Defining Active Efforts in the Indian Child Welfare Act

by Judge Leonard Edwards (ret.)

INTRODUCTION

The text of Indian Child Welfare Act (the ICWA) includes the term ‘active efforts’.1

(d) Remedial services and rehabilitative programs; preventive measures - Any party seeking to effect a foster care placement of, or termination of parental rights to, an Indian child under State law shall satisfy the court that active efforts have been made to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family and that these efforts have proved unsuccessful.2 (emphasis added)

The United States Supreme Court affirmed the controlling legality of the ICWA in the case of Mississippi Band of Choctaw Indians v. Holyfield.3

What this statute means is that the state has an obligation to provide services and other types of interventions to prevent the necessity of removing a child from parental care and, if removed, to assist in the reunification of the child with family. It can be argued that this obligation is the most important aspect of the ICWA. The state removes a child when there is a crisis in the family, a crisis that endangers the health or well-being of the child. The ICWA makes clear that the major purpose of the law is to retain Indian children with their family.4 The ICWA emphasizes that the state has a duty to intervene in the family with support and services to prevent the removal of the child and to provide services that will permit a child safely to return home.5 What is unclear is what kinds of services and interventions must be provided to accomplish these goals. Put another way, what does active efforts mean?

In the original act, the statute did not define the term ‘active efforts.’ That is understandable as active efforts will depend on the unique facts of each case. Different states have had various approaches to defining the term. When the Bureau of Indian Affairs (BIA) issued Regulations in 2016, a definition was included in the Regulations.6 While that definition still lacks precision, it generally delineates specific steps that should be taken to satisfy the active efforts mandate. The Regulations outline a process the state agency must follow in each case.

State appellate courts have struggled to define ‘active efforts,’ and since the publication of the new

4. Congressional Findings: (3) “... that there is no resource that is more vital to the continued existence and integrity of Indian tribes than their children and that the United States has a direct interest, as trustee, in protecting Indian children who are members of or are eligible for membership in an Indian tribe.” 25 U.S.C. §1901(3).

5. “The Congress hereby declares that it is the policy of this Nation to protect the best interests of Indian children and to promote the stability and security of Indian tribes and families by the establishment of minimum Federal standards for the removal of Indian children from their families and the placement of such children in foster or adoptive homes which will reflect the unique values of Indian culture, and by providing for assistance to Indian tribes in the operation of child and family service programs.” 25 U.S.C. §1902.

6. A copy of the definition is contained in the text below.

See ICWA on page 2 ➜
regulations, there has been very little clarification.\(^7\) This paper will address the ways that states have responded to the ‘active efforts’ concept. First, the paper will recite that part of the ICWA where ‘active efforts’ appears. Second, it will explain the relationship between ‘active efforts’ and ‘reasonable efforts,’ the latter concept created by the Adoption Assistance and Child Welfare Act of 1980.\(^8\) Third, the paper will review some of the most important appellate decisions from different states that discuss the ‘active efforts’ mandate. Fourth, the paper will discuss the few cases that discuss ‘active efforts’ after the regulations have come into effect. Fifth, the paper will discuss the concept of ‘passive efforts.’ Sixth, the paper will address the question: What are Active Efforts? The conclusion will argue that many state agencies are failing to provide ‘active efforts’ when Indian children are the subject of child welfare proceedings, that most states should update their laws so they are consistent with the new regulations, that trial courts should carefully review in detail the efforts expended by the state, and that appellate courts should require that active efforts be provided by state agencies when dealing with the removal and return of Indian children.

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**I. ACTIVE EFFORTS AND THE ICWA**

Section 1912(d) states in part that ‘any party shall satisfy the court that active efforts have been made to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family and these efforts have proved unsuccessful.’

The active efforts in this section refers to the actions taken by the state, usually by a child protection or social worker, to provide services and programs to prevent the breakup of the Indian family.

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**II. ACTIVE EFFORTS AND REASONABLE EFFORTS**

Federal law created the term ‘active efforts’ in 1978 as a part of the ICWA. Two years later, in 1980, the Adoption Assistance and Child Welfare Act was signed into law. That legislation created the term ‘reasonable efforts.’ That legislation mandated states to provide reasonable efforts to prevent removal of a child from parental care and reasonable efforts by the state to facilitate reunification should a child be removed and placed in out-of-home care.

...reasonable efforts will be made to prevent the removal of a child from his or her home and to make it possible for a child to return home.\(^9\)

The Adoption and Safe Families Act of 1997\(^10\) added that reasonable efforts must be made by the state to help a child achieve a permanent home. The penalty for not providing reasonable efforts is a loss of federal funding.\(^11\)

Both active efforts and reasonable efforts place demands on state agencies when working with a family when their child is about to be removed or has been removed from parental care. The primary monitor of the state’s actions is the juvenile or family court judge, the judge who has legal responsibility for oversight of the process when a child is removed involuntarily from parental care.

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3. 42 U.S.C. §671(a)(15)(B) & (b) (1989); 45 Code of Federal Regulations §1356.21(b) (1) & (2).
Are active efforts and reasonable efforts the same or does one make greater demands upon the state? This issue has been discussed in several of state appellate opinions (described below), and almost all state appellate opinions agree that active efforts require more “effort” than reasonable efforts.

The federal law did not define reasonable efforts, but some states have attempted a definition. These definitions are general at best. For example, the Georgia legislature declared that

Reasonable efforts are measures taken by the Division of Family and Children’s Services of the Department of Human Services and other appropriate agencies to preserve and reunify families.

South Carolina laws describe reasonable efforts as

Reasonable efforts include services that are reasonably available and timely, reasonably adequate to address the needs of the family, reasonably adequate to protect the child, and realistic under the circumstances.

Federal Regulations have given active efforts a much more detailed definition.

§ 23.2 Definitions.

