

# CRB Messaging Toolkit

*Communicating the Value of the CRB*



## ***Purpose of the Toolkit***

Oregon continues to deal with budget deficits that put all of its state funded agencies and programs at risk for cuts. During these difficult times, many Volunteer Board Members have expressed a desire to advocate on behalf of the Oregon Judicial Department and the CRB program to ensure their local legislators and community leaders understand the need to provide sufficient funding to the courts and the value of the CRB. In January 2010, the CRB Director assembled a workgroup of Volunteer Board Members and CRB staff to develop a consistent message that would assist board members in communicating the needs of the courts and the fundamental worth, merit, impacts, and benefits of the CRB to the juvenile court process.

## ***How to Use the Toolkit***

Pick and choose! Depending on your audience (legislator, prospective volunteer board member,...) and how you will be delivering information (post card, letter, social gathering, planned one-on-one meeting...), you can choose to do anything from cutting and pasting text into another document to printing a page or two. We tried to assemble information that would be meaningful to you and encourage you to supplement these materials with your personal “stories” that demonstrate the impact of the work you do as a Volunteer Board Member.

## ***Notifying the CRB Director of Intent to Advocate***

Per Volunteer Board Member policy, those who wish to contact a legislator or community leader on behalf of the CRB are asked to notify the CRB Director prior to the contact. The notification should include a brief description of the message you intend to convey. The director will review the message to ensure it accurately represents program priorities and provide you with information regarding any related contacts with that legislator.

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## ***Recognition and Thanks***

A special thank you is due to the following people for their efforts in creating this valuable resource:

James Castle, Board Member, Polk Co.  
Darcy Davidson, Volunteer Resource Coordinator  
Diane Greenman, Board Member, Multnomah Co.  
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Melissa Miller, Field Manager, Benton/Linn Co.  
Lisa Pappalardo, Board Member, Benton Co.  
Dave Smith, Field Manager, Clackamas Co.  
Tina Qualls, Field Manager, Curry/Jackson Co.  
Joann Zimmer, Board Member, Benton Co.

# Oregon Judicial Department



Oregon courts work actively with their public and private partners and volunteers to strengthen the work of the courts; to improve safety and protect the most vulnerable in our communities.

Juvenile courts are a long standing example of this relationship. Juvenile cases represented 2.6% (15,700) of all the cases filed in Oregon courts in 2009, but, due to their complexity, they required approximately 14% of judicial officer and 6% of staff resources for the year.

The Judicial Department has proudly been the home one of the largest, voluntary citizen engagement programs in Oregon state government since the legislature created the Citizen Review Board (CRB) in 1985.

Voluntary citizen engagement in the child welfare and juvenile justice systems is an indispensable asset to our state and communities in that it promotes: transparency in government practice and systems; mutual accountability for social workers and parents; shared commitment in our communities to improving outcomes for the most vulnerable; and opportunity for citizens to participate in shaping and monitoring improvements in child welfare and juvenile justice policy and practice that is consistent with state and federal laws and community standards.

The mission of Oregon's state courts is to provide fair and accessible justice services that protect the rights of individuals, preserve community welfare, and inspire public confidence.

## **OJD's budget situation is fragile and tenuous**

→ The Judicial Department's General Fund budget for the 2009-11 biennium is \$299.3 million -- or 2.3% of the state General Fund budget.

→ The 2009 legislature reduced OJD's General Fund appropriation by 15% from the amount needed to continue all services through 2009-11.

→ Some services -- including a reduced level of Citizen Review Board services -- were restored using funds from temporary fee and surcharge increases. Those increases will expire in June 2011.

## **OJD cannot afford to take any significant additional reductions**

→ Any significant additional reductions will affect trial court services in communities.

→ Most remaining OJD funding pays for trial court staff -- about three-fourths of OJD's budget is for trial courts, which are 95% personal services.

→ If staff are reduced, OJD would need to limit public access to the courts in order to process cases and issue decisions in an accurate and timely manner, as required by the Constitution.

## **Additional reductions could result in:**

→ **Court closures and reduced service hours.**

→ **No protective orders** for stalking, domestic violence, or child abuse victims issued on closed days.

→ **Staff reductions threaten existence of drug courts and other treatment courts.** People without lawyers in family court cases lose self-help programs. Jury trials are delayed.

→ **Court collections decrease.** Crime victims do not get restitution, and less money goes to the state General Fund, to state public safety services, and to cities and counties.

