

# Mockingbird Times

FOSTER CARE AND HOMELESS YOUTH SPEAK OUT ACROSS THE NATION

April 2009

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## A System Without Child Rights BY CHRISTINA KOSHNEY



When I think of the child welfare and foster care systems, I think of an old broken record that's been skipping for far too long. Both from my personal experience of the foster care system and from hearing stories from current and previous foster youth, I hear the same stories only with different scenes and characters. The same issues that have been brought up and noticed in the past are the same issues for today.

A lot of these issues were brought to Youth Advocacy Day on February 13, 2009 that been issues since at least 1990 when the Juvenile court act—Dependency and Termination of Parent-Child Relationship went into effect (this is the main piece of legislation in Washington that discusses the rights of the parties in the dependency court system).<sup>1</sup> These long time issues include a lack of a voice in the system which can be equated to lack of legal representation, and a lack of stable and safe housing. In the state of Washington, the rights of the child including a right to legal representation is a problem that has been ignored in the legislation. The Revised Code of Washington (RCW), Washington State's compilation of laws, chapter 13.34 is the Juvenile Court Act—Dependency and Termination of Parent-Child Relationship. This is a chapter with several sub sections that discuss



the rights that the parent has in a dependency hearing, how to use these rights, and who to contact to obtain information and ask questions.<sup>2</sup> It also informs the parent of their legal right to an attorney that will be appointed to them if they are unable to attain a lawyer by outside means. The only section where there is any mention of any actual rights that a child has is in the beginning of the chapter, section 13.34.020, where an overview is given which states:

*The legislature declares that the family unit is a fundamental resource of American life and should be nurtured... the family unit should remain intact unless a child's right to conditions of basic nurture, health, or safety is jeopardized... the rights and safety of the child should prevail... The right of a child to basic nurturing includes the right to a safe, stable, and permanent home and a speedy resolution of any proceeding under this chapter.*

Basically, a child has a general right to be nurtured, healthy and safe including stable housing and of the court proceedings in dependency court. While necessary, this is the full extent of the rights of children in dependency court and are too general. For these rights to be useful and followed through with, it would be logical that a child would also have the right to lawyer. However, Washington State is, "the only state where a court can legally deny these children

CHILD RIGHTS CONTINUED ON PAGE 2

## Kinship Care Keeps Family Bonds BY ASHLIE LANIER



A group of persons closely related by blood; such as parents, children, uncles, aunts, and cousins; as well as a group of people who are generally not blood relations but who share common attitudes, interests, or goals and, frequently, live together. This is the goal of kinship care: to keep families together.

Kinship care was designed to be an alternative to foster care. If caseworkers take the initiative to place children with their families, they can keep family bonds intact. The connection to family, relatives, and friends are important aspects in a growing child's life. With kinship care, a child would have the opportunity to live with people he or she already knows, trusts, and have established loyal relationships with.

The bonds that youth have with family and friends are vital aspects in the outcome of the youth's life. Sibling connection starts at a young age and children can remember people from very early in their lives. So, if you are taken out of your home around that age and separated from your siblings, people that you have already grown to love and trust, then it will have an affect on your life.

One kinship care alumnus youth that I spoke with was taken out of his home at the



age of eight years old, separated from his two siblings and placed in a foster home. He stayed in that foster home for approximately six months. He refers to those months as the most depressing time of his life. One day he received a random visit from his case worker who told him to gather all his stuff because he was going to his grandmother's house. When he got there, his siblings were there waiting for him. Five years later, he, along with his siblings, moved back in with his mother into their own apartment. Now 21 years old, he remembers this day as if it were yesterday. He states, "I could never imagine being without my brothers and sisters. That experience made us grow and become closer at that young of an age."

When growing up without a mother or father, you have a lot of unanswered questions. Who were my parents? Why didn't they want me? What type of people are they? These are questions that only your family can answer. I read a heart felt story of an alumnus of kinship care who had these same questions growing up. She expressed how her biological family was able to explain to her why she wasn't with her parents and answer all the questions she had. In foster care, you have those same questions but they usually remain unanswered. She also

KINSHIP CONTINUED ON PAGE 2

## Permanency in Foster Care

BY DIAMONIQUE WALKER



Permanency in foster care is when a youth is put in a placement that he or she is expected to stay in for the remainder of his or her childhood years. Having a permanency plan, whether or not the youth will return home before the age of 18, is important to the goal of permanency. Having child welfare professionals give the support needed for this to occur, which doesn't always happen, is another step needed. For the permanency to be truly effective, it is also very important for the birth parent(s), relatives, or adoptive parent(s) or guardian(s) to participate in the process.

