed with relatives and kin, in partnership with New America's New Practice Lab
  - Streamlining placement and home study processes
  - Piloting ways to make relative searches more effective
- Changes to initial license practice
  - After an initial safety assessment, place child with kin and start foster care maintenance payments using state funds
  - When families qualify for a child-specific foster care license, DCYF has requested a change to federal rules that will allow the agency to receive federal IV-E funding to match the state's investment
- DCYF developing new Family Practice Model
  - Incorporates the new legal requirements established by the WA Supreme Court and the Legislature over the past several years
  - Regina McDougall, who leads the Family Practice Model, can present at a future Commission meeting.

Placement with kin is a top priority for DCYF. Changes to the placement process will include:

- Family engagement
  - Family Team Decision Meetings (FTDM) will be utilized to identify family and suitable others as safe options in case a child has to be removed
  - Address complicated laws related to confidentiality
  - Look for more than one family member at a time
  - Acknowledge generational fears and the reasonable reluctance that families often have when dealing with DCYF
- Placement process that prioritizes kin
  - The Keeping Families Together Act (HB 1227) requires DCYF to prioritize placement with kin
  - Make it easier for caseworkers to place children with kin – change DCYF rules to enable supervisors to approve kin placements, and make it harder to get approval to place in stranger foster care
- Shelter Care hearings
  - With implementation of HB 1227, DCYF will have to demonstrate to the court that there is no relative or suitable other who can care for the child
  - Some courts are already asking for this.

Secretary Hunter then shared DCYF data on placement trends. Washington State is one of the top five states for kinship placements in the nation, with the current kin placement rate of 55%. His goal is to increase that number to 65-70% licensed kinship placements and increase the number of licensed kin. However, for children and youth with severe behavioral problems, DCYF recognizes the need for placement in well-trained, professional foster homes. He also discussed racial/ethnic disproportionality data for intakes and for removals, sharing that removal statistics for American

Indian/Alaska Native children are moving in the wrong direction, with a disproportionality index of 2.41.

Secretary Hunter acknowledged that recent legislation and a number of court decisions provide pressure on the agency to go in the direction it was already heading. This pressure can help DCYF request the resources it needs from the Legislature.

Next steps for DCYF:

- Initial license process goes live on July 1, 2023
- D.S. settlement
- 2023-25 biennium budget requests for care giver supports will be related to the needs of the child rather than a caregiver's ability to navigate the system
- Upcoming ACF rule change, will allow DCYF to create a separate kin-specific licensing process and provide access to Title IV-E funds (the comment period is open now, and they anticipate the rule going into effect by July 2024).

Secretary Hunter said the ACF just announced the rule change, so they will wait and see what the rule looks like when it goes into effect, and then figure out what to do in response to the changes after that. He would like the Commission to invite his team back in the fall to discuss their progress on current initiatives.

Jacob D'Annunzio asked if, under the current law and policy, suitable others are not able to serve as placement options for Voluntary Placement Agreements. Secretary Hunter responded that yes, that is the case and he thinks it is terrible. DCYF has a bill before the Legislature seeking authorization to voluntarily place children with suitable placements, and they hope that will change in July of this year.

Larry Jefferson asked what DCYF is doing to engage communities and the resources they have available. Secretary Hunter stated that DCYF is studying community interventions to understand which ones produce better outcomes and targeting new resources in high risk area. He also supported the concept of targeted universalism to drive investments that help all families.

Tonia McClanahan asked about addressing delays in permanency when a child is ready to return home, but the system requires a background check be completed before return. Secretary Hunter and Julie Watts offered to follow up on Tonia's question.

More detailed information regarding Secretary Hunter's presentation is available in his PPT slides, and those will be sent out to the Commission listserv. If members have additional questions, they may contact Julie at [Julie.Watts@dcyf.wa.gov](mailto:Julie.Watts@dcyf.wa.gov).

**Next Steps:**

- Secretary Hunter's DCYF Presentation PPT slides will be sent to the Commission listserv.
- Invite Regina McDougall to present on the DCYF Family Practice Model at a future Commission meeting
- Secretary Hunter and Julie Watts to follow up on background checks for parents when child is scheduled to reunify.

## **Reports from Commission Workgroups**

### *Children's Legal Representation Update*

Bailey Zydek, OCLA Legal Representation Program Manager, provided an update on the Children's Representation Program (CRP). Bailey reported that implementation of the CRP's HB 1219 program expansion went live on January 1<sup>st</sup> of this year for Yakima, Benton, Franklin, Walla Walla, and Kittitas Counties, and they are now working on the next seven counties. The biggest impacts observed so far in implementation are related to addressing caseloads and providing training for attorneys. Bailey described a situation in Yakima, where the only youth attorney had a caseload that exceeded the new standards. The CRP was able to reassign some of that attorney's cases to other attorneys prior to the program implementation date, allowing the attorney to meet the standard caseload limits when the program officially started in Yakima. The CRP has also provided a statewide training to youth attorneys to address a critical knowledge gap they identified in several counties.