→ **Courts miss statutory deadlines** for actions. Criminal arraignments, mental health civil commitment, and child welfare cases are prioritized, but delays hit other cases such as less-severe crimes, contract enforcement and other business transactions, employment claims, debt collection, landlord/tenant disputes, divorces, and personal injury claims.

# Citizen Review Board...

Every day counts in the life of a child in foster care.



***CRB reviews help our courts ensure that necessary services are being provided to children and youth in foster care.***

- ✓ CRB reviews open the child welfare and juvenile justice systems to broader examination by local citizens who volunteer their time to go through paperwork and agency policies “with a fine tooth comb” to ensure the safety, permanency, and wellbeing needs of abused and neglected children are being met. In delinquency cases, the CRB ensures that communities are safe, youth are held accountable, and youth offenders have opportunities for reformation.
- ✓ Volunteer Board Members have the wisdom and experience to help identify potential solutions and support agency efforts to acquire necessary services for children, youth and families. Volunteer Board Members are committed to strengthening the work of the courts by promoting public safety and quality of life, improving the lives of children and families, and protecting the most vulnerable members of our communities.

***The citizen voice in the CRB review process is critical.***

- ✓ The findings and recommendations Volunteer Board Members make reflect the values of Oregon communities. Volunteer Board Members are a vivid example of Oregonians’ fundamental belief in citizen participation in government. All Oregonians benefit from having community members who are active, interested, able, and willing to make a real difference in the lives of children, youth, and families in their communities.
- ✓ Volunteer Board Members spent 49,701 hours in 2009 preparing for and conducting 5,473 reviews on some of the court’s most complex, stressful, and difficult cases, ensuring that equal justice is provided for all.

***CRB Volunteer Board Members recognize patterns in practices and advocate for improvements in the child welfare and juvenile justice systems.***

- ✓ Volunteer Board Members work to advocate for services (for children and families) and shape public policy to improve outcomes for children and youth in foster care.
- ✓ The CRB is a statewide program; Volunteer Board Members have positively impacted system-wide improvements in many areas – for example: face to face contact, relative placements, and timeliness of adoptions.

# The CRB Volunteer Board Members



Volunteer Board Members serve in a role that is more challenging than most volunteer experiences. In addition to understanding the complex legal issues related to child protection, they must comprehend the intricate social and clinical considerations that determine what is in the child’s best interest.

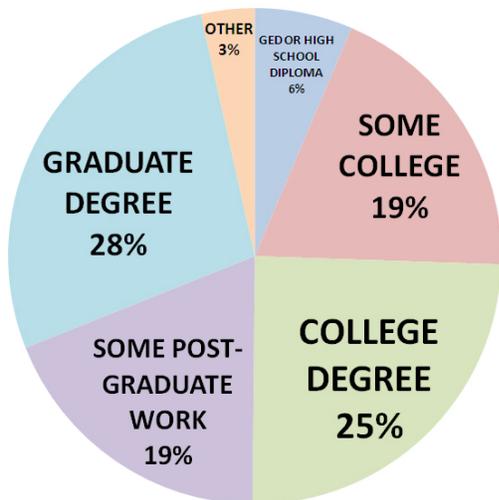
Currently there are 83 Citizen Review Boards throughout Oregon. Each review board is composed of up to five members from a variety of professions and backgrounds who are appointed by the Chief Justice of the Oregon Supreme Court.

In 2009, the CRB’s 373 Volunteer Board Members collectively donated 49,701 hours of service to the state conducting reviews. This is a cost benefit to the state of more than \$1 million.<sup>1</sup>

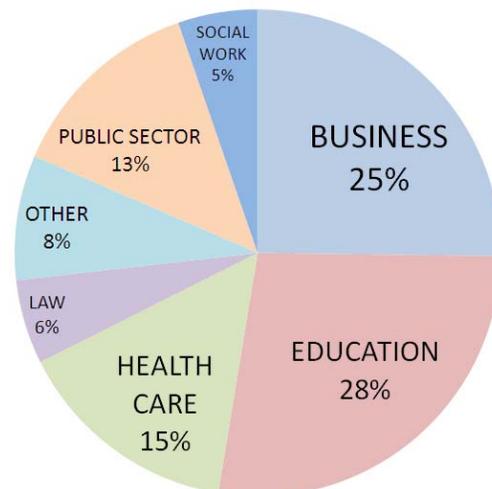
All Volunteer Board Members receive training on key aspects of the child welfare and juvenile justice systems (DHS and OYA policies and rules, state and federal laws regarding child protection...). They receive ongoing training and support from professional staff within the Oregon Judicial Department.

