

A call to action on foster children

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"Every day, when I would come home from school, I would check to see if my bags were packed," one former foster youth poignantly recalled. Approximately 85,000 children are in foster care in California; too many experience this type of heart-wrenching insecurity.

Nationwide, children remain in foster care for an average of three years, and live in at least three placements. They are often separated from friends, family and all that is familiar; not surprisingly, their schooling, and physical and mental health suffer. When you view the foster-care system through the eyes of a child, the need for reform is abundantly clear.

Court reform is central to this effort as courts play a critical role in the lives of foster youth. No child enters or leaves foster care without a judge's say-so. Courts decide whether children should remain in foster care or may safely return home, where they will live and how often they will move from placement to placement, whether they will see their siblings and other family members, and when they will leave the system. These decisions forever alter the lives of vulnerable children and their families.

Yet in a 2004 report, the nationwide, nonpartisan Pew Commission on Children in Foster Care determined that courts often lack the tools, information, support and accountability to ensure that children are moving expeditiously from foster care to safe, permanent homes. The commission opined, "the judicial leadership of every state must make strengthening and supporting the dependency courts a top priority."

Last summer, a first-of-its-kind National Judicial Leadership Summit, "Changing Lives by Changing Systems," brought together teams of judges, child-welfare administrators and others from every state in the nation to develop state action plans focused on improving outcomes for children in foster care. I was proud to take part in that summit as part of a team representing California.

A national "call to action," which summarized the plans developed out of that summit, has just been released by the National Center for State Courts. Individual state plans target specific ways to enhance accountability, foster collaboration, provide an effective voice for parents and children, and assert judicial leadership. California has already begun to implement the goals as we seek to turn a corner in how we care for our most vulnerable youth.

I am pleased to have been asked to chair the California Blue Ribbon Commission on Children in Foster Care, appointed by Chief Justice Ronald George and the state Judicial Council, the court system's policy-making arm. The commission, which held its first meeting March 23, is made up of legislators, government leaders, social-services professionals, academicians, youth advocates, judges, tribal leaders and professionals from mental health and health and the court. Our goal is to work together to ensure safe, secure, permanent homes for California's abused and neglected children through improved accountability, collaboration and effective use of resources. We have our work cut out for us.

The commission has an unprecedented opportunity to make a difference in the lives of our state's foster children. Here are some areas for reform:

-- Change the way the federal government pays for foster care. Federal requirements have limited the state's options as we seek to meet the wide-ranging needs of our children. The recent federal waiver granted to California gives our child-welfare system some increased flexibility, but there is still much more to be done. Most funds go to foster-care maintenance rather than to prevention or finding permanent homes. We need to develop new federal strategies, as recommended by the Pew Commission, to keep more families in tact and quickly move children to safe, loving families when they cannot safely remain at home. What a difference we could make if we put significant resources in at the front end of this problem!

-- Give judges the tools and resources to better monitor progress and compliance. Hearings are often frustrated by undue delays. Court caseloads well exceed national standards, jeopardizing thoughtful review. And courts can't track children's progress effectively because judges have no access to meaningful data. Courts and their partner agencies don't share information necessary to manage cases, measure performance and

ensure system accountability. This is not about assigning blame, but about sharing responsibility.

-- Improve legal representation and access for parents and kids. We, as a commission, will be able to target further improvements in the performance of the legal process where often the most critical life decisions are made.

Momentum to reform foster care is building, not just in California, but across the nation. An ever-growing number of states have joined California in introducing Commissions on Children in Foster Care, and in the recently passed Deficit Reduction Act, Congress appropriated \$100 million per year for grant programs designed to strengthen court performance and training opportunities. To apply for and receive these funds, states must demonstrate "substantial, ongoing and meaningful" collaboration between courts and child-welfare agencies.

The call to action, the recent support for reform by Congress, and the work of state commissions like ours are vital steps in improving the lives of our nation's half-million foster children. But the work is not yet done.

It is imperative that we work together to make the call to action a reality. In the end, vulnerable children and families will continue to pay the price if our courts lack the tools and resources needed to do their jobs well.

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