Not achieving permanency while in foster care is a risk for many youth. Being moved around to different placements can be traumatizing. Never having been in an absolute permanent placement by the time a youth ages out of care at age 18 also has negative effects. Each youth placed in care should have a permanency plan that his or her family helped develop which says where the youth should be permanently, whether it be back with their parents, a relative, an adoptive family, a guardian, or another permanent option.

The **Mockingbird Family Model (MFM)** helps with permanency in foster care. It creates a safe place for visits with birth parents, relatives, and adoptive parents to support transitions to a permanent placement. Places such as the Hub Home or the current placement of the child are typical places for these visits. The MFM also provides support from the Constellation community even after adoption, or something else. During the steps of permanency planning, the parent or relative can get extra support and guidance from the Hub Home parent if needed. Even after the youth is permanently placed, he or she and the parent or guardian are welcome to participate in Constellation events and get community support if they need it for a period of time.

Sue Lewis, an MFM Hub Home parent, supported one child's permanency. In this particular situation, a four-month-old baby was placed in Sue's care after being in the hospital since birth at only 24 gestational weeks. The mother of this child was there every step of the way, knowing what was going on through the whole process with her child. Sue and the mother and even the mother's family spent time getting to know Sue and the child to prepare the baby to live with the mother once the circumstances were right. The mother visited her baby every day (except when she was ill for fear of getting the baby sick) which shows that she was really committed to the plan of her child coming home to her. With all her hard work for drug treatment and learning to parent her child, she got to bring the baby home a couple of months early. The child has now been living with the birth mother for eight months and is expected to be with her permanently.

Permanency is important because it provides a sense of stability in the youth's life. Without a permanent and stable family, youth may not have a constant support in their life. A permanent family can provide support and encouragement for a child be successful; in-foster care, versus being in foster care and not ever knowing what stability really is.



Letter From the Editor BY JIM THEOFELIS

First and foremost I want to send a hearty "shout out" to the youth and alumni of foster care in Washington State who have worked so hard during this legislative session. It has been remarkable to watch young people from all corners of the state come to Olympia and advocate on critical proposed legislation. Examples of this critical legislation are HB 1961 Fostering Connections to Success and HB 1492 The Independent Youth Housing Program. Both of these provide critical housing for youth being discharged from Washington's foster care system. As many of you know, the statistics paint a very grim picture of what life is like for the 18 year-old that is discharged from foster care directly to the streets. The poor outcomes these youth face include homelessness, early parenting, increased chemical addiction and/or mental health problems and, of course, reliance on public assistance. Imagine being a child that was removed from your birth family and separated from your family, school, and community; endured being placed in multiple different foster homes and who knows what else during adolescence and yet still managed to earn a high school diploma or GED. As a reward for this incredible "against all odds" you have become immediately ineligible for foster care: you just lost your housing.

What Grandma has known all along: those young people who receive safe housing and support are more likely to enter college, secure gainful employment, delay early parenting and rely less on public assistance. Analysis demonstrated that for every one

dollar invested in housing for youth exiting foster care, there is a \$2.40 return. During a hearing before the Senate Human Services and Corrections Committee, one young woman reported having had 52 Independent Youth Housing Program as the most stable permanency she has ever experienced. Nearly all of the young people in two housing programs reported having endured multiple placements while in foster care. They are currently engaged in employment and/or higher education and, if these programs close June 30th, they will be homeless for the 4th of July. The 2009-2011 legislative session which is scheduled to conclude on April 26th. They are now focusing on their main piece of work: the 2009-2011 state budget. I urge you to contact your legislators and encourage them to support HB 1961 Fostering Connections to Success and HB 1492 The Independent Youth Housing Program. If you need assistance, please visit leg.wa.gov or call 1-800-562-6000. I will close this month's commentary the same way I began: thanking the youth, alumni, and allies who have worked so hard this legislative session as young leaders and advocates in the effort to build a world-class foster care system. Thank-you!

Handwritten signature of Jim Theofelis

Jim Theofelis

jim@mockingbirdsociety.org

The Mockingbird Society: The Story Behind the Name

The 1962 American classic To Kill A Mockingbird by Harper Lee is the inspiration for our name, The Mockingbird Society. Atticus, the widowed father of Jem and Scout, joins Miss Maudie in teaching his kids that it's a sin to kill a mockingbird because "...Mockingbirds don't do one thing but make music for us to enjoy. They don't do one thing but sing their hearts out for us."

What if we created an organization, a community, indeed a world, in which our most vulnerable children and youth were protected and valued with the same commitment that Atticus had for mockingbirds?