Active efforts means affirmative, active, thorough, and timely efforts intended primarily to maintain or reunite an Indian child with his or her family. Where an agency is involved in the child-custody proceeding, active efforts must involve assisting the parent or parents or Indian custodian through the steps of a case plan and with accessing or developing the resources necessary to satisfy the case plan. To the maximum extent possible, active efforts should be provided in a manner consistent with the prevailing social and cultural conditions and way of life of the Indian child’s Tribe and should be conducted in partnership with the Indian child and the Indian child’s parents, extended family members, Indian custodians, and Tribe Active efforts are to be tailored to the facts and circumstances of the case and may include, for example:

1. Conducting a comprehensive assessment of the circumstances of the Indian child’s family, with a focus on safe reunification as the most desirable goal;
2. Identifying appropriate services and helping the parents to overcome barriers, including actively assisting the parents in obtaining such services;
3. Identifying, notifying, and inviting representatives of the Indian child’s Tribe to participate in providing support and services to the Indian child’s family and in family team meetings, permanency planning, and resolution of placement issues;
4. Conducting or causing to be conducted a diligent search for the Indian child’s extended family members, and contacting and consulting with extended family members to provide family structure and support for the Indian child and the Indian child’s parents;
5. Offering and employing all available and culturally appropriate family preservation strategies and facilitating the use of remedial and rehabilitative services provided by the child’s Tribe;
6. Taking steps to keep siblings together whenever possible;
7. Supporting regular visits with parents or Indian custodians in the most natural setting possible as well as trial home visits of the Indian child during any period of removal, consistent with the need to ensure the health, safety, and welfare of the child;
8. Identifying community resources including housing, financial, transportation, mental health, substance abuse, and peer support services and actively assisting the Indian child’s parents or, when appropriate, the child’s family, in utilizing and accessing those resources;
9. Monitoring progress and participation in services;
10. Considering alternative ways to address the needs of the Indian child’s parents and, where appropriate, the family, if the optimum services do not exist or are not available;
11. Providing post-reunification services and monitoring.

Based on this definition and the typical state definitions, it is clear that ‘active efforts’ involves more attention and work on the part of the state than reasonable efforts when the state considers removing a child from parental care involuntarily and after a child has been removed. ‘Active efforts’ has a distinctively Indian character. This is evidenced throughout the definition above. While the regulation lists some examples of what the state agency should consider, the opening paragraph sets the tone for all of the following
sections: the state must engage in “affirmative, active, thorough, and timely efforts,” and “must involve assisting the parent, parents, or Indian custodian through the steps of a case plan and with accessing or developing the resources necessary to satisfy the case plan.”

III. STATE APPELLATE DECISIONS

Not all states have addressed the active efforts issue, but most of the appellate court cases that have conclude that active efforts require more “efforts” by the state than reasonable efforts. For example, the Court of Special Appeals of Maryland stated that “the ‘active efforts’ standard requires more than a ‘reasonable efforts’ standard does.” In that case two Indian children were removed from parental care and placed with an aunt because of neglect. A reunification plan was prepared. At a permanency planning hearing the parents were making little progress and the children were doing well with the aunt. The trial court changed the permanency plan from reunification to custody and guardianship with the aunt. The trial court made findings that the agency provided reasonable efforts and specifically monitored the placement, supervised visitation, and provided referrals to parenting, evaluations, mental health treatment and more. However, the trial court made no reference to active efforts and used the reasonable efforts standard to determine whether the social service agency had complied with the law. The appellate court noted that referrals were not active efforts and that the active efforts standard requires more effort than the reasonable efforts standard. The appellate court vacated the trial court’s finding and remanded the case for further proceedings consistent with their opinion.

The Michigan Supreme Court found “...that ‘active efforts’ require more than ‘reasonable efforts’ required by state law.” In that case the mother and children were all members of the Sault Ste. Marie Tribe of Chippewa Indians. The mother’s parental rights had been terminated to three of her four children before this case arose. The child in this case (JL) was born when the mother was 16 years of age and living in foster care. Based on mother’s abusive and neglectful behavior, the child was removed from her care. The social worker provided wraparound services until the case was transferred to the Sault Ste. Marie Tribe of Chippewa Indians Tribal Court. That court released JL to the mother when she was 18. The wraparound coordinator and others worked with mother to help her with budgeting and obtaining social security benefits. However, the mother continued to demonstrate that she could not safely parent her children and her parental rights were terminated as to JL, the trial court finding that the 6 years of services including the services provided in the early cases involving three siblings satisfied the “active efforts” requirement of the ICWA.

Numerous other appellate courts across the country have taken the position that active efforts require a higher degree of effort than reasonable efforts. No state has more appellate decisions regarding the ICWA than Alaska. That is likely since Native Americans comprise over 14% of the Alaska population. In the case of Denny M. v State of Alaska, Department of Health & Social Services, Office of Children’s Services, the mother appealed a termination of parental rights, arguing that the state did not provide active efforts to prevent the breakup of her family. The mother was seriously mentally ill and resided in a care home. The Supreme Court affirmed the trial court finding that the state OCS made active efforts toward reunification, as the mother received extensive resources directly from OCS, including case planning, frequent and in-person support from caseworkers, monthly therapeutic visits with the children, and referrals for neuropsychological and psychological evaluations. Moreover, after the mother had moved, the state assigned a second social worker to ensure that the mother’s visits would take place and provided cab vouchers since the mother could not navigate the bus system. Numerous other appellate court cases across the country have taken the position that active efforts require a higher degree of effort than reasonable efforts.

19. Id. In re JL at p.328.
23. Id. at 350.
Only one state takes the position that active efforts are equivalent to reasonable efforts.\textsuperscript{23} California appellate courts have consistently held that active efforts are the same as reasonable efforts.\textsuperscript{24} The leading California case is In re Michael G.\textsuperscript{27}

Under California law there is no significant difference between active efforts and reasonable efforts reasonable services and active efforts are essentially undifferentiable under California law.\textsuperscript{28} and therefore the finding that the agency failed to demonstrate reasonable services were provided, it follows that no “active efforts” were made to prevent the breakup of the family.

After the Michael G. case, in 2007, the California legislature re-defined “active efforts” by adding section 361.7 to the Welfare and Institutions Code.