Additionally, during 2009, Volunteer Board Members completed 5,372 hours of training in order to improve the lives of children in care and to achieve successful outcomes for Oregon’s children and families. That is an average of 14 hours of training per Volunteer Board Member.

## Our Volunteer Board Members at a Glance:



**Education Levels**



**Occupation Type**

<sup>1</sup> The Independent Sector, America’s leading coalition of charities, foundations and corporate giving programs estimate that an hour of volunteer service is worth \$20.25.

# Oregon's Foster Care Review Board Program

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Citizen Review Board members are volunteers from your community! We come from all walks of life. Some of us are educators, medical professionals, or social workers; others are business people, home makers, or students. The one thing we all have in common is ***our sincere concern for the children and youth in our community.***

Congress passed ***Public Law 96-272 in 1980 to address issues related to the safety and permanency of children in foster care.*** This law required states to implement ***systems of case reviews for children in foster care.*** The 1985 Oregon Legislature created the Judicial Department's Citizen Review Board program, giving us - Oregon citizens - the responsibility for assisting Oregon courts with conducting the federally required administrative case reviews for Oregon's most vulnerable children.

Prior to being appointed by the Chief Justice to serve as Volunteer Board Members, we passed a screening interview, reference and criminal history checks; completed a 16-hour initial training session; and spent at least eight hours observing court proceedings and CRB reviews. We are required to get at least eight additional hours of training every year, to continue to serve as Volunteer Board Members. ***We provide an objective citizen perspective on the safety, care, appropriateness, and timeliness of services.*** Most of Oregon's 83 CRB boards meet monthly to review 7-10 cases. We review the cases of all children who are in foster care for six consecutive months and continue to review their cases every six months until they leave foster care.

***We hold the foster care system accountable.*** Prior to every board review, we carefully review:

- the child's case plan,
- information about the child's placement(s),
- reports from service providers of the child and family,
- the efforts made by the agency and parents, and
- the status of court orders.

During reviews, we gather additional information and hear from the caseworker, parents, attorneys, CASAs, foster parents, service providers, and other interested parties to a case. Sometimes, children and teens also attend their reviews, and we value their presence and input. ***We ensure that children and families have the services they need and that appropriate permanency plans and progress are being made so children do not grow up in foster care.***

Following each case review, ***we send a report of our findings and recommendations to DHS, the court, legal parties, and other interested parties*** who participated in the review. This report is part of the child's legal court file. We work closely with our juvenile court judges to ensure that our reports provide them with the information they need to manage these important cases. Our judges value our knowledge of child welfare policies and issues, and our ability to identify areas for needed system improvements. ***We work closely – at both the local and state level - with the courts and child welfare stakeholders to improve the safety, permanency, and well-being of Oregon's most vulnerable children.***

# Statewide Data at a Glance<sup>1</sup>

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<b>Total Statewide Population:</b>	<b>3,790,060</b>
<b>Population Under 18:</b>	<b>867,924</b>

**Average Daily Population of Children in Foster Care:** 5550 (Dec. 2009)

**In 2009, the CRB reviewed 5,473 Cases involving 6,483 children and youth in foster care throughout the state.**

**Each Volunteer Board Member spends approximately 2.25 hours (135 minutes) reviewing each case:**

<i>Review all case materials/prep for review:</i>	<i>75 minutes</i>
<i>Discuss issues and questions for each case:</i>	<i>10 minutes</i>
<i>Conduct review:</i>	<i>40 minutes</i>
<i>Debrief review:</i>	<i>10 minutes</i>

**Each Volunteer Board Member dedicates an average of 143 hours a year to improve the safety, permanency, and well-being of our most vulnerable children.**

**In 2009, the CRB program had on average approximately 4 Volunteer Board Members per board. The value of our citizen review that provides an objective perspective on how the foster care system is working for Oregon's children, youth, and families throughout the State of Oregon is \$1,006,451.21.<sup>2</sup>**

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<sup>1</sup> County specific data is available in Toolkit Documents on the CRB Website.

<sup>2</sup> The Independent Sector, America's leading coalition of charities, foundations and corporate giving programs estimate that an hour of volunteer service is worth \$20.25. This calculation is based on the cost benefit per board member, the average number of board members per board, and the number of boards in the state.

