

2022 Washington State Supreme Court Commission on Children in Foster Care (CCFC) Activities

The mission of the Washington State Supreme Court Commission on Children in Foster Care is to provide all children in foster care with safe, permanent families in which their physical, emotional, intellectual, and social needs are met. The Commission works to achieve its mission by monitoring child welfare programs, broadening public awareness and support, and improving collaboration between the courts, child welfare partners and the education system. The Commission is co-chaired by Justice Barbara Madsen and Secretary Ross Hunter, Department of Children, Youth and Families (DCYF).

Below is a summary of the activities of the Commission during 2022.

CCFC Membership and Meetings

Washington State Supreme Court Justice, Co-Chair: Justice Barbara Madsen

Department of Children, Youth and Families, Co-Chair: Secretary Ross Hunter

Attorney General of the State of Washington: Bob Ferguson

Attorney General of the State of Washington's Designee: Assistant Attorney General Carrie Wayno

Superintendent of Public Instruction: Chris Reykdal

Superintendent of Public Instruction's Designee: Veronica Gallardo

Superior Court Judges' Association President: Judge Jennifer Forbes

Superior Court Judges' Association President's Designee: Judge Alicia Burton

Washington Association of Child Advocates Executive Director: Ryan Murrey

Foster Parents Association of Washington State Co-Chairs: Beth Canfield and Mike Canfield

NW Intertribal Court System Representative: Alyssa Connolly

Washington State House Human Services and Early Learning Committee Chair: Representative Tana Senn

Washington State Senate Human Services, Reentry & Rehabilitation Committee Chair: Senator Claire Wilson

Office of Public Defense Director: Larry Jefferson

Washington State Office of Civil Legal Aid Director: Jim Bamberger

Washington State Office of Civil Legal Aid: Bailey Zydek

Foster Youth in Care Representative: Jolie Bwiza

Youth Who has been Reunified: Emily Stochel

Foster Youth Alumni Representative: Jeannie Kee

Parent Advocate Representative: Tonia Morrison

Foster Care Physical/Mental Health System Representative: Sydney Doherty

Child and Family Services Providers Representative: Jill May

Center for Children and Youth Justice President: Rachel Sottile

Partners for Our Children Representative: Laurie Lippold

Staff to the Commission: Kelly Warner-King and Susan Goulet, Administrative Office of the Courts (AOC), Family & Youth Justice Programs (FYJP)

2022 Membership Changes

The following voting members changed during 2022:

- After four years of serving as the Northwest Intertribal Court System (NICS) Representative to the CCFC, Raven Arroway-Healing was replaced by Alyssa Connolly.
- Due to her retirement from the Legislature, Senator Jeannie Darnielle was replaced by Senator Claire Wilson, the new Chair of the Senate Human Services, Reentry & Rehabilitation Committee.
- Veronica Gallardo replaced Martin Mueller as the CCFC designee for the Superintendent of Public Instruction, Chris Reykdal.

Commission Meeting Schedule

The CCFC meets quarterly. 2022 meetings were held on the following dates:

- March 7, 2022
- May 9, 2022
- September 12, 2022
- December 12, 2022

During the pandemic, all CCFC meetings were held via Zoom and were reduced from three hours to two hours. In January 2022, the Commission elected to return to three hour meetings, as members acknowledged a need for more time to accomplish the work. After surveying members, it was decided that the CCFC would transition to hybrid meetings, to allow for members to meet in-person and maintain the convenience of an online option for those who preferred it. The first hybrid meeting was held at DCYF's headquarters on December 12, 2022.

CCFC Workgroups

Children's Legal Representation Workgroup - In response to the Legislature's 2021 request in HB 1219, the CCFC convened the Children's Representation Workgroup, comprised of legal experts, people with lived expertise and child welfare partners. The workgroup was co-chaired by Jill Malat, former director of the Children's Representation Program at the Office of Civil Legal Aid, and Emily Stochel, an alum of the foster care system. The workgroup was charged with reviewing and updating the standards of practice for attorneys representing children and youth in dependency cases, and developing recommendations to the legislature regarding the appropriate model of representation for children under eight years old.