361.7(b): What constitutes active efforts shall be assessed on a case-by-case basis. The active efforts shall be made in a manner that takes into account the prevailing social and cultural values, conditions, and way of life of the Indian child’s tribe. Active efforts shall utilize the available resources of the Indian child’s extended family, tribe, tribal and other Indian social service agencies, and individual Indian caregiver service providers.\textsuperscript{29}

Despite this legislative change other California appellate cases have followed the holding in the Michael G. case.\textsuperscript{30} That California appellate courts have continued to insist that the two terms are the same is surprising given the publication of the definition of active efforts in the BIA regulations.\textsuperscript{31} Those regulations make it clear that there are more efforts and services that the state must provide than any reasonable efforts requirements,\textsuperscript{32} and that these efforts must be delivered in an “affirmative, active, thorough, and timely” fashion.\textsuperscript{33} Colorado appellate courts issued one opinion stating that active efforts were the same as reasonable efforts.\textsuperscript{34} However, subsequent Colorado cases have declined to follow the K.D. case.\textsuperscript{35}

IV. CASELAW AFTER THE NEW ICWA REGULATIONS

In June of 2016 the Bureau of Indian Affairs (BIA) published regulations regarding the ICWA. These regulations took effect as of December 2016, and they are law. However, if state laws provide greater protection than the new regulations, the state law will prevail. Otherwise, the new regulations are binding on the state. For the purposes of this paper, section 23.2 (Definitions) is the critical change in the law. The definition of active efforts is listed above in Part III. These regulations list 11 examples of active efforts, emphasizing the engagement of family and Indian tribes in accessing services. ‘Active efforts’ means affirmative, active, thorough and timely efforts intended primarily to maintain or reunite and Indian child with his or her family. The definition emphasizes using culturally appropriate services and working with the child’s tribe to provide services. Prior to ordering involuntary foster care placement or termination of parental rights, the court must conclude that active efforts have been made to prevent the breakup of the family and that they have been unsuccessful.

Active efforts must be documented in the court records before requesting foster care or termination of parental rights.\textsuperscript{36} The Guidelines recommend that the documentation include the following in addition to any other relevant information: (1) The issues the family is facing that the State agency is targeting with the active efforts (these should be the same issues that are threatening the breakup of the Indian family or preventing reunification); (2) A list of active efforts the State agency determines would best address the issues and the reasoning for choosing those specific active efforts; (3) Dates, persons contacted, and other details evidencing how the State agency provided active efforts: (4) Results of the active efforts provided and, where the results were less than satisfactory, whether the State agency adjusted the active efforts to better address the issues.\textsuperscript{37} Courts that simply check a box on a pre-printed form that active efforts have been provided would not be following the law.

In 2017 the Kansas Court of Appeals in the case of In re L.M.B. found “...that ‘active efforts’ means something more than the ‘reasonable efforts’ standard that may apply in non-Indian-child termination...”

\textsuperscript{24} 25 CFR PART 23.2 – Definitions.
\textsuperscript{25} See Edwards, L., “Active Efforts” and “Reasonable Efforts’: Do They Mean the Same Thing? Spring 2015, The Bench, the official magazine of the California Judges Association on pages 6 and 34. A copy of this article is available at no cost at judgeleonardedwards.com.
\textsuperscript{26} Op. cit, footnote 15.
\textsuperscript{27} People ex rel. K.D., 155 P.3d 634 (2007).
\textsuperscript{29} ICWA Regulations §§23.120(a) and 23.120(b). “Active efforts must be documented in detail in the record.”
\textsuperscript{30} ICWA Regulations §§23.120(b) Guidelines.
As numerous state appellate decisions have written, “Family reunification services are not ‘reasonable’ if they consist of nothing more than handing the client a list of services and then putting the entire responsibility on the client to find and complete the services.”

efforts’ was created by Craig J. Dorsey in his book, “The Indian Child Welfare Act and Laws Affecting Indian Juveniles.” An Alaskan appellate court cited Dorsey as stating that “passive efforts are where a plan is drawn up and the client must develop his or her own resources towards bringing it to fruition.” The appellate court went on to explain that “[a]ctive efforts, on the other hand, include taking[ing] the client through the steps of the plan rather than requiring the plan to be performed on its own.” The National Indian Law Library discusses “active efforts” in its Online Guide. It provides a Practice Tip: A rule of thumb is that “active efforts” is to engage the family while “reasonable efforts” simply offers referrals to the family and leaves it to them to seek out assistance.

These approaches to an analysis of the meaning of “active efforts” are inaccurate. First, nowhere in the law is there reference to “passive efforts.” That
ICWA from previous page

is a term apparently created by Mr. Dorsey. It is true that in the dictionary “passive” is the opposite of “active,” but there is no legislative support for using the term. Second, “passive efforts” is not the same as “reasonable efforts.” As numerous state appellate decisions have written, “Family reunification services are not ‘reasonable’ if they consist of nothing more than handing the client a list of services and then putting the entire responsibility on the client to find and complete the services.”

When the agency writes up a case plan and encourages the parent to follow it, an Alaskan appellate court that such action is insufficient to meet the active efforts requirement.

Several appellate decisions confirm this statement. In a Delaware case, the agency’s drug treatment professionals made clear that the substance abusing mother needed more than referrals to outpatient services. When the agency failed to provide those services, the Family Court denied a petition to terminate parental rights. Two other appellate courts ruled that the agency has a responsibility to ensure that visitation takes place and that transportation is provided for the child and parents.

Numerous cases require the agency to ensure that visitation takes place when a parent is incarcerated. For example, in one case the social worker provided only stamped envelopes and failed to respond to father’s request for visits. The appellate court found that reasonable efforts had not been provided.

Some state definitions of reasonable efforts indicate that they are not passive. For example, the Arkansas legislature’s definition states as follows:

[T]he “agency shall exercise reasonable diligence and care to utilize all available services.” “Reasonable efforts’ are measures taken to preserve the family and can include reasonable care and diligence on the part of the department or agency to utilize all available services related to meeting the needs of the juvenile and the family. Reasonable efforts may include the provision of ‘family services,’ which are relevant services provided to a juvenile or his or her family, including, but not limited to:

- Child care
- Homemaker services
- Crisis counseling
- Cash assistance
- Transportation
- Family therapy
- Physical, psychiatric, or psychological evaluation
- Counseling or treatment.

A California appellate court describes reasonable efforts as:

- Reunification services will be found to be reasonable if the child welfare department has identified the problems leading to the loss of custody, offered services designed to remedy those problems, maintained reasonable contact with the parents during the course of the service plan, and made reasonable efforts to assist parents in areas where compliance proved difficult (such as helping to provide transportation.)

VI. WHAT ARE ACTIVE EFFORTS?

Except for the California cases, it is also clear that active efforts involve more than reasonable efforts. First, by their very definition, “active” means more activity that “reasonable.” Second, the ICWA Regulations and Guidelines discuss steps that a social worker must take to satisfy the “active efforts” mandate. The social worker must engage “the Indian child, the Indian child’s parents, the Indian child’s extended family members, and the Indian child’s custodian(s)”.