Baily shared that the CRP is finding it more difficult to find attorneys in rural counties, but the they are is doing all they can. The next seven CRP counties – Thurston, Mason, Adams, Grays Harbor, Pacific, Klickitat, Skamania – will go live on January 1, 2024. Baily reported that they have held some initial meetings with judicial officers, AAGs, and parent attorneys to answer questions that the counties have. The CRP is also adding new brown bag implementation sessions, which will be advertised most aggressively for the new seven counties, but anyone can attend.

Jeff Adams, OCLA's new CRP Training Coordinator, introduced himself to the Commission. Jeff joined OCLA in January, and since then he has reviewed the OCLA training curriculum and is building on it to capture the standards developed by the Commission workgroup. They now have a framework for child representation, centered around three pillars—legal expertise, trauma and development, and equity informed advocacy. The CRP trainings and resources for attorneys include an introductory academy, annual trainings, a mentorship program, and a CRP Newsletter (with up-to-date and time sensitive information). Jeff is excited to get the training program up and running with curricula that meets the needs of the contracted attorneys. The ultimate goal is to capture the standards, and to make sure all contractors are getting the best information possible.

Jeff was asked if they have a mechanism to track success. He reported that they have some broad-based metrics to show progress, but they want to improve and refine the measures. The CRP plans to create a dashboard to track progress in each initiative. Bailey added that CRP staff monitor and oversee contracts, which includes an annual review of attorneys (testing their knowledge) and in-court observation. They also communicate with judicial officers to get feedback about attorney performance and areas in need of support. Jeff said they are also in the process of creating a training advisory committee, which will include judicial officers, practitioners, and people with lived experience.

Bailey and Jeff were asked about how the standards are used in the recruitment process. Bailey reported that the CRP has been responsive and flexible in their approach while maintaining fidelity to the standards. Jeff reported that the new training program will have an introductory component, a 40-hour academy, and a mentorship component that will pair new youth attorneys with experienced attorneys who provide guidance around practice. Youth with lived experience will have input into the training. Larry stated that he is impressed by the resources and organization that OCLA is leveraging to implement the program. Its important that we have new standards, and he commends the job CRP is doing to implement them.

### *Family Well-Being Community Collaborative Update*

Laura Vogel, CIP Director & Training Specialist with AOC's Family & Youth Justice Programs (FYJP), provided an update on the work of the Family Well-Being Community Collaborative (FWCC) to prepare the child welfare court system to implement the new Keeping Families Together Act.

Laura reported the following progress in developing tools to support court communities:

- Statutory crosswalks – Each of the four FWCC workgroups have completed their statutory crosswalks, which identify all of the legal and court process changes required by the new law. These crosswalks were developed by cross-system workgroups through many hours of discussion and negotiation over the past 18 months.
- The crosswalk information is being used to develop the iDecide tool for judicial officers, which continues to be updated and refined, based on the feedback from the workgroups.
- The HB 1227 Court Readiness Toolkit is a suite of tools created for local court systems to help them prepare for implementation of the new law. The toolkit helps courts assess their current shelter care capacity and identify areas where they might need to make changes to comply with the new legal requirements.

All HB 1227 tools are now available on the FYJP website here: <https://www.wacita.org/hb-1227-keeping-families-together-act/>. Laura provided a tour of the webpage, including short demonstrations of the Toolkit and the iDecide tool. She also noted participants from all agencies around the state have helped develop the tools, and that even after the July 1<sup>st</sup> date, the FWCC will continue to help courts understand and implement the law. A new FWCC Data & Evaluation workgroup is being formed to create a plan for assessing implementation and short- and long-term outcomes.

Laura also reported on the Keeping Families Together training opportunities being planned for the child welfare court system, which include:

- Multiple 30-minute virtual trainings for local court systems, organized through the Family and Juvenile Court Improvement Program (FJCIP);
- Coordinating training with AGO, DCYF Region 4, OPD, OCLA, Court Administrators, and Judicial Officers (annual academy);
- Working with DCYF to plan Regional training webinars; they would like to include regional DCYF co-training component.

Justice Madsen thanked Laura and expressed her appreciation for the work the FWCC is doing. She also thanked Judge Burton for her help facilitating the Commission's input on HB 1227 pattern forms.

Several Commission members expressed the need for consistency across courts in implementing and applying the new law, to avoid the problem of justice by geography. Kelly responded that the intent of this work is to support a common understanding of the law and its application. FYJP approaches this work from a continuous quality improvement mindset, so the training and engagement with courts and system partners will not be finished on the implementation date. The FWCC data and evaluation workgroup is identifying metrics and processes to assess the implementation of key components of the new law and to evaluate practice change over time. Outcomes, disaggregated by race, will also be tracked. The challenges of implementing a significant practice change within a non-unified court system were acknowledged and all players in the system were encouraged to support good information gathering and collaboration at the local level.

