**Collaboration between the**

**California Child Welfare Council**

**and the**

**California Blue Ribbon Commission on Children in Foster Care**

**Presentation by Justice Vance Raye and Justice Richard Huffman**

**Sacramento, California**

**June 22, 2012**

**Justice Raye**

* Delighted to introduce Justice Richard D. Huffman, chair of the California Blue Ribbon Commission on Children in Foster Care. Justice Huffman was appointed by the Chief Justice to replace Justice Moreno as chair of the commission in March 2011, when he retired. You will recall that Justice Moreno was also co-chair of the Child Welfare Council and I was appointed to replace him as the council’s co-chair.
* Both the Child Welfare Council and the Blue Ribbon Commission were created in 2006—the council by legislation intended to improve outcomes for foster children and youth through collaboration across agencies; the commission by the Judicial Council to improve safety, permanency, well-being, and fairness for children and families in the juvenile dependency and child welfare systems.
* Justice Huffman has been a member of the Blue Ribbon Commission since its inception. He is also an associate justice of the Fourth District Court of Appeal in San Diego.
* Justice Huffman and I have spoken on a few occasions about the ways that the Blue Ribbon Commission and the Child Welfare Council can more effectively collaborate, given these incredibly tough economic times. We started a conversation last November, then had a chance to address the issue of collaboration at the Leadership Forum held in conjunction with Beyond the Bench in December, and had a conversation with the members of the Blue Ribbon Commission at its meeting in May this year. We have talked about how both bodies have much in common, with the CWC approaching the issues with an administrative lens with judicial participation, while the BRC approaches the issues with a judicial lens with administrative participation.
* We also have significant overlap in our membership— Len Edwards, Robin Allen, Teri Kook, Chantel Johnson, Bob Friend, Michael Cunningham, Will Lightbourne, Mike Nash, and Michael Feuer are members of both bodies. We thought that with this much crossover it made good sense to keep our growing conversation going on how we can best work together to leverage the goals of both entities.
* We also share some priorities, most notably prioritizing access to service for families in the system and data and information sharing projects. After we hear from Justice Huffman, I would love to hear from all of you about how we might strengthen the bonds between these two entities and increase our work together.
* Now let’s hear from Justice Huffman about the Blue Ribbon Commission’s work.

**Justice Huffman**

***Introduction***

* Thank you, Justice Raye. I am so pleased to be here with all of you today and to see so many of you who are also working on the Blue Ribbon Commission. As Justice Raye mentioned, this is a great time to strengthen our relationship with one another and find ways to collaborate for the benefit of our most vulnerable children and their families.
* When Chief Justice Ronald George established the Blue Ribbon Commission, he charged it with providing recommendations to the Judicial Council on ways in which the courts and their partners could improve safety, permanency, well-being, and fairness for children and families in the child welfare system. Many of you may be familiar with our recommendations, which we released in August 2008.
* The recommendations cover four broad areas for reform: Reasonable efforts to prevent removal and achieve permanency; court reform; collaboration between courts and their child welfare partners; and resources and funding.
* Our commission is California’s first statewide effort to look at the role of the courts in child welfare reform. The courts, along with their child welfare partners, have legal responsibility for the safety and well-being of children in foster care, in effect serving as their “parent.” The weight of that responsibility continues to inform our work as a commission.
* In 2009, Chief Justice George extended the commission for 3 years and modified its charge to include implementation activities. And earlier this year, in March, our new Chief Justice Tani Cantil Sakauye extended the commission for 2 more years to continue working on implementation activities. She also extended our charge to include looking at truancy and school discipline issues faced by children and youth in the juvenile court system.
* At our BRC meeting in May this year, I reported to our members on the implementation progress of our recommendations. Since all of the progress on these issues that we are making in California is the result of incredibly collaborative work by many agencies, organizations, courts, and individuals in this state, I’d like to share some highlights of that report with you, because the Child Welfare Council is certainly on the front lines of this work to build a brighter future for our children and youth in the foster care system.

***Remarkable progress despite budget cuts and tough economic times***

* I want to start with an understanding shared by all of us that there is still much work to be done before we can ensure every child safety, security, and permanency. But despite that fact, much has been accomplished over the last three years from which we can take heart.
* The BRC focused its efforts on implementing certain recommendations for two reasons: First, there was a strong political and public will for change, which created a wave that we could ride; second, there were a number of recommendations that could be implemented with limited resources.
* And, indeed, there have been impressive accomplishments at the federal, state, and local levels that really do advance our goals of changing the way juvenile courts do business and reforming the foster care system—accomplishments that have occurred despite the serious budgetary and economic challenges.
* I believe that this continued progress, in spite of unprecedented state budget cuts and the toughest economic times since the commission began, demonstrates the power of collaboration. All of the state’s child welfare partners—courts, social services, education, health, mental health, philanthropic organizations, CASA, tribes, collaborative advisory bodies, and others—both statewide and locally—many of you sitting in this room— have taken up the challenge of making a difference for our children in foster care. It has really been heartening to see this level of collaboration grow and get stronger.

***Challenges to continued success***

* I would be remiss if I did not acknowledge some significant challenges to our implementation efforts. Despite our best efforts, progress has been stalled in some areas that require both time and resources. So let me address those challenges first:
* First, we fear that the horrendous budget cuts absorbed by the judicial branch this year will affect the ability of juvenile dependency courts to manage their calendars and ensure timely hearings, primarily due to courtroom closures and commissioner layoffs, which may well lead to children facing longer stays in foster care.
* Second, we frankly don’t know how to gauge the impact of realignment on the juvenile dependency courts. The shift of funding for a wide range of services to the local level could be a benefit, but the legislation is based on estimated, not actual revenue. Counties will have to be cautious in determining how best to use the funds, so until the legislation is fully implemented we won’t know how this shift will affect implementation of the commission’s recommendations, particularly those dealing with reasonable efforts to prevent removal and achieve permanency, which rely heavily on providing appropriate and comprehensive services to families in the child welfare system or in danger of entering it.