# **What could happen if CRB is eliminated?**



The mission of the Citizen Review Board (CRB) is to conduct federally mandated case reviews of children and youth in substitute care; and to advocate for change in policies, procedures and laws to improve the child welfare and juvenile justice systems.

There are 373 Volunteer Board Members serving on 83 boards in 33 counties, and most boards convene monthly. In 2009, CRBs conducted 5,473 case reviews, of 6,483 children, saving significant time and resources from the dockets of our trial courts.

**Elimination of CRB would greatly reduce the ability of Oregon citizens to hold the system accountable - Volunteer Board Members provide objective perspectives on the safety, care, appropriateness, and timeliness of services provided to Oregon's most vulnerable children and families.**

**Our courts, child welfare services, and our communities are strained due to the current budget climate. Elimination of CRB could greatly reduce federal funds received by both DHS and the Oregon Judicial Department (OJD):**

- it would be very difficult for many Oregon courts to pick up the work of their local boards to ensure timely and thorough reviews as required by federal and state law. If timely findings are delayed by 30 days in 20% of the 17,000 reviews per year that are subject to IV-E requirements, DHS faces a potential loss of almost \$1.6 million a biennium;
- failure to comply with the Child and Family Services Review (CFSR) and Program Improvement Plan (PIP) will result in the imposition of a \$1.3 million per year currently suspended fine for Oregon DHS (\$2.6 million for the biennium); (Consistency of CRB reviews has been a strength in both rounds of the CFSR)
- failure to meet the requirements of the Juvenile Court Improvement Program (JCIP) grants would jeopardize OJD's continued receipt of the \$1 million in federal grant funds per biennium;
- OJD receives approximately \$1.2 million Federal Funds reimbursement for CRB activities, these funds reduce the General Fund and House Bill 2287 funds needed to support administrative review activities – these funds cannot support court hearings/reviews.

## **STATEWIDE MANAGEMENT OF CRB IS EFFICIENT BECAUSE:**

- **Economy of scale** – shared resources, staffing, and support enables centralized program to do more with less than a decentralized program could accomplish
- **Training of volunteers and staff** – the stakes are too high (through the lens of federal compliance or outcomes for children and families) to have unsupported VBMs and staff
- **Program Consistency** – is critical to CRB ability to hold the agency accountable and improve outcomes and practices for Oregon’s foster children.

## **2009-2011 STATEWIDE STAFFING:**

### **The work of each local CRB is directly supported by:**

- Field Staff (CRB Coordinators – 12.2 FTE, Review Specialists – 1.8 FTE) who facilitate the reviews, prepare the findings and recommendations documents, recruit and train volunteers, and partner with local system improvement efforts;
- Judicial Services Specialist (JSS) II (6) who provide clerical support;

**There is an additional 5.5 FTE within the CRB program dedicated to supporting CRB statewide.**

### **Title IV-E of the Social Security Act 42 USC §671, *et seq***

DHS receives IV-E funds to support foster care and adoption assistance for Oregon children. Receipt of these funds is contingent on DHS’ compliance with federal and state law. (State statutes in this regard are predominantly a codification of federal statutes.)

Eligibility for Title IV-E funds requires, among other things, that:

- a judicial determination and order at the first court hearing that removal is “in the best interests” of the child;
- children placed pursuant to a voluntary placement, need a finding within the first 180 days that the placement is in the best interests of the child;
- a case review of each child’s status at least once every six months either by a court or by an administrative review - Oregon’s Citizen Review Board;
- there be a permanency hearing within 12 months of the date a child enters foster care and annually thereafter while a child continues in foster care;
- judicial determinations be made that “reasonable efforts” were made to prevent a child’s removal from his/her home, to reunify the child with his/her parent or guardian, and/or that DHS has made “reasonable efforts” to find a permanent placement for a child;
- judicial determinations be made prior to DHS filing petitions to terminate parental rights.