## **Court Improvement Updates – Family & Youth Justice Programs**

Kelly Warner-King shared that the Commission serves as the oversight committee for the Court Improvement Program (CIP) grant, a federal grant that funds court improvement work that AOC's Family & Youth Justice Programs (FYJP) does. FYJP will provide the Commission a draft of their CIP Strategic Plan for 2023-24 and hold a CIP Strategic Plan Feedback Session on June 5<sup>th</sup>, from 12:00pm-1:30pm, to seek input from the Commission. Kelly expressed her appreciation to the Commission for their support and looks forward to input. A save-the-date meeting invitation will be sent to the Commission listserv to put the meeting date onto Commission members' calendars.

Sarah Burns, Statewide Innovation Coordinator, reported on FYJP's COVID Court Recovery project and products that were created as a result of what was learned from courts and court partners. The AOC received extra COVID project funding during the pandemic to help courts recover from the pandemic. As part of this work, Sarah Burns and Gia Valentine of FYJP surveyed over 200 judicial officers, DCYF staff, AAGs, parent and youth attorneys, OPD Social Service Workers, CASA/GALs and Parent Allies across the state to learn how the pandemic impacted hearings, access to justice and engagement for families, and court operations. It was clear from these interviews that professionals spent a lot of time helping court participants connect to virtual hearings and participate in a meaningful way.

To support courts and professionals, and to help improve court participants' experience in virtual and hybrid hearings, FYJP worked with consultants to create two videos. The videos are titled Part 1: Preparing for Your Dependency Hearing and Part 2: Connecting to Your Hearing using Zoom or WebEx, and they are available online for the public view on the FYJP website at <https://www.wacita.org/videos/>. Both videos were translated to include Spanish subtitles. Resources to help share the videos were created, including a business card, flyer, brochure, and a tip sheet for hearings, and are available to download from the website. The publications all include a QR code and URL with instructions for accessing the videos. The QR code and videos can be shared widely in lobbies, on websites, and other spaces where families can access them. FYJP staff is available to present the videos to partner agencies.

Sarah shared that Parent Allies helped to design the project, determining what information and support families need to prepare for a successful hearing. Both videos are under five minutes long and easily viewed on a smartphone. Sarah played the Part 1 video for the group, which includes tips and tricks on how to prepare for your hearing.

The AOC is exploring translating the videos into other languages to increase access for participants who do not speak/read English, or have limited proficiency. Justice Madsen suggested the videos seem generic enough that we may also want to see about getting this presentation onto the BJA agenda so the courts around the state could use them for non-dependency hearings too. For questions, Sarah may be contacted at [Sarah.Burns@courts.wa.gov](mailto:Sarah.Burns@courts.wa.gov).

### **Next Steps:**

- A save-the-date meeting invitation for the CIP Strategic Plan Feedback Session on June 5, 2023, from 12:00pm-1:30pm, will be sent out to the Commission listserv.

## **Commission Structure & Priorities**

### *Results of Member Survey & Discussion*

Kelly Warner-King shared the results of the Commission member survey, which were included in the meeting materials. Dr. Arina Gertseva assembled the survey results, but was unable to attend the meeting today. Kelly reported that 19 people completed the survey and results showed that members value the Commission and appreciate the contributions of other members.

Respondents identified the Commission's strengths as:

- working well together
- attendance of meetings
- open and honest communication
- appreciation of one another's unique capabilities
- feeling that the time on the Commission is worth the effort.

Areas for improvement include:

- efficiency of meetings – agendas are overly ambitious
- clarity about the Commission's goals
- defined roles of the members.

Kelly provided a summary of the feedback:

- CCFC provides a forum for discussion and sharing what different parts of the system are doing. We have the ability to collaborate across systems. The CCFC provides an opportunity to collaborate with a wider range of partners and agencies than we typically interact with.
- People enjoy being part of this cross-system group, hearing different perspectives, and feeling like the group has some influence over what happens in the system.
- The potential exists to also be a catalyst for change in the child welfare court system – the CCFC needs more of a strategic plan and clear action items.
- CCFC members and guests would like more clarity about and progress updates from the workgroups.

Justice Madsen thanked Kelly for gathering this information. She noted that when she started with the Commission, the only resources and staff available were donated from Justice Bridge's non-profit, the Center for Children & Youth Justice (CCYJ). Unlike other Supreme Court commissions, the CCFC still lacks a real budget and staff. However, Justice Madsen has talked with the co-chairs of the Minority and Justice Commission and Gender and Justice Commission, and they are willing to share some resources.

