

Reunification Heroes



Celebrating the Child Welfare Professionals and Parents of Island County, Washington

Commissioner H. Clarke Harvey of Island County Superior Court was nominated to be a Reunification Hero, but that is not how he views himself. He says that his role is simply to oversee the dependency cases and reunification process and that “reunification is always the result of the hard work of the parents and the many dedicated individuals on our team.” Instead of highlighting his work, Commissioner Harvey agreed to share what makes his team and the parents working towards reunification the real Reunification Heroes, as well as his thoughts on how the system can be improved to better support the reunification of families.

By Chrissy Cullen, Loyola Chicago School of Law, J.D. Candidate 2021

How did you become involved in child welfare?

I was involved in the old system in the late '70s as a deputy prosecutor. Because we're a small, rural community, the Attorney General's office didn't handle the dependency cases. The trials themselves were handled by the prosecuting attorneys, so I did about four to five of those cases as well as some appeals.

About ten years ago, the Superior Court judges in Island County contacted me and asked if I was interested in being Court Commissioner for a family treatment court they were just starting. I decided to accept the position and I still do it today. After I retired from my private law practice six years ago, my docket was expanded to include pretrial hearings in dependency cases, review hearings, as well as truancy and at-risk youth cases.



June is National Reunification Month
For more information see www.ambar.org/nrm



Do you think there are public misconceptions about the child welfare system? If so, what are they?

Unfortunately, there are a couple of misconceptions. The one I see from people who are new to the system is they think the purpose of the system is to take their kids away. The public also has the misconception that parents who lose their kids, lose them because they don't care about them. The other misconception is that members of public often believe that drug using parents use drugs because they'd rather use drugs than parent their children. The people who are involved in the family treatment courts make it really clear that's not the case.

What are some of the strengths and weaknesses of the child welfare system in your area?

The biggest strength is that we are a small, rural county, which means the system itself is pretty small. This is an advantage because it allows us to spend more time on each case and on the individuals involved, and to come up with more custom-made programs and plans for the dependency cases.

The fact that we're small is also our greatest weakness because, even though we can come up with different programs for each individual, we don't have the number of services that are available in the larger counties. Sometimes we have to send participants to other counties to get services, which can be a real problem because of transportation issues and the time it takes to travel for services.

The other weakness is trying to find appropriate housing. Parents end up living with friends or couch surfing, which makes it difficult to reunify if they don't have a place to live. We're a military community and have a lot of people coming and going so housing is always a problem. Our county is trying to address that issue now.

Start talking about reunification and the court's expectations at the very first court hearing.

Is there any advice you would like to give to professionals who work in child welfare and/or to individuals considering working in child welfare?

Professionals need to remember kids almost always want to be with their parents.

Is there any advice you would like to give to other judges?

Start talking about reunification and the court's expectations at the very first court hearing. Get it out in the open right away so the parents know what's expected of them.



Can you tell me a little about your team?

We have three different groups of people that are involved in the dependency court system.

First, we have a team called the Table of 10, which was set up about a year and a half ago. The whole idea is to get all of the stakeholders in the child welfare system, as well as community members, involved in trying to come up with programs to improve the dependency court system. That team is made up of state and private social workers, treatment providers, service providers, attorneys, court appointed special advocates, court coordinators, myself, the dependency Assistant Attorney General, and people in the community like parents who've been through the system, as well as churches and other organizations. We meet every couple of months. The Court Improvement Project started the Table of 10 program in the larger counties a number of years ago and we learned about it from our local Assistant Attorney General. The goal of the Table of 10 is to look at how we can improve what we do, which is, of course, reunification.

Second, we have teams of individuals in each dependency case that usually includes parents' attorneys, social workers, court appointed special advocate, Assistant Attorney General, myself, and select service providers.

Last, we have another team of individuals involved in our intensive Family Treatment Court. They are the same individuals – the attorneys, social workers, services providers, and myself plus the substance abuse and mental health service providers and the Family Treatment Court Coordinator. We meet every week as a team prior to the family treatment court weekly docket. Parents are before us every week during the first phase of the program and then every two weeks in phase 2, and every three weeks for phase 3, and once a month for phase 4.



Can you tell me about a time when a team member went above and beyond to help a family reunify?

The Family Treatment Court coordinators have gone above and beyond. We've had coordinators who made themselves available on weekends or in the evenings to talk to participants who are having problems and are reaching out to talk about something that's going on in their recovery program. In my opinion, that's going above and beyond. Those kinds of things make a huge difference in the outcomes.



Our court appointed special advocates have also gone above and beyond on a number of occasions. They are appointed to represent the best interests of the children involved in dependency cases, provide additional information about the relationship between the children and their parents, and to make recommendations concerning issues that need to be resolved before reunification. It's a purely volunteer program, so they do it because they want to do it. Because we are a small county, sometimes the kids have to be moved out of the county, sometimes really far away like Spokane County on the other side of the state. We've had court appointed special advocates who have actually driven all the way to Spokane, a six-hour drive, to meet with a child they've been appointed to represent so they can talk to the child in person to get a better understanding of the child's situation. They've also gone to placements south of Seattle, a three-hour drive each way, to meet with children. That's well above and beyond what they need to do but they're doing it to try to figure out how to promote reunification.

What is one thing your team does when working with parents to increase the likelihood of reunification?

There are many things but one important thing the team does is form relationships with the parents who are going through the process. They know who the parents are. If they see them in the community, they say "hi" to them. They don't treat the parents like they are just a number. The team is really concerned about the parents and their children and they really work to get the parents to do what's necessary to reunify.

What is the biggest challenge your team faces in helping families reunify?