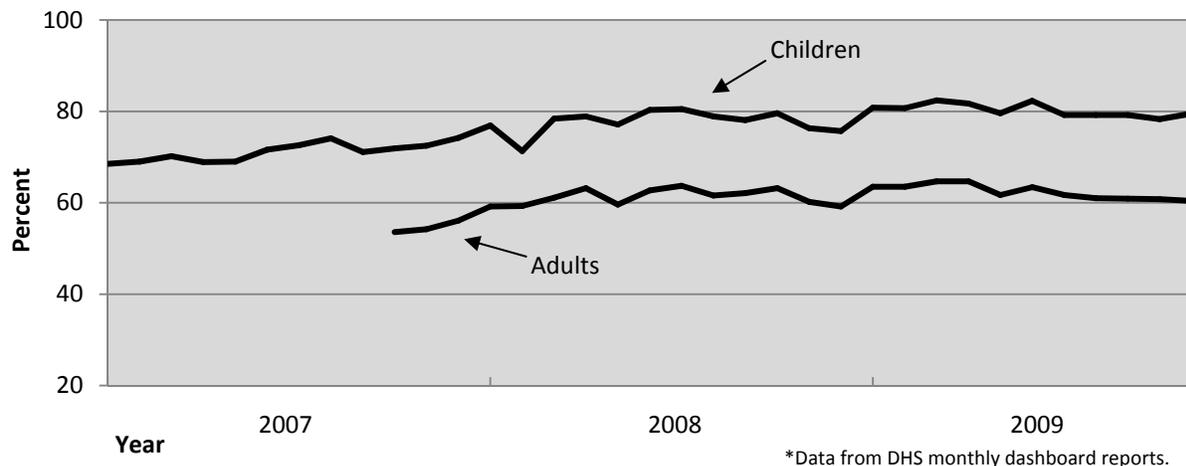
**The courts and CRB conduct more than 17,000 reviews per year that are subject to IV-E requirements.**

# Face-to-Face Contact



In Oregon, child welfare caseworkers are required to have face-to-face contact with each child in foster care and their parents or legal guardians every 30 days. Face-to-face contact allows the Department of Human Services (DHS) to assess safety; ensure the well-being of the child; provide support; assess, revise, and implement service plans; and promote timely implementation of the case plan. Children who are seen often are more apt to maintain stability in placement and have a positive relationship with the caseworker. Frequent caseworker contact with parents increases the likelihood of parents becoming engaged in services. CRB has been instrumental in the development of DHS policies surrounding face-to-face contact. Both DHS and the CRB have made face-to-face contacts a priority.

## Percent of Children and Adults with Face-to-Face Contact within 30 Days



## What is the CRB doing to improve face-to-face contact?

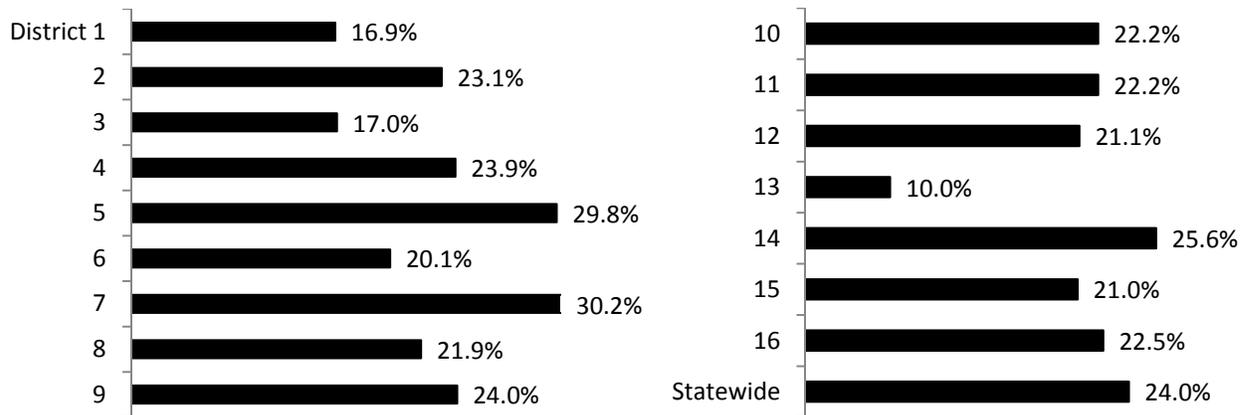
- ✓ In preparation for each CRB review, Volunteer Board Members review the date of each face-to-face contact documented in the child welfare case plan. If a required contact is missed, the caseworker is questioned during the CRB review and the reason for the missed contact is documented in the report that is sent to the judge.
- ✓ Depending on the circumstances of the non-compliance, the Board may also make an official finding in the report that DHS is not in compliance with the case plan or is not making reasonable efforts to protect the child. These negative findings are monitored centrally by DHS' administrative office.
- ✓ Boards quickly recognize when trends of missed contacts develop and partner with local DHS offices to reverse those trends.
- ✓ In 2006 and 2008, the CRB tracked face-to-face contact at each CRB review. Results were compiled, shared with DHS, and used in conjunction with face-to-face data collected by DHS to inform the CRB of the effectiveness of its own efforts as well as the efforts of DHS.