The social worker must actively assist the parents obtaining services. For example, if the parent encounters difficulties with long waiting lists for services, challenges in finding employment or housing, long distances to maintain visitation, mental health disabilities that prevent the parent from taking aggressive action to complete services, or any of a myriad of problems that prevent full participation in the case plan, the social worker must take action to assist the parent overcome those challenges.

That may mean that the social worker goes with the parent to service providers to ensure that the parent is enrolled and...

56. It should be noted that California has more reversals on the reasonable efforts issue than all other states combined. The appellate courts take a careful look at social worker activity on each case and often reverse the trial court finding. For a list of all California cases involving reasonable efforts, go to the website: judicialeonardowards.com
57. 23.2, ICWA Regulations.
58. Id.
59. In one case the appellate court opined that “…rather than requiring that a client find a job, acquire new housing, and terminate a relationship with what is perceived to be a boyfriend who is a bad influence, the Indian Child Welfare Act would require that the caseworker help the client develop job and parenting skills necessary to retain custody of her child.” In re K.B. 173 Cal. App. 4th 1275, 1287 (2009).
understands how he or she will participate in the program. It may involve the social worker transporting the child and/or parent so that visitation takes place. It may be that the social worker takes the parent to employment interviews. It may mean providing temporary housing for a parent and child. It should mean that the social worker is working closely with relatives and tribal members urging them to provide support for the parent. It certainly means that the social worker is in regular contact with the parent to determine how the parent is working on the case plan. Depending on the situation, the social worker must be ready to take whatever action is necessary to keep the parent fully engaged in the reunification process.

As Justice William Thorne (ret. Utah Appellate Court) has said: “active efforts’ means the social worker should treat the child as you would your own child and do whatever it takes.” Judge April Attebury of the Karuk Tribal Court tells social workers they “should hold the client’s hand from start to finish.”

**CONCLUSION**

The active efforts requirement places great demands on the social worker. Yet that is what Congress intended when it wrote the ICWA. It was the “wholesale separation of Indian children from their families…” that led to its passage.60 Active efforts means just that — Active. Social workers must work aggressively with the parents to accomplish the congressional goals “to prevent the breakup of the Indian family.”

Attorneys must be ready to raise the active efforts throughout the pendency of the case. Ask questions of the social worker. Put on the record all of the steps the social worker took to prevent removal of the child, to facilitate reunification, and to stay in contact with the parents. Ask the judge to make specific findings about the efforts expended by the social worker. In other words, make a record.

Judicial oversight is just as critical to implementation of the ICWA and to the requirement that social workers provide active efforts to prevent removal of Indian children from their families and facilitate reunification when they have been removed. Judges must monitor the actions of social workers to ensure that they are following the law.

In some jurisdictions the judicial officer is only required to check a box that indicates that active efforts have been provided to the child’s family. The law requires more. The judicial officer must make specific findings on the record including detailing the services and the method those services were delivered.61 Judges should be ready to ask the social worker questions regarding the efforts taken to meet the legal requirements.62 Only through careful enquiry can the judge accurately determine whether the social worker followed the law. Only then can the judge make a finding that active efforts were provided to the family before the court.  

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60. Establishing Standards for the Placement of Indian Children in Foster Care or Adoptive Homes, to Prevent the Breakup of Indian Families, and for other Purposes, H R Rep. 95-1368, at 9 (July 24, 1978).


62. Footnotes 35 and 36 and related text.
New Year, New Plan, New Energy!

And New Hoodies Coming Soon!

NACC was already excited to launch 2019 when late-breaking news from the Children’s Bureau started the New Year’s fireworks a little early!

Since the beginning of Dr. Jerry Milner’s tenure as Associate Commissioner of the Children’s Bureau 18 months ago, we had been pleased with the articles, speeches, and resources he and his staff provided in The Guardian, at NACC’s conferences, and in the Children’s Bureau Express, championing the importance of high-quality legal representation for children and parents. But seeing these words translate into action, into written policy to provide federal funding for legal services provided by an attorney representing a child or parent, was truly thrilling. As described on NACC’s website, the Children’s Bureau’s Child Welfare Policy Manual was just revised to permit partial reimbursement of the costs of legal representation for children and parents through title IV-E agencies. In the coming year, NACC looks forward to working on the implementation of this new policy change with you all.

2019 marks the start of NACC’s new strategic plan, a five-year roadmap to Promote Excellence, Build Community, and Advance Justice!

The first year of NACC’s strategic plan starts with YOU, the NACC membership and CWLS community. Based upon your feedback, NACC is expanding member resources this year, with a revamped Guardian every other month, and member-only, free webinars every other month in between. We’re researching new listserv and communications tools for member dialogue and exchange, and designing a modern resource bank to provide you everyday access to practical information, articles, and reports to support your practice. NACC will continue to offer member discounts on our new online Red Book Training Course, the Red Book itself, and NACC’s 42nd National Child Welfare Law Conference. At NACC, your practice is our purpose, whether it’s individual representation, law office management, amicus briefs, or policy advocacy.

Speaking of policy, there are many new developments in the works for 2019, including implementation of the Family First Prevention Services Act (FFPSA), reauthorization of the Child Abuse Prevention and Treatment Act (CAPTA), and critical federal cases regarding the Indian Child Welfare Act and sibling association. NACC participated in national meetings related to FFPSA in December, and will be working with our partners through the Annie E. Casey Foundation and Casey Family Programs to support your practice through FFPSA implementation.

Children’s Bureau Note on Child Welfare Policy Manual Revision:

Previous policy prohibited the agency from claiming title IV-E administrative costs for legal services provided by an attorney representing a child or parent. This policy is revised to allow the title IV-E agency to claim title IV-E administrative costs of independent legal representation by an attorney for a child who is a candidate for title IV-E foster care or in foster care and his/her parent to prepare for and participate in all stages of foster care legal proceedings, such as court hearings related to a child’s removal from the home. These administrative costs of legal representation must be paid through the title IV-E agency. This change in policy will ensure that, among other things: reasonable efforts are made to prevent removal and finalize the permanency plan; and parents and youth are engaged in and complying with case plans.