The biggest challenge is that many of the parents going through the dependency process have had other problems in their lives, so this is not the first time they've had contact with the court system. Sometimes it was criminal or adversarial contact with the system, so they look at the system like it's them versus the state. It takes a lot of time for the team and for the court to convince people to trust the system, that the dependency system is not the same as the other court systems. That's really important in the family treatment court because there's a lot of communication between the participants in the program and myself as the Court Commissioner. It's much more informal. In order for the program to be successful they have to trust the court and we have to trust them. It's a real challenge to get them to trust the court, and it takes time. They don't come in and say, "I'll do whatever you say."

Is there anything else you would like to highlight about your team members?

I would like to highlight that they don't ever give up. They continue to work no matter what's happening in a case. The team continues to encourage and work towards reunification all the way up to the termination trial if reunification has not been successful. They keep plugging away, "let's try this or try that." They just don't give up.



How has working with parents impacted the way you think about reunification?

What has impacted me about working with parents is that it's clear they need to understand how the system works, and they need to know that from the very beginning. They need to know the goal is to reunify them with their children. We work hard from the beginning to let them know that's the goal.

The other thing I have learned is we have to educate parents, encourage them, and do it continually. You can't tell someone something once and expect them to remember it forever. We're routinely reminding them you get your kids back if you are successful.



Can you tell me about a parent who persevered to reunify with his or her children?

We had a father whose children were taken away because of substance abuse and anger management issues. The kids were troubled and had behavior issues themselves. When we started the case, the father was really resistant to everything. It took about six months before we were able to convince him to deal with the substance abuse issue and recognize other parental deficiencies. We weren't able to get him into the Family Treatment Court. The case really dragged on and on, and when he finally completed treatment, he hadn't regularly seen his children in about a year.

As he became clean and sober, the father became more interested in reuniting and being involved with his children. And as he became more involved, you could see that he was paying attention, he was starting to absorb the information that had been given to him. He was actively participating in parenting classes and he was working to get a place to live.

At one point, his children ended up far from here. One son was in a facility in eastern Washington and the other was south of Seattle, but the father was always able to find a way to get to Seattle to see his son and communicate with his son in eastern Washington. Then the father figured out how to get to eastern Washington to see his son in person. Over time the relationship was rebuilt with both kids, he was able to find a place to live, and we were able to put the children back with him on a trial basis. There were challenges but he appropriately worked through them. He was active in making sure the kids were getting the treatment they needed for their issues. It was pretty amazing.



Just a couple weeks ago, we ended dependency and the kids were returned to him. I told the father that I had real questions at the beginning of the case, but he did it all. That's why I think parents are the heroes too. The kids know what's going on, they see the problems. But they also see when the parents make the efforts necessary to cure the problems and they are able to be reunited. The kids get a chance to see their parents as heroes.

What programs or practices are most effective in helping parents reunify? Least effective?

That's a difficult question. Every case is different. Some programs that are effective in one case aren't effective in another, so it really depends on the specifics of the case.

That being said, there are a couple practices that we use that are generally effective. One of the programs we have is the Family Treatment Court and I think it's effective. It's not one-hundred percent – the success rate is not that high – but the reason for that is we are dealing with the hardest cases. By the time parents become involved with the treatment court, they have very serious, long-term substance abuse problems.

The other practice I think is really effective is talking about visitation with the parents on a routine basis. This idea came from the Table of 10. At the very first court hearing visitation is a topic of discussion and we talk about it in all the review hearings. We talk about the types of visitation, the expectations of the court, and the progress that the parents are making. The goal is to get away from supervised visitation as soon as possible and get kids back to trial return quickly.

When I first started doing this, six years ago, I consistently saw parents who were afraid to say, "I don't know what you want me to do," or express that they didn't understand exactly what we were asking for or how visitation worked. Now we just make it part of the routine. Every chance we have we explain visitation and expectations. I do it, case workers, and everyone in the system tells them this is what visitation is and these are the expectations. I have these conversations directly with the parents, in the presence of the attorneys.

It's a relatively new practice but we know that taking kids away from their parents is an adverse childhood experience and it will have an impact on them. We also know moving from placement to placement is an adverse childhood experience, so the sooner we can get the kids back with their parents, the less impact those adverse childhood experiences will have on them.

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I think in the long run it's going to work. We're very careful now in restricting visitation. If there is no safety issue, we try to give more visitation and less supervision as soon as we can.

What are some of the biggest challenges facing parents in their reunification efforts?

The biggest challenges are getting parents the appropriate services, getting them to services, and getting them housing. Because we're rural, we don't have an urban center. We have one town that has about 25,000 people but everything else is spread out. We do have a free bus system but it takes a long time to get places.

Are there programs or practices that could be added to better support parents' reunification efforts?

There is a program we are working on right now. We're trying to set up a couple places where parents can go to have visitation with their kids. The thought is, if we can find or create a community center type of place that is comfortable for the kids and has adults there to keep an eye on things, the parents can visit with their kids there. Finding places for visitation is a problem here too. Parents get to a point where they want to have time with their kids but not in a supervised environment like the social worker offices. To get around that, we encourage parents to give us the names of relatives that might be able to help. But if we had a facility where they could go for visitation, we think it would promote a quicker return home.

Is there anything else you would like to highlight about the parents you see in your court?

Children want to be with their parents and parents want to be with their children. The kids know when there is something going wrong in their families and they know when something is going right. That's why I think that the kids see their parents as heroes if the parents succeed in the dependency court and the family is reunited. There is no reunification unless the parents make the effort, unless they go above and beyond to get their kids back.

