



Children's Law Center of Los Angeles

WORKING TO IMPROVE THE PLIGHT OF CHILDREN IN FOSTER CARE -- NEW APPROACHES TO OUR DEPENDENCY COURT PROCESS

As noted in the recent report issued by the bipartisan Pew Commission on Foster Care, no child enters or leaves foster care absent court action. It is our court that undertakes to provide security, safety and permanence for our most vulnerable children.

Given the integral role the court plays in charting the course for children in our foster care system, we must collectively consider ways to enhance, support, and reform the dependency court process. Several potential areas of change -- many of which are addressed in greater detail in the Pew Commission's report -- are summarized below. Each of these changes can be promoted through federal incentives, requirements, and new approaches.

- Foster youth *must be part of the proceedings* that will forge their future -- youth should receive notice of, have a right to be present at, and be encouraged to attend proceedings in their dependency cases.
- Foster youth should be on equal footing with other parties in the dependency proceeding and have a *legal voice* -- and not simply a guardian or volunteer with no legal training -- acting on their behalf in the dependency court process.
- Efforts should be made to *attract and retain quality lawyers* in the dependency practice area. Initiatives to further these objectives might include: (a) *loan forgiveness* programs; (b) creation of national protocols and standards for *reasonable attorney caseloads* and *adequate attorney compensation*; and (c) *training standards* for dependency counsel.
- More *resources* should be devoted to this critically important court system. (Currently only 1 % of federal child-welfare dollars are earmarked for the dependency court system.)
- Courts must be armed with *outcome-focused data tracking* that enables bench officers to manage their cases and meaningfully track the progress of children through the system. Communication and *information-sharing* barriers that preclude different data networks and parts of the child welfare, judicial, mental health and education systems from "talking" to each other and sharing critical information need to be addressed.
- Federal funds should support the *recruitment and retention of the highest caliber bench officers* and acknowledge the importance of the work done by dependency court judges.