Dr. Milner’s Remarks in Response to NACC’s Praise of the Policy Change:

Kim and NACC Members - David [Kelly] and I and others in the Children’s Bureau who have worked on this policy change are incredibly happy that this is happening. It is pivotal to realizing our vision. Releasing the policy was very exciting for us, and your joy and enthusiasm over it only increases our optimism for what we can accomplish for children and families. Thanks again. Jerry

by Kim Dvorchak, JD, NACC Executive Director
A Snapshot of Foster Care: New AFCARS Report Now Available

The new foster care and adoption data show a continuing increase in the number of children and youth in out-of-home care. There are now approximately 442,995 children and youth in foster care. The number of children and youth waiting for adoption has also increased, reaching 123,437.

See more of the latest data in The AFCARS Report, including average age, placement information, race/ethnicity, sex, time in care, and more. The data are based on the annual case-level data submissions by state and tribal title IV-E agencies to the Adoption and Foster Care Analysis and Reporting System (AFCARS).

You can use the AFCARS data to better meet the needs of these children and families by creating better, targeted interventions and services. Discover resources to support your efforts on a range of topics, such as family-centered practice, supporting and preserving families, and more.

Top 5 Reasons for Children Entering Foster Care in FY2017

Note: These categories are not mutually exclusive, so percentages will total more than 100%.

- Neglect: 62%
- Parent Drug Abuse: 36%
- Caretaker Inability: 14%
- Physical Abuse: 12%
- Housing: 10%
Questions Every Judge and Lawyer Should Ask About Infants and Toddlers in the Child Welfare System: A Summary of the Updated Technical Assistance Brief and Bench Card

by Melissa Gueller, MS and Vanessa Helfrick Paulus, MS

Introduction

Infants and young children under the supervision of the court often have complicated and serious physical, developmental, and mental health-related challenges, so much so that the American Academy of Pediatrics has classified this population as one with special health care needs. Thus, the National Council of Juvenile and Family Court Judges (NCJFCJ), in partnership with ZERO to THREE, released an updated version of the technical assistance brief, *Questions Every Judge and Lawyer Should Ask About Infants and Children in the Child Welfare System*, in 2017, fifteen years after its original publication.

The technical assistance brief and accompanying bench card were developed for use by judges, attorneys, child advocates, and other child welfare professionals working with families and their children under five years old. It covers topics and potential issues that should be addressed in order to meet the complex and wide-ranging needs of this vulnerable population. The technical assistance brief and bench card are organized by topic, with recommended questions every judge and lawyer should ask to solicit important information to best address the needs and well-being of the child and family.

Original topics, such as physical, mental, and developmental health, were updated with assistance from field experts and include information gathered from research studies and data reports completed since the original publication. Areas covered in the updated version include:

Physical Health

This section emphasizes the importance of infants and toddlers receiving initial and ongoing health assessments. These assessments should include immunizations, hearing and vision screenings, dental checkups, and communicable disease screening. In addition to assessments and screenings, a plan should be in place for how infants and toddlers will receive coordinated care in the future as well as to determine if the child has sufficient insurance.

Developmental Health

It is imperative the child receives a developmental evaluation and early intervention services, if needed. Early intervention services include screenings, physical, speech, or occupational therapies, specific instruction for the child, and family support. Consistent routines for the child should also be addressed, as well as how the parent or caregiver can be supported through creating and maintaining routines.

Mental Health

Questions should be asked about whether or not the child has received a mental health evaluation...
and if mental health services are being provided. If psychotropic medications are prescribed, it could be beneficial to explore what, if any, other interventions have been implemented, such as a behavioral intervention.

**Fetal Alcohol Spectrum Disorder (FASD)**
If there is evidence that suggests the mother of the child used substances during pregnancy, the child should be assessed for fetal alcohol spectrum disorders. If FASD is indicated, are the child and caregiver being offered services?

**Exposure to Domestic Violence**
Judges and attorneys should consider if a child has been exposed to domestic violence. If so, an assessment or mental health services need to be provided to the child. It should be established whether or not the child can be kept safe with the non-offending parent. A safety plan should also be in place in regards to co-parenting and visitation.

**Trauma and Parenting**
If the parent has experienced trauma or challenges related to poverty, interpersonal violence, or mental health disorders, to name a few, does the parent need additional services to achieve reunification? Services could include a psychological or psychiatric evaluation or a rehabilitative program for substance abuse. It could also be beneficial to identify supportive people in the parent’s life.

**Family Time**
Individualized visitation plans should include all siblings, when possible, and should be unsupervised unless there is objective evidence suggesting the child will be unsafe in an unsupervised setting. Family time should also be as unrestrictive as possible while maintaining the child’s safety. If needed, therapeutic visits or coaching can be used to improve the parents’ ability to respond appropriately to their child’s needs. Judges can inquire about family time by asking the parents about the last visit with their child and what the parent and child did together.

**Educational/Child Care Setting**
If the child’s caregiver works outside of the home, or if the child would benefit from spending their days in child care, the child should be enrolled in a program that supports cognitive and social emotional development. It is also important to maintain a regular schedule and ensure the child has a consistent provider who has working knowledge of trauma-informed practices as they relate to children in child welfare.

**Placement**
The child should be placed with caregivers, preferably family or fictive kin, who are knowledgeable about the social emotional needs of infants and toddlers involved in child welfare. It is also beneficial for birth parents and out-of-home caregivers to share parenting time and receive support to work together. Lastly, if the child is a member of a federally recognized tribe, the child is eligible for the protections under the Indian Child Welfare Act.

**Conclusion**
Judges and attorneys can work in collaboration to promote positive and permanent outcomes for very young children. The *Questions Every Judge and Lawyer Should Ask About Infants and Children in the Child Welfare System* publication can assist in helping to determine the unique needs of young children to insure their needs are met on all levels. For more information about the *Questions Every Judge and Lawyer Should Ask About Infants and Children in the Child Welfare System* publication or other resources related to child well-being and hearing quality, please visit the NCJFCJ website.
Picture being ten and watching your father being hauled off to jail in handcuffs. Your parents’ argument escalated from verbal to physical, and now someone has called the police. Your father is cursing, and your mother is crying and bleeding. They are both high on meth.

Picture a Child Protective Services (“CPS”) worker showing up in a County car and saying you have to go with her. You don’t know this person, and you sure as hell don’t want to go anywhere with her. Your mother is screaming and pleading, and now you’re screaming and pleading too. You’re scared not only for yourself, but for your mother. Your job has always been to take care of her. You worry about what will happen to her after you leave and whether you will ever see her again.

When this happened to my client, Robbie, he first tried kicking and hitting the CPS worker, and when that didn’t work, he vomited in her lap.