# Relative Placement



By law, preference must be given to relatives when determining an appropriate placement for a child in foster care. Placement with relatives reduces the pain of separation by preserving a child's family connections and sense of security. Oregon's Department of Human Services (DHS) has specific policies and timelines for locating relatives and assessing their suitability as a placement resource. DHS and the CRB as well as the Oregon Legislature have made placement with relatives a priority.

## Percent of Children in Relative Care – January 7, 2010

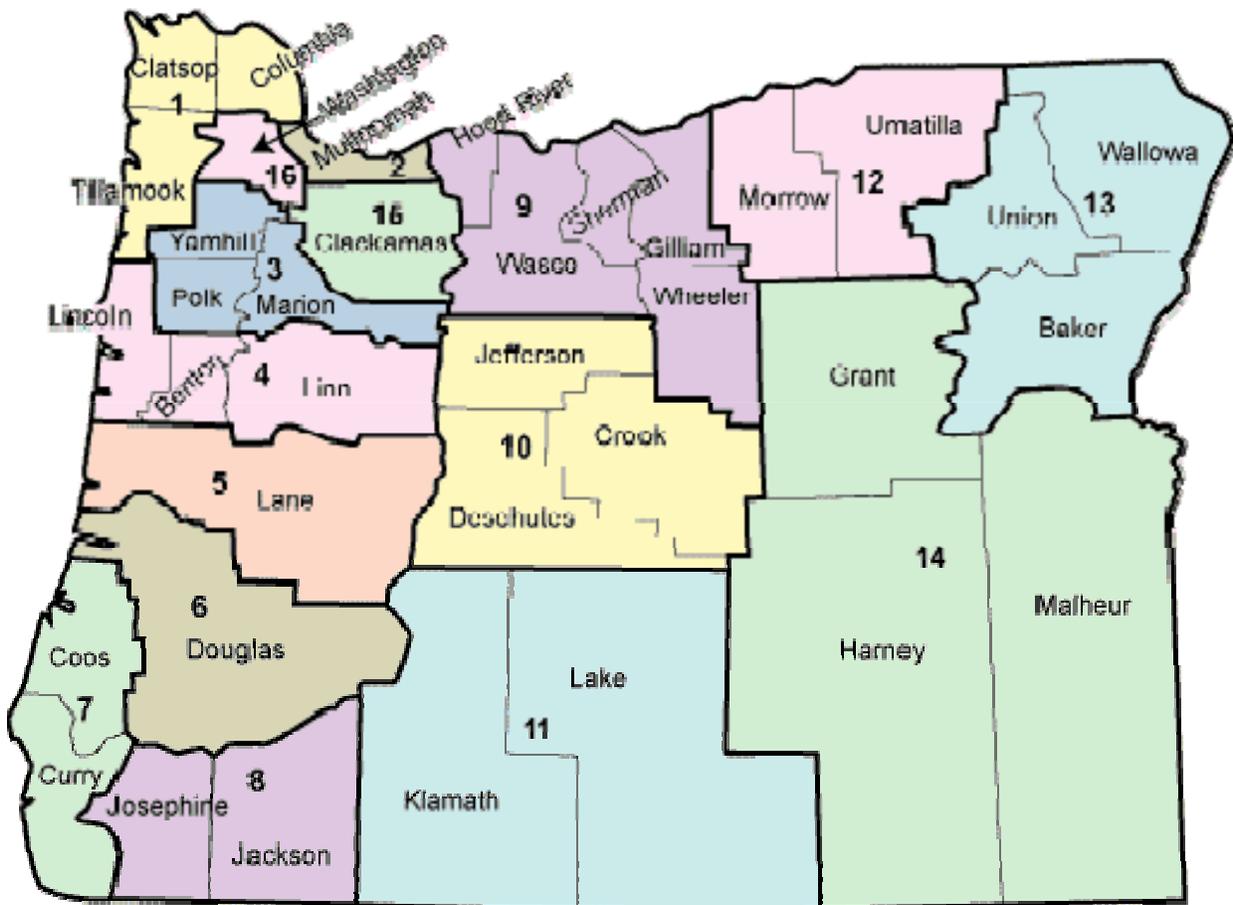


\*Data from DHS monthly dashboard report.