Currently, Washington is in the process of implementing a statutory right to counsel for children over the age of eight years when a dependency is filed, a phased process that will be completed in 2027. Children under the age of eight will have an automatic right to counsel upon the filing of a termination petition under the same phase-in schedule. Directed by the Legislature, the Children's Representation Workgroup reviewed multiple models of representation, practice standards and empirical studies for working with children under eight from across the country and gathered input from parents, youth, experts and counsel. They ultimately recommended universal legal representation for children of all ages, utilizing the stated interest representation model, alongside legal-interest representation for preverbal and nonverbal youth. In May 2022, the workgroup produced the report, *Representation for Children Under 8 Years Old in Child Welfare Cases*.

After considerable study and deliberation, the Children's Representation Workgroup finalized the revised practice standards, including caseload limits and training requirements, for representation of children and youth in dependency cases in September 2022.

The Workgroup's co-chairs provided updates on the group's progress to the Commission at regularly scheduled meetings and at a special session on June 17, 2022. Satisfied that the workgroup engaged in an open and robust exchange of ideas and perspectives, the Commission formally submitted the report on children under 8 and the updated standards to the Legislature in November 2022.

Family Well-Being Community Collaborative - The [Family Well-Being and Community Collaborative](#) (FWCC) is a multi-disciplinary workgroup of the Commission of Children in Foster Care, staffed by the Administrative Office of the Courts' Family & Youth Justice Programs (FYJP). The mission of the FWCC is "to collaborate to keep families safely together and supported in their communities and to radically reduce inequities within the child welfare court system." The FWCC is currently focused on supporting effective implementation of the [Keeping Families Together Act \(E2SHB 1227\)](#) and the [Strengthening Parent-Child Visitation law \(E2SHB 1194\)](#), with particular attention paid to ensuring that court communities understand and are prepared to apply the new laws at the start of a case, in Shelter Care. To move this work forward, the FWCC created four workgroups:

- Ex Parte Removal Workgroup
- Removal and Placement Decisions Workgroup
- Meaningful Shelter Care Hearing Workgroup
- Family Time and HB 1194 Implementation Workgroup

FYJP staff provided updates to the Commission on the progress of the workgroups and the tools and trainings developed to support effective implementation of the two laws. Presentations included review of the Keeping Families Together Act statutory changes (new legal standards, inquiries and findings) and demonstration of an online decision-making guide for judicial officers, called [iDecide](#).

Youth Voice and Leadership Summit

2022 Mockingbird Youth Leadership Summit - Annually, the Commission on Children in Foster Care co-sponsors the Youth Leadership Summit with the Mockingbird Society, a social justice organization that works with youth with lived experience to advocate for policy and legislative changes that improve the foster care system and reduce youth homelessness. Young people, ages 14-24, from the Mockingbird Society's chapters across the state come together to refine and present policy recommendations to members of the Commission and the Office of Homeless Youth for improving the well-being of young people experiencing foster care and/or homelessness. In addition to strengthening the relationship between young people and child welfare and youth homelessness leaders, the Summit provides current and former foster youth an opportunity to develop leadership and presentation skills. As co-sponsors of the Summit, the Commission is responsible for documenting, discussing, and supporting implementation of the recommendations made by Summit participants.

On August 2, 2022, Mockingbird youth and alumni presented the following policy recommendations:

- Expanding resources available through Extended Foster Care
- Preparing foster youth for adulthood with life skills training provided in public schools
- Increasing access to shelter programs for youth
- Limiting access to juvenile records

"Vision for the Future" – Lived experience advisors and [Think of Us](#), a national research and design lab founded by former foster youth, presented on their work to co-design a "Vision for the Future" for the Office of Adolescent Programs in partnership with DCYF. Their proposed vision lays out a plan for reimagining five key stages of the adolescent experience:

1. Entering the system with dignity.
2. Experiencing the system empowered.
3. Anticipating adulthood with support.
4. Entering adulthood prepared.
5. Exiting the system ready.

Commission members were encouraged to attend a community training session provided by the group.

Presentations and Discussions

A key role of the Commission is to provide a forum for sharing information across the child welfare, community services and court systems, with the goal of educating members about efforts to improve outcomes for children, youth and families.