Join The Mockingbird Society today and help us give young people a safe place to nest and sing.

CHILD RIGHTS, CONTINUED FROM PAGE 1

an advocate in court."3 Again this doesn't make much sense when every other party has a lawyer.

Karen Pillar, a youth advocacy lawyer who has worked in the dependency courts in the state of Pennsylvania (where every child regardless of age has the right to and is appointed an attorney in the dependency courts), is currently a working attorney at TeamChild. She represents youth who are involved in juvenile court. Sometimes those juvenile clients are also dealing with ongoing issues in the dependency courts that are affecting their criminal juvenile cases. Karen explained the dependency courts as a lopsided three legged stool where you have the parents, the state, and the child who represents the short leg. Everyone except the child in this system has mandated legal representation in the court process.

This lack of representation is why Washington State was given an F grade, 31 points out of 100, by First Star in their most recent report.4 First Star is a national organization that seeks to protect children and their rights within the Child Welfare System. The grades given to all 50 states and Washington DC were based on the legal representation and implementation mandated by each state. Washington State due to a lack of mandatory client directed counsel for foster youth which means the child speaks directly to the lawyer who then directly brings the issues of the client to the courts.

In Washington State, a child does not have the right to a lawyer and, even when

they do obtain an attorney, that person is not required to be present at all court proceedings. Washington State further does not require any special training of dependency lawyers as they would of a criminal lawyer. Considering the lack of child-centered legislation on the dependency courts, it is not hard to see why this F grade was well deserved and is clear evidence of how the Juvenile Court Act is in need of further revision.

On Youth Advocacy Day, it was inspiring to see so many people active in the system. However, until the fundamental rights of children are established and clearly stated in our Washington State constitution and laws, we cannot fundamentally consider this system one that is about the child's best interest. Legislation needs to be equally providing for and explaining the rights and how to use these rights in the dependency courts just as is done for the parents.

1, 2 apps.leg.wa.gov/rcw/default.aspx?cite=13.34.020

3 seattlepi.nwsource.com/opinion/315379\_focusgault13.html

4 www.firststar.org/research/documents/FIRSTSTARReportCard07.pdf

KINSHIP, CONTINUED FROM PAGE 1

explained that her experience in kinship care caused less confusion and pain.1

In many cases, youth are placed in foster care because relatives are not able to provide care. Although we are in a recession, I think it is very important for relatives to know that there is help for them. I don't want money to be a reason for children to be separated from their parents and lost in the child welfare system. There are two types of kinship care: Temporary Assistance for Needy Families (TANF) and there are also foster care payments if the relative becomes licensed as a foster parent. Other assistance and support for relatives include medical care for the youth, clothing vouchers, respite care, and child care services. For more information about these resources visit www.dshs.wa.gov.

1 transition.fosterclub.com

Casey Family Programs Funds Foster Parent College Scholarships

For a limited time, caregivers who qualify can receive up to 4 Foster Parent College classes for free, courtesy of Casey Family Programs. The Casey Family Programs Scholarships are available to self-registered foster, adoptive, and kinship parents for whom the cost of parent training poses a barrier. FPC training units through your agency and would like to enroll in classes, you can apply for a scholarship. Registration is free and easy. For additional details and to apply, visit FosterParentCollege.com.

Thank You!

Stephen Akerman, In Memory of Esther Akerman; Anonymous; Virginia Blayney; Patricia Bodzioch; Jennifer Brady; Patti Carroll on behalf of Island County Youth in Care; Karen Cowgill; Bruce Cross and Perkins Coie; Shaniqua Dickson; Cherokee Frazier; Dr. Wanda Hackett; Daliah Hampton; Jada Jones-Savage; Kelly Kemp; Corine Knudsen; Najja Morris; Karen Pillar; Sarah Rafton; Vanitha S. Raman; Katoyce Rolax; James Samuels, FedEx Kinko's; Loran Timmons; TOPS School; Laura Truitt, Lazerquick; Union Gospel Mission; James Ybarra

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## Disproportionality and Child Welfare BY JERRY BOBO



Child welfare is in bad standing for children of color in the foster care system. The **Child Welfare League of America (CWLA)** provides a great deal of services to those needing a stable living environment while in care. CWLA has a vision that every child will grow up safely with a loving family which will lead to the people of the nation stepping up and realizing this vision.