## What is the CRB doing to improve relative placement?

- ✓ When relatives are identified, DHS sends each identified relative a standardized letter to determine their level of interest in being a temporary or permanent placement for the child. In 2007, the CRB worked closely with DHS to make this letter more engaging and focused on establishing family connections whether or not the relative felt able to be a placement resource.
- ✓ In July 2008, Boards began making a specific determination at every CRB review as to whether or not DHS made diligent efforts to place the child with a relative or person with a caregiver relationship. Volunteer Board Members review efforts documented in the DHS case plan and ask the caseworker, parents, and attorneys specific questions about the agency's progress towards relative placement. If the efforts do not meet Oregon law or DHS policies, Boards make specific recommendations about what DHS needs to do to bring itself into compliance.
- ✓ Since July 2009, CRB staff has been preparing regular reports for each county that includes data on how many times a local Board determined that DHS did not make diligent efforts to place the child with a relative. CRB staff share these reports with local DHS offices and local juvenile system improvement teams to inform and facilitate improvement efforts.
- ✓ CRB staff have participated on DHS rule writing advisory groups dealing with diligent relative search and consideration of relatives for contact, support, and placement. CRB staff provide periodic training to Volunteer Board Members and DHS staff to keep them up to date on laws and policies related to relative placement.

DHS Districts

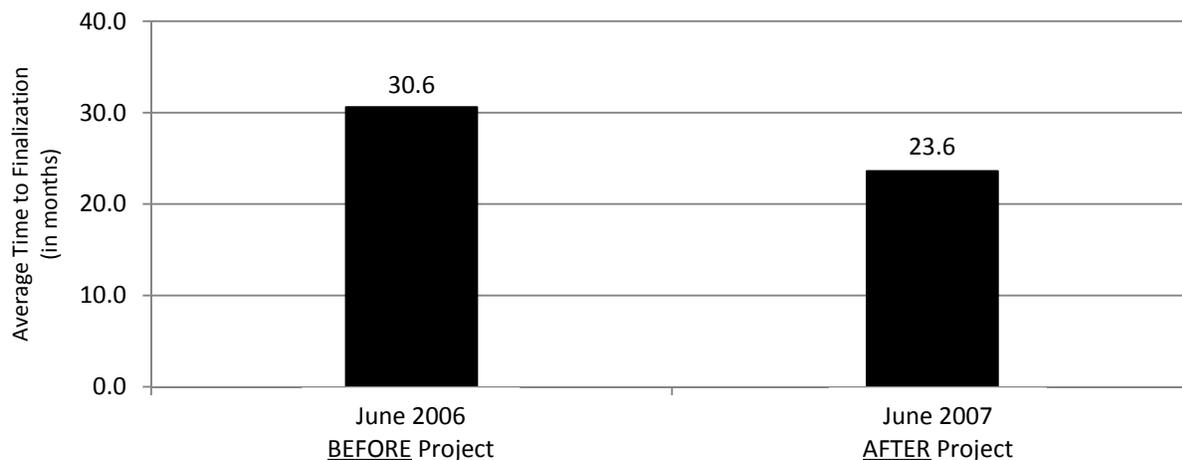


# Timely Finalization of Adoption



Nurturing parents and a stable home are essential to healthy development of a child. They are particularly important for children in foster care who may already be experiencing significant delays in their emotional, behavioral, and social development. If a child in foster care cannot safely return home, the federal standard for finalization of adoption is 24 months from the date that child was removed from the home. Meeting this federal standard is a priority for the state legislature, Department of Human Services (DHS), state courts, and CRB.

## Average Time to Finalization of Adoption in Marion County Before and After Implementation of a Joint Juvenile Court, CRB, and DHS Project to Reduce Delay