DCYF Presentations and Discussions

- **Kinship Care** - Dr. Vickie Ybarra, Director of DCYF's Office of Innovation, Alignment, and Accountability (OIAA), and Secretary Ross Hunter presented to the Commission regarding recent OIAA research on outcomes for children who were placed in kinship care and the implications of the [In re Dependency of K.W.](#) court decision for DCYF practice.
 - [Research Brief: Child Outcomes in Kinship Care in Washington State](#), January 2022.
- **Infants with Substance Exposure** - Dr. Ybarra shared the findings and answered questions about OIAA's report on the trajectory of infants who were reported to Child Welfare due to concerns of substance exposure/affected in utero or at birth. She also provided information about barriers to accessing inpatient treatment for pregnant and parenting people in Washington.
 - [Examination of Infants Indicated for Substance Exposure/Affected at Birth](#), January 2022.

- **Keeping Families Together Act** – Jill Bushnell, DCYF Strategic Portfolio & Project Administrator, provided an overview of DCYF’s HB 1227 Keeping Families Together Act implementation work plan.

AOC Family & Youth Justice Programs

- **Court Improvement Program** – Kelly Warner-King, Laura Vogel and Sarah Burns provided regular updates on the dependency court system training, continuous quality improvement and evaluation work performed by the Court Improvement Program. These included:
 - [Cross-System Safety Summits](#) – a training and system improvement partnership between the AOC and DCYF focused on enhancing local court system safety practice by developing a common language and framework for addressing child safety. Results of the AOC’s [2022 hearing quality evaluation](#) provided evidence that participation in the Safety Summit training and action planning results in meaningful practice change.
 - [2022 Reasonable and Active Efforts Judicial Academy](#) – two-day, virtual training on Active and Reasonable Efforts, designed for state court judicial officers who hear dependency cases.
 - Equity and Engagement Framework – a co-design project with parents, youth and caregivers with lived expertise in the dependency system to provide recommendations, tools and policies to respectfully and effectively integrate lived experts into system change efforts.
 - [FFY 2023 CIP Strategic Plan](#) Feedback Session – the CCFC serves as the advisory group required by the Children’s Bureau, the federal agency that provides CIP funding.
- **Early Childhood Courts** – Kelly Warner-King and Rachel Sottile (Center for Children & Youth Justice) presented on the [Early Childhood Courts program](#), a systems change initiative focused on reducing trauma and improving how courts, child welfare and community organizations work together to serve families with young children involved in the dependency court.
- **Family Treatment Courts** – Julie Lowery provided an overview of the AOC’s \$1.75 million [Family Treatment Court \(FTC\) grant](#) from the Office of Juvenile Justice and Delinquency Prevention (OJJDP). She shared what the statewide FTC Team has learned from the 20 FTC and 3 Tribal Healing to Wellness Courts they support with training, technical assistance and evaluation support. Also presented were options for sustaining the statewide work beyond the grant, including accessing opioid settlement funding and a legislative budget request.
- **Dependency Data** – Matt Orme, Washington State Center for Court Research, presented on the data available through the state’s interactive Dependency Timeliness Report, a database that merges case level information from Superior Court data bases and DCYF’s FamLink system. He shared the [Washington State Dependency Dashboard](#), the public-facing data dashboard that provides dependency court performance and outcome measures, including demographic data on children with dependency cases, and the results of the [2021 Dependency Timeliness Report](#).