All of us who make child welfare law our profession and our passion have caseloads full of Robbies. And thank goodness, they have us!

My Robbie is now 19. I remember him so well, because he was among the first children in the state of Nevada to get an attorney on the day he was removed. Robbie was part of a pilot project that assigned attorneys to every child and every parent in the Clark County foster care system from the day of removal to the day the case closed. We called it the Early Representation Project, or “ERP.”

The idea of an early representation program was not new to America, but in 2009, it was new to Nevada. Looking back, I am proud of the leadership role Legal Aid Center of Southern Nevada’s Children’s Attorneys Project (“CAP”) played in making ERP such a success for families caught up in the child welfare system. A highlight was our ability to partner with community philanthropists who so believed in the ERP mission and CAP that they fully funded our two participating children’s attorneys.

Although Legal Aid Center of Southern Nevada had been around since 1959, CAP in 2009 was only 10 years old and experiencing growing pains. With about a dozen staff attorneys, we represented fewer than half of the roughly 3,200 children in foster care. Considering we launched in 1999 with one staff attorney and a handful of child welfare cases, representing 1,600 children ten years later was, in hindsight, a very big deal.

CAP learned a lot from ERP. We learned how to dream big, and we learned how to build coalitions, how to partner to make dreams come true.

Our biggest of all dreams has been to represent 100 percent of the 3,400 children in the child welfare system by the end of 2018. We even gave this dream a name: “CAP 100.” And by George, we did it! We really did it! As they said to Henry Higgins in “My Fair Lady,” we can’t believe you did it, but indeed you did!

The best part is that we didn’t have to dream alone. CAP got a huge boost from a Nevada State Legislature that really, really understood the difference an attorney makes in the life of a child. After listening to the testimony of former CAP clients, the legislature passed a law making children parties to child welfare proceedings and guaranteeing them a lawyer to advocate for their legal rights.

We also had financial help from our Clark County Commission. The Commission passed an ordinance giving CAP a percentage of recording fees just to pay for children’s attorneys. And we had help from our judicial officers who respect our work and refer every child entering the child welfare system to our children’s project for representation.

Finally, our dream could not have come true without the help and support of our vibrant community.
pro bono attorney community. As of December 2018, more than 225 community volunteers represent 836 children in the child welfare system. Las Vegas law firms large and small have committed both time and substantial sums of money to make representing foster children their mission. To these amazing volunteers, most of whom have no prior child welfare experience, CAP provides both mentoring and comprehensive training. Indeed, our pro bono project is so robust that we now have a full-time project director and a pro bono liaison to support our volunteers.

This year is special. CAP turns 20, and we have so many reasons to celebrate the journey from where we started to where we are today. So many incredible achievements and so many lessons learned along the way.

Twenty years ago, we started with one child welfare attorney. When I joined CAP in 2005, there were five children’s attorneys, sandwiched in a Legal Aid Center building that has since been torn down and turned into a parking lot.

Today, CAP has 25 attorneys, whose sole mission is to be the advocates and the voices of abused and neglected children, changing lives every single day. Four are certified Child Welfare Law Specialists (CWLS). We see ourselves as a powerful and well-trained army of legal advocates. We pride ourselves on being the smartest, toughest and best prepared lawyers in the courtroom. Our judicial officers look to CAP for answers.

We’ve had to make some important decisions along the way. One of the first was deciding whether we would be Guardians ad litem or client-directed attorneys. We chose to be client-directed, following the models of both the American Bar Association and the NACC. We advise, we counsel, we guide, but ultimately our clients are the decision-makers, and our job is advocate as hard as we can to achieve the outcomes they want.

Our work goes beyond individual client advocacy. Over the years CAP has headed up legislative efforts to reform the system itself. We spearheaded legislation to regulate psychotropic medication, to stop the practice of using psychiatric hospitals as placements for hard-to-place children, to codify a foster children’s bill of rights, to ensure a right to counsel for all foster children, and to stop the practice of separating siblings. Under Nevada law, keeping siblings together is presumed, not merely preferred. We spearheaded the effort to get small children and sibling groups out of congregate care.

We also have a strong and vibrant educational advocacy program within CAP, headed up by a full-time experienced educational attorney. We recruit and train Clark County’s educational surrogates, we fight for children with disabilities who fall through the cracks in school. We work collaboratively with the school district, but we also file a lot of due process violation complaints.

So, as we turn 20, CAP has so much to celebrate. We are grateful for our partners and supporters, both inside and outside the Nevada legal community. We will continue to grow, to ensure that CAP 100 lives as long as there are abused and neglected children among us.

**About the Author:**

Janice Wolf is the Directing Attorney of the Children’s Attorneys Project at Legal Aid Center of Southern Nevada and a Child Welfare Law Specialist. She obtained her law degree from the William S. Richardson School of Law at the University of Hawaii and has practiced child welfare law for more than 25 years in Hawaii and Nevada. She is the former Administrative Director of the Courts for the State of Hawaii.

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Practice Tips: Creating a Compelling Story of the Case

Sometimes going back to basics is the most effective strategy we can employ to lay the foundation for our case. Therefore, over the next several Guardian issues, we will be going “back to basics” and addressing some practice tips for basic trial skills. In this edition we naturally start with developing a “story of the case,” using theory, theme, and a storytelling device.

Think of your trials as stories.

Reciting the facts or law alone is not enough. The true advocate must take those facts and package them with the law in a way that allows the attorney to tell the client’s story. Thinking of your trial as a story has many benefits — for example:

- It allows you to distinguish between facts and law that are important and unimportant;
- It forces you to ascertain the strengths and weaknesses of your opponent’s case;
- It focuses your discovery;
- It forces you to think about how to present your case in a thoughtful, organized, and convincing manner; and
- It requires you to research, develop the facts and fully prepare in order to support the ultimate conclusion that your client should win.

In crafting the story of your case, you will include three components — the theory, the theme, and a storytelling device.

All three of these components play a separate but complimentary role in the persuasiveness of your case. Spend time thinking about each of them separately but also how they complement each other and work together to build the story.

Develop a persuasive theory of your case.

In its simplest form, the theory of the case is a statement that explains why, given the facts and the controlling law, your client should prevail. There are generally two types of theories: the factual theory and the legal theory. Both play an important role in your analysis of any case. For example:

Factual theory: What happened (from your client’s perspective) and what facts matter in the context of the applicable law?

Legal theory: What is the applicable law and how do the facts line up so that your client wins under the applicable law?