To understand the importance of the CWLA and its vision, we need to look at some telling statistics. It is reported that some 800,000 children will be in the foster care system at any one time. In 2005, out of the 3.3 million reports of abuse and neglect, almost 900,000 were

substantiated. To make matters worse, approximately 40% of those children did not receive follow up services. There is also a large number of youth that are leaving foster care. More than 24,000 youth leave foster care because they age out of the system which often leads to homelessness. This is a problem for all youth in care, but a bigger problem for youth of color.<sup>1</sup>

Children of color (African American, Latino/Hispanic, and Native/Indigenous American) in the child welfare system often experience unequal treatment in services received.<sup>2</sup> Overrepresentation is linked to juvenile justice, social class, and many economic factors.<sup>3</sup> Many problems are interconnected to make up a bigger, continuous problem that isn't being solved. Ensuring the needs of every child are met is only fair and then all youth would be served



appropriately. It is the job of the community, the child welfare system, and government branches to protect and provide help regardless of color, cultural, or racial identity for families of color both above and below the poverty level.

23 percent of African American children live below the poverty level compared to 6% of white children.<sup>4</sup> In addition, single parent families occur at a higher rate in African American families than white families which is an issue as well since single parent families only have one wage-earner.<sup>5</sup> Families living in poverty often don't have access to services to support a family, prevent incidents, avoid neglect, and help with the stresses of parenting to make sure the children are not removed from their homes. This gives African American children a greater chance of being placed in out of home care and, with every decision point in the child welfare process, the disproportionality grows.

The welfare system is supposed to be able to help every child and family with services that prevent these types of problems. It will hopefully only get better from here, since progress has already been made and more is underway, but it will take the help of the community, alumni of care, and the support of other organizations to help bring these reoccurring problems to an end.

<sup>1, 2, 3</sup> [waysandmeans.house.gov/media/pdf/110/cwlafr.pdf](http://waysandmeans.house.gov/media/pdf/110/cwlafr.pdf)

<sup>4, 5</sup> [www.acf.hhs.gov/programs/cb/stats\\_research/afcars/trends.htm](http://www.acf.hhs.gov/programs/cb/stats_research/afcars/trends.htm)

## Meet the Staff: Christina Koshney



My name is Christina Koshney. I am 19 years old and reside in Seattle. I am currently a senior at Seattle University, where I am majoring in psychology. After I graduate I plan on applying to law school so I can play a bigger role in advocacy, particularly youth advocacy. Whenever I have a little spare time I like to spend time with my family and friends, listen to music, spend time outside, and dance.

My experience of the foster care system includes a smaller portion of my life, starting at the age of 18, one of my sisters, now 17 years of age, and I had lived with different relatives off and on; kind of like kinship care, without the legal part to it. It wasn't until my other younger sister, who is now three years old, was born that my family and I became a part of the foster care system. My sister was 9 months old when her case began and it is still currently pending in the dependency courts. This process has been very frustrating, to say the least, for my family and me, and has allowed me to see very clearly how the child welfare system is not working.

The child welfare system is a system that is catered to adults and their schedules instead of the child and what is truly best for them. While it is mandatory that every parent whose rights are pending must have a lawyer, not every child has that same right to legal representation in the dependency courts. In the case of my three year-old sister, who is suppose to speak for her? Who is suppose to care enough to check on her and see what's in her best interest? For young children like

my sister, there is supposed to be a CASA who is a civilian volunteer and knows little of this complex system. This is all from my experience thus far but I have heard far too many similar stories that relay this same message: that kids in this system are pushed to the side while adult agendas are attended to.

This is similar to the Juvenile court system, another system that I have experienced, where kids are being represented by lawyers that barely know their names, let alone what their goals or interests are (pertaining to their particular case and future). These are two pivotal systems in our society that deal with our most vulnerable population, the youth. Youth rights not only need to be better established, but known as well.

If there is one thing I could suggest in bettering these systems, it would be for the adults and professionals in these systems to take the time and actually listen. It has been my experience that a lot of youth in these systems know exactly what they need to better their situation, but no one wants to listen or has the time to do so (which to me is equivalent to not wanting to listen).

My passion for change in the child welfare and juvenile court systems makes The Mockingbird Society (MBS) a good place for me to share my passion and help institute a positive change. MBS also allows me the opportunity to share the story of my younger sisters and me to connect to others and to be heard. More than anything, it is my two younger sisters who inspire me to make a difference, and, in making a difference for them, I also want the same change and opportunity for all youth.



## Fund-raising for Foster Care BY LEONA BILL

Every year there are different fund-raising activities for foster care held by numerous organizations. Not only do organizations do fund-raising but, two years ago, a high school's athletic department did a March "Mad Dash" to raise funds for the **Foster Care Support Foundation**. It is rare that children and youth from a school recognize foster care because normally youth in care are seen in a negative light. However, foster children are great people and want to accomplish great things just like other people do. The **Foster Care Network** is working on a project that will help better the lives of foster children and help out foster parents as well. They are trying to raise funds for a recreation center where children would be able to hang out, play games, and have access to computers as well as a concession stand.