Addressing Systemic Inequities

- **Racial Equity Discussions:** Following the murder of George Floyd, racial equity became a regular CCFC agenda item, including presentations from member agencies and organizations about the actions they have taken to address racial inequities and bias within their agencies and in the child welfare court system.
 - **Racial Equity and Training Efforts of the Washington Association of Child Advocacy Programs (WACAP) and Washington Court Appointed Special Advocates (CASA) Association** - Ryan Murrey, Director of [WACAP](#), presented on his organization’s training and recruiting efforts to address racial inequities. Michael Griesedieck and Reyana Ugas, of King County Dependency CASA, presented on the racial equity efforts of the [Washington CASA](#) Association and local programs.
 - **Race Equity Discussion: Attorney General’s Office** - Savanna Navarro Kresse, Acting Manager of the AGO’s Racial Equity Unit, presented an overview of how the AGO’s Racial Equity Unit is working to embed equity goals into the agency’s strategic plan.
- **CASA/VGAL Volunteer Discussion** – Concerns related to court-appointed advocates were raised by Commission members, many of whom referenced research on the efficacy of courts relying on best interest advocate programs staffed by mostly white, middle class volunteers when children in dependency are disproportionately poor and people of color. Ryan Murrey and Chris Stanley, AOC, described a legislative budget request to hire a Diversity, Equity and Inclusion position for WACAP to focus on engaging BIPOC volunteers. Evaluating Washington’s volunteer GAL system was suggested as a first step.

- **State Team Action Plan** – The Washington State Team was created as part of the National Center for State Courts’ (NCSC) change collaborative to address inequities in child welfare. Team priorities for 2022:
 - Remove barriers to placement with family (including criminal history and prior unfounded allegations);
 - Provide meaningful parent representation prior to shelter care hearing by exploring RCW 13.34.090 regarding the provision of counsel and discovery prior to shelter care;
 - Improve practice at shelter care hearings by emphasizing safety planning and expanding in-home dependencies.
- **Indian Child Welfare Act and Discussion of U.S. Supreme Court Case *Brakeen v. Haaland*** - Carissa Greenberg, Assistant Attorney General, presented “*Brakeen v. Haaland: Constitutional Challenges to the Indian Child Welfare Act,*” an overview of the history and progression of the case, and the potential implications of the decision for Washington State and WICWA.

Preventing Removal and Filing of Dependency Cases

- **FIRST Clinic and Pre-Filing Representation** – Presentation by Adam Ballout and Gina WasseMiller about the FIRST Clinic, an early engagement, pre-filing program that provides legal representation and peer support to pregnant people and new parents at-risk of entry into the dependency system. The program’s design of early engagement, legal support, building trust, and accessing targeted resources have resulted in 82% of FIRST Clinic clients having no dependency case filed. Half of the parents served had a previous dependency case and one third are former foster youth. The Office of Public Defense is interested in expanding this approach to prevention.

Child Welfare-Related Legislation and Budget Issues

- **Review of 2022 Child Welfare-Related Legislation and Budget** – DCYF, Partners for Our Children’s Child Welfare Advocacy Coalition (CWAC) and AOC provided the Commission with an overview of 2022 laws and funding allocations that will impact the child welfare and dependency court systems. Senator Claire Wilson and Representative Tana Senn contributed their perspectives on the legislative session.
- **Preview of Child Welfare System Budget Requests for 2023 Legislative Session** – Presentations on budget decision packages being proposed to the Governor and Legislature for the 2023 session. These included the DCYF housing and child welfare decision package, facilitated by the Family Treatment Court Steering Committee, AOC’s request for sustained funding for the Family Treatment Court Team and the Office of Public Defense’s request for pre-filing representation.

Recognizing and Supporting Youth and Families

Family Reunification Celebrations – Statewide recognition of Family Reunification Month is sponsored by the Commission on Children in Foster Care and supported by the Family Reunification Committee, co-chaired by Judge Jeffrey Bassett, Kitsap County Superior Court, and Tonia McClanahan, Parent with Lived Experience, Office of Public Defense. Sixteen court communities held Reunification Day celebrations in 2022, recognizing parents who worked to bring their families back together and the caseworkers, parent allies, court staff, attorneys and service providers who support families through the process of reunifying. The AOC Communications staff supported media coverage of the celebrations and Family and Youth Justice Programs provided \$200 mini-grants to cover event-related costs.

National Adoption Day - National Adoption Day is an annual event bringing courts, government agencies, and communities together to finalize and celebrate the adoption of children from foster care. In November 2005, the Commission sponsored the first statewide celebration of National Adoption Day and has since been instrumental in expanding the number of Superior Courts participating in the event. After a pandemic hiatus, courts returned to in-person celebrations in 2022, including events in King and Snohomish Superior Courts. Judge Dean Lum, the longtime chair of the Commission’s Adoption Day Steering Committee, retired and a new leader is being recruited.