While the CCFC does not have a history of being a product-oriented Commission, Justice Madsen sees value in the Commission's ability to provide a forum for people to convene and learn about other systems. Secretary Hunter acknowledged that he is relatively new to the CCFC, but the Commission is the only place he knows of that is an intersection for all the partners. He offered that it would be worthwhile for us to take on some projects that are informed by data about how the courts work and what is needed to make them work better for families and professionals.

Commission members agreed and suggested that we be willing to experiment around the edges and make incremental improvements. It was also suggested by Ryan Murrey that we define what a successful outcome in the child welfare court system would be and identify ways to measure progress toward that vision. Jacob D'Annunzio pointed out that many of the laws and policies are great, as written. But there is a disconnect when they are applied in practice, particularly in a non-unified court system. Practice differences across courts, frequent turnover on the bench, and a lack of required training for judicial officers all create barriers to good and consistent practice. Members acknowledged that there is power in this Commission and we should leverage it to build a better system.



Justice Madsen noted that we need better communication about what the CCFC is doing – both internally to our members and partners, and externally to the Supreme Court and other system players. Larry Jefferson suggested that a new member orientation would also be helpful.

### *State Team Proposal*

Justice Madsen provided a brief overview of the State Team, which was created as part of the 2019 National Judicial Leadership Summit IV on Child Welfare and resulted in an action plan to address racial disproportionality and inequities in the Washington child welfare court system. More information about the State Team and the Action Plan can be found on the FYJP website here: [State Team Action Plan to Ensure Racial Justice in Child Welfare – Family and Youth Justice Programs \(wacita.org\)](https://www.wacita.org). The State Team has recently discussed an idea for a child welfare court system summit modeled on the national summit, highlighting areas where our agencies and systems can collaborate, and resulting in a plan for the CCFC. Justice Madsen suggested that the CCFC host a one-day summit every two years, highlighting national experts and people directly affected by the system, that produces an action plan for the next two years. We will need to identify funding for this effort. Secretary Hunter expressed interest in participating and offered to identify funding to support it. He suggested that using Appreciative Inquiry in this context would be powerful and having a professional facilitator is useful.

Ryan shared an idea he has had for an “unconference”, a 2-3 day conference where people get to vote on what they think we should focus our work on. Members generally agreed that getting everyone in the room to talk about where we are going would be really beneficial. Jeannie Kee commented, as a person with lived experience, what Ryan said about identifying successful outcomes of child welfare is a start, but we also have to have safe conversations about equity, poverty, and supporting happy healthy families. Can we ask, listen, and hear what families and children want to see in child welfare and partner to create change? Other Commission members agreed and emphasized that we need to make sure that parents, youth, and caregivers are actively included.

Larry offered that this may also be an opportunity to change the Commission’s name, given that a goal of many CCFC members, and certainly OPD’s, is to avoid foster care whenever possible. Justice Madsen noted that there have been a lot of changes since the Commission started, so it is time for the Commission’s name to reflect that shift. She knows the bigger the group, the harder it is to coordinate, but she thinks we should all agree on an agenda if that is what the Commission wants to do.

Commission attendees were supportive of the summit and goal setting proposal, and several offered to contribute financial support to help make it happen. Carrie Wayno requested that we make sure to clarify how we are working and using people’s time, answering the questions: what do we expect the group to do, and how do we know when we got it done?

Ryan suggested that we focus on developing a shared, positive vision for what we are trying to do for children in the system. Secretary Hunter asked if Commission members would be willing to have him and Justice Madsen propose something to the Commission between now and the next CCFC meeting. Members liked the idea, and there were no objections. Kelly suggested that Commission members could co-design the summit with a start from the Co-Chairs. Members should email Kelly ([Kelly.Warner-King@courts.wa.gov](mailto:Kelly.Warner-King@courts.wa.gov)) if they are interested in being part of the co-design of the summit.

*Policy Regarding Formal Endorsement of Legislative & Budget Items*

Secretary Hunter and Justice Madsen discussed the Commission's policy regarding formal endorsement of legislative and budget items, and explained why they decided not to send out the letters of support that were voted on in the December meeting. They acknowledged that it is awkward and problematic for them to take positions on legislation, but when the topics came up in the last meeting they were both caught off guard. After talking with each other and colleagues, they decided that providing formal endorsement of legislation is not an appropriate role for the Commission, but Commission members are encouraged to advocate on behalf of their interests.

**Next Steps:**

An email will be sent to the Commission listserv to remind members where the discussion of a possible summit left off, and Justice Madsen and Secretary Hunter will be in contact with their proposal.

**Closing & Adjournment**

Justice Madsen thanked everyone for attending. Ideas for future agenda items may be sent to Kelly. The next Commission meeting is on May 8, 2023.

**Adjourned at 4:02 p.m. by Justice Barbara Madsen.**