It is amazing how there is fund-raising for foster care but yet there still is not enough money to provide for foster children's needs. People can send in ideas for fund-raising to help out youth in foster care at [transition.fosterclub.com](http://transition.fosterclub.com). Not much money is given to foster parents when taking care of foster children and when it comes to needing clothes and school supplies, the state only gives so much support.

governors raised money for foster children primarily through the **Governors' Cup Golf Tournament** which takes place every September in Seattle. On May 19,

they gathered to hear student success stories and award 35 young men and women four year Governors' Scholarships. This is one of the examples where not necessarily all the money needed was raised. One recipient of the scholarship attending Seattle University said, "It doesn't cover the full amount for the four years but that is what was intended... but it may be different with other colleges because different colleges have different fees for classes."

If enough money was raised through fund-raising, more programs could be created to help out children and youth in foster care. There is much that children in kinship or foster care would love to receive on Christmas morning. Programs such as **Treehouse's** and **97.3 KIRO FM's holiday giving** help bring smiles and children's wishes come true on Christmas morning. There are numerous places and organizations that fund-raise to help those affected by foster care. As an alumnus of care I would like to give a great big, "Thank You," for all the time and effort given by those who participate in fund-raising that helps out youth in the foster care system. Without this help, we as foster children wouldn't be able to have all the things that are needed in life, including the chance to attend college, which I know will be the next step in my life.

For more information about the Governor's scholarship, visit [www.collegesuccessfoundation.org/gs/index.htm](http://www.collegesuccessfoundation.org/gs/index.htm). For more information about Treehouse and their services, including their Christmas gift program, visit [www.treehouseforkids.org](http://www.treehouseforkids.org).

## Slings and Arrows BY IAN GRANT



*Slings and Arrows* is a series of articles examining the challenges faced by foster youth and alumni in school written by **Melody Newburn** whom I interviewed this month. Ms. Newburn is the Education Coordinator for the **YMCA Independent Living Program**. It's no secret that foster youth have a harder time in school than most other students. In fact, the problem is much greater than many would suspect: foster youth have, on average, a 38% chance of graduating from high school (compared to 75% for the general population).<sup>1</sup> Ms. Newburn believes that the biggest problem facing foster youth is the lack of placement stability: foster youth move around a lot. You lose 4 to 6 months of educational achievement every time you switch schools.<sup>2</sup> If you move more than once or twice in your high school career, it's very hard to recover.

Part of the problem, according to Ms. Newburn, is that the schools don't know what to do about foster youth, a relatively small group in a very large and complex educational system, and teachers aren't necessarily getting training on how best to help the population succeed. There have been improvements recently as educational advocates have been dispatched to school districts across the state to help educate teachers and school administrators. But, like any big system-wide change, it's going to take time. Right now, in general, foster youth are still more or less on their own as far as school is concerned.

It doesn't have to be this way. One of the most important things you, as a foster student, can do is learn how to talk to teachers to get the help you need. When

adults fail to advocate for you, often the best thing you can do is advocate for yourself. Talk to your teachers and your school counselor. Connect with **Treehouse**, **The Mockingbird Society**, or the **YMCA**. There are advocates out there, both in and out of school, and they can help you explore your options and achieve your goals.

Sometimes, you just don't know what you need help with. A lot of people don't get the help they need simply because they don't know which questions to ask. You have to determine what resources you need to be able to stay in school—things like childcare, transportation, and money. There are lots of options for your future, but there are people that are willing to help you. If you wish to keep your personal circumstances private, sometimes you can get the help you need just by telling your teachers that you moved a couple times. You don't have to tell them why; it's your information, your life, and you're in control of it.

The most successful foster students are on top of their education, the students that keep track of the details of their life rather than hoping that somebody else will do it. They know what they need to do to graduate, make a list of what kind of help they need, and are strategic about making sure that they get what they need. It's entirely possible to beat these odds, but you have to work harder than other students. It's unfair, but it's true. School can be hard, but it is something that will get easier. Once you get a couple of people in your court, a lot more doors open. If you ask for help, keep track of your progress, and work hard at it, you can succeed.

<sup>1, 2</sup> [www.k12.wa.us/cisl/improvingoutcomes/index.htm](http://www.k12.wa.us/cisl/improvingoutcomes/index.htm)

**Whether 'tis nobler in the mind to suffer  
The slings and arrows of outrageous fortune,  
Or to take arms against a sea of troubles,  
And by opposing end them?  
~William Shakespeare**