***Highlights of implementation efforts***

* But there has been some implementation progress that we feel very good about. In the interest of time, I will not touch on all of the progress, but will point out some significant highlights.
* **Drop in number of children in foster care**

In 2010, the Public Policy Institute of California reported that numbers of children in foster care in California had dropped dramatically over the last decade, attributed, in part, to a “more intense focus by local and state policymakers on the problems of foster care, which in turn led to innovations in child welfare policies and practices.” That downward trend has continued. But as I mentioned earlier, we are also very concerned about how those numbers will be affected by this state’s severe budget cuts, particularly as they further limit services to families and children in crisis.

* **Boost from federal Fostering Connections to Success Act continues**

The federal Fostering Connections to Success Act gave an early boost to our implementation efforts when it passed in 2008. The Act offered increased support for relative caregivers, improved family finding support, provided more flexibility in the use of federal funds, and support for foster youth until age 21. California successfully passed opt-in legislation, most notably in the form of Assembly Bills 12 and 212. Many BRC members, CWC members, and their agencies, along with the AOC, at the Judicial Council’s direction, are actively involved in efforts to implement the legislation.

* **Successful statewide collaborative work continues.**

The commission continues to work closely with the Child Welfare Council; we were delighted to have both Secretary Dooley and Justice Vance Raye address BRC members at our meeting in May. And both the BRC and CWC, along with the AOC, the Co-Investment Partnership, the Statewide Interagency Team, and the California Department of Social Services are working to prioritize children and families in the foster care system in the allocation of resources and services.

* **Local foster care commissions are active.**

One of our key recommendations was the formation of local foster care commissions in each county. We now have over forty counties with active local foster care commissions, which formed or expanded in response to the commission’s recommendations. This is great news. They are working in their communities to identify and resolve local systemic concerns, to address the commission’s recommendations, and to build the capacity to provide a continuum of services to children and families in the foster care system. These local commissions promise to be a wonderful resource for all of us who are working for systemic change.

* **Successful tribal court/state court collaborations**

Another of the Blue Ribbon Commission’s key recommendations was for improving Indian child welfare through increased collaboration between the state courts and tribal courts or tribes. Working under the auspices of both the Blue Ribbon commission and the Tribal Court/State Court Forum, there are already some promising collaborations in a number of counties, most notably in Imperial, Inyo, and Humboldt Counties, each of which has an active local commission with tribal participation.

* **Rapidly expanding educational services give immediate benefit.**

There has been significant implementation activity in the area of expanding educational services, including a state legislative requirement that college campuses in California give priority for housing to current and former foster youth and remain open for occupation during school breaks; expansion of the California Department of Education, Foster Youth Services Program to 57 counties; and continued statewide collaboration on educational issues through the Foster Youth Education Task Force. Many of the local commissions are prioritizing educational services in their foster care reform efforts.

* **Enthusiastic statewide interest in data and information exchange to improve outcomes for foster children.**

The Child Welfare Council and the Blue Ribbon Commission share an active interest in the importance of data and information exchange efforts. The commission co-sponsored a foster care symposium in late October that focused on data exchange in health, mental health, substance abuse, and education. Leaders and advocates from across the state, including a number of CWC members, convened in Sacramento to talk about data linkage opportunities and information-sharing challenges for children in foster care. Funded by the federal Department of Health and Human Services, Juvenile Dependency Court Improvement Program and the Stuart Foundation, the symposium employed special facilitation methods used by the Stewards of Change to help attendees begin the process of developing a vision and road map for strengthening information sharing for children in foster care, not just through technology usage, but also by confronting the often misperceived or feared confidentiality and privacy laws.

The information obtained, lessons learned, and road map will be presented to the Child Welfare Council’s Data Linkage and Information Sharing Committee. That committee will assess the information and provide a detailed report with recommendations to the Child Welfare Council, the Blue Ribbon Commission, and local county-level foster care commissions.

***Next steps***

* Finally, I must tell you briefly about our new charge from Chief Justice Tani Cantil-Sakauye: to create an initiative to keep kids in school and out of court. Judges Stacy Boulware Eurie (from right here in Sacramento) and Judge Richard Blake (Chief Judge of the Hoopa Tribal Court) and I accompanied the Chief to a conference in New York in March, the National Leadership Initiative of School-Justice Partnerships, which focused on this issue and was quite inspiring.
* It certainly hit home for those of us from California. We know that in our state in 2011, 30% of all public school students were truant, and 12% were suspended or expelled. Suspensions and expulsions have a negative effect on academic performance and increase the likelihood of involvement in the juvenile justice system. And children in foster care have more behavior problems and suspensions than comparison groups. So we definitely have a problem on our hands that is crying for attention.
* If we are able to secure outside funding, the Chief would like to see us host a similar conference in California. Our focus would be on children and youth in the juvenile court system. I appointed Judge Boulware Eurie to chair a working group focused on this issue consisting of both Blue Ribbon Commission members and others. I believe that this might be a wonderful opportunity for CWC, BRC and others to collaborate on this initiative of great importance.
* Thank you so much for giving me the opportunity to address you this morning. I look forward to our future work together.

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