Analysis:

i. What are the legal elements you have to prove?

ii. What are the facts that support each element?

Create a chart that matches the facts that support each legal element you have to prove.

Legal Element | Fact | Proved by (witness) | Proved with (exhibit) | Supports theme?
--- | --- | --- | --- | ---
1. Harm | Unexplained physical injuries (bruises on back) | - ER doctor - Case manager - Police detective | Pictures | Yes
2.
3.

Discover a compelling theme to weave throughout your case.

The theme builds on your theory and explains how and/or why something happened. Your theme provides context. It is a great opportunity to use your client’s explanation as a persuasive tool. Themes are not invented but discovered through an analysis of the facts. Themes are not fairytales — they are real and must be believable and consistent in order to be persuasive. Allow your theme to guide your presentation of evidence, as well as how you respond to your opponent’s evidence. Develop a strong consistent theme by determining the facts that support your position and then stick to that theme throughout your case. If you have multiple themes, your position may ultimately seem less believable. Therefore, try to develop one strong theme.

Once you have discovered your “theme” you will weave it throughout the evidence you present in your case, including through witness testimony, cross-examination, and exhibits. The goal is to present your theme in such a way that the fact-finder understands your client’s position in a way that “makes sense.” You want the fact-finder to be thinking, “oh yes, I can understand how that would...”
happen, or be the case, etc.” Regardless of whether you are representing the petitioner or the respondent, you want to convince the fact-finder that your version of the facts is persuasive.

Create a storytelling device.

The storytelling device is a short phrase that supports your story of the case. This is your opportunity to tap into your creative side. You want your device to be short, clever, and memorable but not corny. For example, “when it rains, it pours.” Perhaps the most infamous (and clever) storytelling device comes from the O.J. Simpson criminal trial: “If it doesn’t fit, you must acquit!”

Embrace the art of persuasion.

The ultimate goal of your story of the case is to persuade the fact-finder to agree with your version of the facts and applicable law. But how? Persuasion is an art form that has some universal elements.

- Your story must have GLOBAL APPEAL.
- Your story must be ENGAGING.
- Your story must appeal to the fact-finder’s MORAL COMPASS.
- Your story must have both intellectual AND emotional appeal.
- Your story must clearly ALIGN WITH THE FACTS and explain why your client wins with those facts.

CHILD WELFARE LAW and PRACTICE: Representing Children, Parents, and State Agencies in Abuse, Neglect, and Dependency Cases 3RD EDITION

Child welfare law is complex and ever-changing, and the practice of representing children, parents, and agencies in dependency cases requires extensive knowledge and skill in both legal and non-legal subjects. Child Welfare Law and Practice, 3rd Edition (Duquette, Haralambie, and Sankaran, 2016) captures the wide body of information and expertise that define child welfare law as a specialized field, from legal standards in federal law to techniques for interviewing children to innovations in representing older youth. This edition includes extensive updates and revisions, incorporating new chapters on issues such as coping with secondary trauma and engaging in systemic advocacy for policy change.

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Abstracts are Open

We are now accepting abstracts for Anaheim 2019! Take this opportunity to share your thoughts, research, and outcomes with hundreds of child welfare law professionals. Please click here for more information or to submit now. Final deadline is February 3, 2019.

NACC’s National Child Welfare Law Conference is a unique event for child and family legal and policy professionals from across the country to gather to continue their legal education, exchange new ideas, build skills, and network with colleagues and friends. NACC is grateful for the contributions of our national conference faculty, who provide their time, talent, and treasure to produce a high-quality training event which inspires attendees to do their best work for children and families in courtroom and policy advocacy. Selected faculty receive complimentary conference registration.

Early Registration through April 30!

Please join us as we support a national community of attorneys, judges, social workers, CASAs, health professionals, and other children’s advocates at our 42nd National Child Welfare Law Conference. For three days, this special community gathers to continue their education, improve their skills, and find inspiration and renewed commitment to their work. Over 700 professionals from across the country attend NACC’s conference and our goal is to provide attendees a high-quality experience that motivates effective advocacy for children and families. Registration prices will go up after April 30th!

Anaheim Marriott

The conference will be held at the Anaheim Marriott Hotel. The Anaheim Marriott is just down the street from Disneyland Park and NACC’s $169/night hotel rate begins Friday, August 23, 2019.

Sponsorship, Exhibiting, and Advertising

NACC has conference sponsorship, exhibiting, and advertising opportunities. As a conference sponsor, exhibitor, or advertiser, your organization will set itself apart by supporting the community of advocates attending the conference. In addition to being visible to attendees and faculty onsite, your support and brand will also be seen by the NACC national community as we recognize you in a variety of ways. More information can be found here.

Need another reason to attend? How about 13!

Check out this piece on Anaheim from The New York Times.

And…

Save the Date for 2020!

August 24-26
Pre-conference Aug 23
Baltimore Marriott Waterfront • Baltimore, MD
**Membership Matters**

**Membership@NACCchildlaw.org**

Congratulations!

Congratulations to NACC Member **Jonathan Conant**, the 2019 recipient of the 2019 Sue Gilbertson Leadership Award presented by MIKID, an Arizona child advocacy organization. This award honors individuals whose extraordinary commitment to improving the lives of Arizona’s children has made a positive and lasting impact. You can learn more about MIKID and the awards celebration.

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Would you like to share something with the NACC Membership? Send it to us!

Forgot your username or password? We’ll help!

Contact Membership@NACCchildlaw.org.
Policy Department Updates

**Title IV-E Funding for Legal Representation**

This is an exciting time for practitioners and policy advocates in the child welfare field. The federal government recently updated its *Child Welfare Policy Manual* to allow for Title IV-E agencies to be reimbursed for the administrative costs of legal representation for children who are either Title IV-E-eligible children in foster care or candidates for Title IV-E foster care, and their parents in child welfare legal proceedings. This update can be found in Section 8.1B, Question 30. This change opens up a major funding stream to support providing legal representation to children and parents, along with agency representation. Although there are many details to work through, the NACC policy department is working to gain as much information as possible to assist NACC members and others who are working in their states to implement this important policy revision. Stay tuned for policy alerts from NACC and please bookmark our website for important dates, information, and education events.

**CAPTA Reauthorization**

In other exciting federal child welfare policy news, the Child Abuse Prevention and Treatment Act (CAPTA) is up for re-authorization, likely this spring. Over the past year, NACC has participated in the National Child Abuse Coalition (NCAC) along with other child welfare organizations to draft recommendations for Congress to consider in its reauthorization. In line with the extensive research on best practices, the recommendations support strengthening families and communities and focus on prevention and treatment of child abuse and neglect. NACC will continue to post alerts on the reauthorization to keep you in the loop on the important developments as they happen.

**Children’s Right to Legal Counsel**

As a policy priority, NACC also remains committed to advocating for children’s right to legal counsel in child welfare court proceedings. The NACC policy department is working on many fronts to secure this universal right for children regardless of the jurisdiction in which they live. We continue to advocate for the right to legal counsel through CAPTA reauthorization as the original legislation in 1974 contemplated, as well as by advocating for stand-alone legislation. If you are interested in how you can support NACC’s efforts, please contact Brooke.Silverthorn@NACCchildlaw.org.

**Amicus Efforts**

NACC has also been involved in the *Brackeen v. Zinke* case by joining many organizations as a sign-on participant in a child welfare amicus brief. The amicus brief centers on the assertion that the provisions in ICWA provide the “gold standard” for all children in foster care by providing best practices in social work and court practice, including trauma-informed care. Accordingly, the provisions in ICWA represent what we should be doing for all children in foster care and are “context-specific” applications of universal best practices in child welfare by preserving and maintaining important family and community connections. The structured decision-making required by ICWA results in better outcomes, such as higher rates of placement in kinship care, lower rates of congregate care placement, and lower rates of youth aging out as a legal orphan. The brief also discusses Congressional authority to legislate in child welfare, as well as other areas of the law. In doing so, it discusses the historical relationship between the federal government and states in child welfare law and practice. Because of this history, it points out the District court’s error in its determination that without ICWA, child welfare would be solely a state-governed activity.
NACC Training News

Spring 2019 Enrollment Now Open for NACC's Online Red Book Training Course

NACC’s new online Red Book Training Course is designed to assist you in preparing for the Child Welfare Law Specialist (CWLS) examination. It can also serve as an overall review of dependency competency areas. The course will consist of seven webinars delivered over a period of 13 weeks. NACC’s next courses are scheduled for:

Spring: Mar 13, 2019 through Jun 5, 2019
Fall: Sep 18, 2019 through Dec 4, 2019

About the Course

The material covered in the course is drawn from Child Welfare Law and Practice: Representing Children, Parents, and State Agencies in Abuse, Neglect, and Dependency Cases (3rd Edition). The course is intended to assist you in breaking the material down, focusing on important concepts, and guiding you through the material in the Red Book. This course will not cover every chapter. The instructor has made intentional decisions about what information to cover in the time that is allotted for the course. If a chapter is not covered, that does not mean that content from that chapter will not appear on the exam. Therefore, you should incorporate any chapters that are not covered into your self-study plans.

Information will be provided before each webinar session including the section of the Red Book and corresponding chapters, and sections within each chapter, that will be covered. Please note that prior to each week it will be helpful if you have read the chapters and sections that will be covered. Most weeks, the webinar will be 1 hour long. However, sessions 2 and 7 will be 1.5 hours long in order to cover the material sufficiently.

The cost is $125 per person for groups and NACC Members ($150 for all others). All live sessions are recorded and participants will have access to the recordings for six months (participants who can’t attend certain sessions will be able view the recordings at their leisure). Registration for this course includes access to the electronic version of the Red Book for six months. Hard copies of the Red Book are also available for purchase.

This is a great opportunity for attorneys representing children, parents, and agencies to take their education and practice to the next level and apply for certification. One need not be a CWLS applicant in order to take the course, but we do encourage participants to become certified. The CWLS exam can be taken online at the convenience of the applicant and is remotely proctored over video.

NACC’s staff is ready to assist in registering a group for the course, ordering hard copies of the Red Book, and/or coordinating a cohort to become certified as CWLS. Please contact Daniel Trujillo, NACC Certification Director, at Daniel.Trujillo@NACCchildlaw.org for group registrations, additional information about the course, or CWLS certification.

Interested in partnering with NACC for one of your trainings?
Thinking about adding on a one-day Red Book Live training to your state conference or incorporating NACC’s Red Book Training Course into your annual training offerings?

Contact Training@NACCchildlaw.org.
NACC Welcomes Our New Board Members!

Thank you, NACC members, for your participation in this year’s election—one of our highest years of engagement. LaShanda, Kathryn, Lily, and Sheri—welcome aboard!

LaShanda Taylor Adams, JD, Associate Dean for Academic Affairs & Professor at Law, Univ. of the Dist. Of Columbia David A. Clarke School of Law, Washington, DC

Kathryn Banks, JD, Assistant Dean of Clinical Education, Assistant Professor of Practice, and Director of Children’s Rights Clinic, Washington University in St. Louis School of Law, St. Louis, MO

Lily Colby, JD, Policy and Program Coordinator, California Court Appointed Special Advocates Association, Sacramento, CA

Sheri Freemont, JD, Senior Director, Casey Family Programs, Indian Child Welfare Program, Denver, CO

Child Welfare Law Specialist Certification

by Daniel Trujillo, Certification Director and Ginger Burton, Certification Assistant

Congratulations to these new CWLS!

Afiya Hinkson, JD, CWLS Forsyth County Department of Family and Children’s Services Stone Mountain, GA

Barry LaCour, JD, CWLS Mental Health Advocacy Service/Child Advocacy Program Lafayette, LA

Jessica Long, JD, CWLS Jessica Long Law, LLC Holly, GA

Rochelle Oldfield, JD, CWLS Tennessee Department of Children’s Services Clinton, TN

Maranda Stevens, JD, CWLS Catawba County Department of Social Services Newton, NC

Kathleen Sullivan, MSW, JD, CWLS Citizens Concerned for Children, Inc. Ithaca, NY

Make becoming a CWLS your 2019 New Year’s Resolution!

CWLS Application Pricing Extended through January!

NACC is extending the reduced 2018 CWLS application pricing through the end of January for those of you who have made it your goal to become certified in 2019. One week left! Be sure to submit your application and $350 fee by January 31, 2019.

Visit NACC’s CWLS certification webpage for more information and to request an application.

Starting February 1st, the CWLS application fee for NACC members will be $375. The fee for non-members will be $500.

Even if you can’t make that January application deadline, become an NACC member now to take advantage of member discounts on conference registration, training, and your future CWLS application!