### ***What is the CRB doing to improve timely finalization of adoptions?***

- ✓ In 2006, the juvenile court in Marion County partnered with the CRB and local DHS office to remove unnecessary delays in the finalization of adoptions and meet the federal 24-month timeline. A checklist of milestones DHS must meet in developing an adoption plan for the child (to be implemented in the event return to parent is no longer in the best interest of the child) was created and the juvenile court and CRB agreed to refer to that checklist at each review of the case. If DHS does not meet the federal timeline for finalization of adoption, the Board makes the finding that DHS did not make reasonable efforts to finalize permanent placement, and the CRB provides clear documentation supporting that determination in the report that is sent to the judge. The above chart shows the outcomes of this project.
- ✓ Efforts to improve timely finalization of adoptions are also being made at the statewide level. Prior to a CRB review, Volunteer Board Members review the child welfare case plan to determine what efforts DHS has made to develop the adoption plan or other plan to be implemented if return to parent is no longer an option. During the CRB review, Volunteer Board Members also ask the child welfare caseworker, attorneys, and other parties to the case specific questions about those efforts. All DHS efforts are documented in the report that is sent to the judge. If they do not meet federal, state, or DHS standards, the report will also include recommendations for what DHS must do to bring itself into compliance.

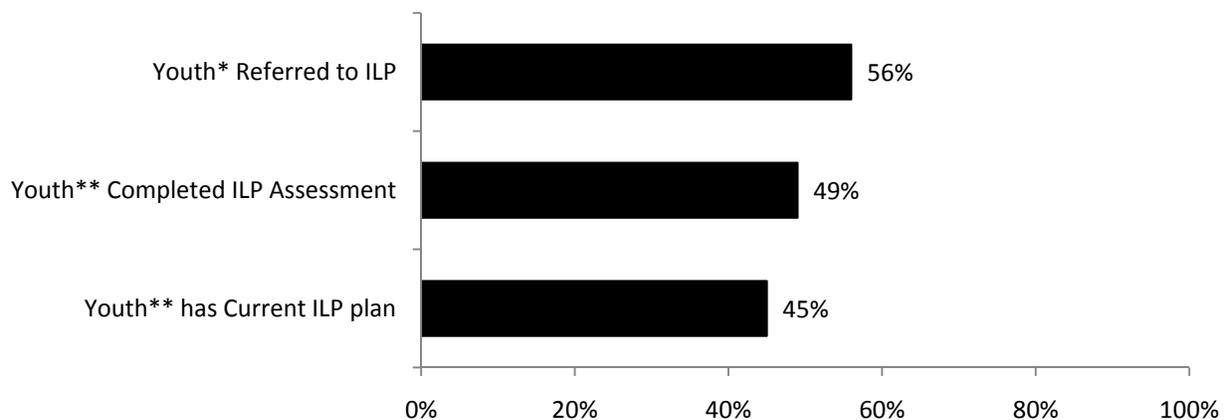
# Independent Living Services



For youth in foster care who are nearing adulthood, it is vital to their success that they are taught the skills necessary to transition to an adult living situation. Oregon law requires the Department of Human Service (DHS) to develop a comprehensive plan for transitioning to independent living for every youth in foster care who is at least 16 years older. Part of that plan may be a referral to a formal Independent Living Program (ILP) which teaches youth self-sufficiency skills, helps them attain educational and professional goals, and provides personal and emotional support. Because of long waiting lists in some counties, it is important that youth be referred to ILP early. Providing independent living services is a priority of DHS, state courts, and the CRB.

In November 2009, the CRB conducted a statewide survey of all CRB reviews to collect baseline data for how many youth in foster care are referred to ILP, complete an ILP assessment, and have current ILP plans. The survey will be repeated in March and June 2010, and results will be compared to the baseline to assess the effectiveness of CRB efforts to increase ILP participation. Results will be shared with the juvenile court and local DHS offices.

## Results of an ILP Survey Conducted by the CRB for all Reviews in Nov. 2009



\* Includes only youth in foster care who are 14 years old or older.

\*\*Includes only youth in foster care who are 16 years older or older.

## ***What is the CRB doing to increase ILP participation among youth in foster care?***

- ✓ Prior to each CRB review of a youth 14 years old or older, Volunteer Board Members review the child welfare case plan and other case documentation to determine if the youth has been referred to ILP and, when appropriate, whether the youth has an ILP assessment and updated plan. During the CRB review, the Board also questions the caseworker, youth, foster parent, and other interested parties about the referral and any ILP services provided. All information related to the ILP is noted in the report sent to the judge. Depending on what DHS has done, the Board may also include a recommendation that DHS make an ILP referral or ensure that a specific ILP service is provided.
- ✓ CRB staff and Volunteer Board Members work with their local ILP to ensure that they have an understanding of the importance of their attendance or participation in the youth's CRB review. The CRB also requests that DHS provide the name and contact information of the ILP provider so they may be invited to the CRB review.

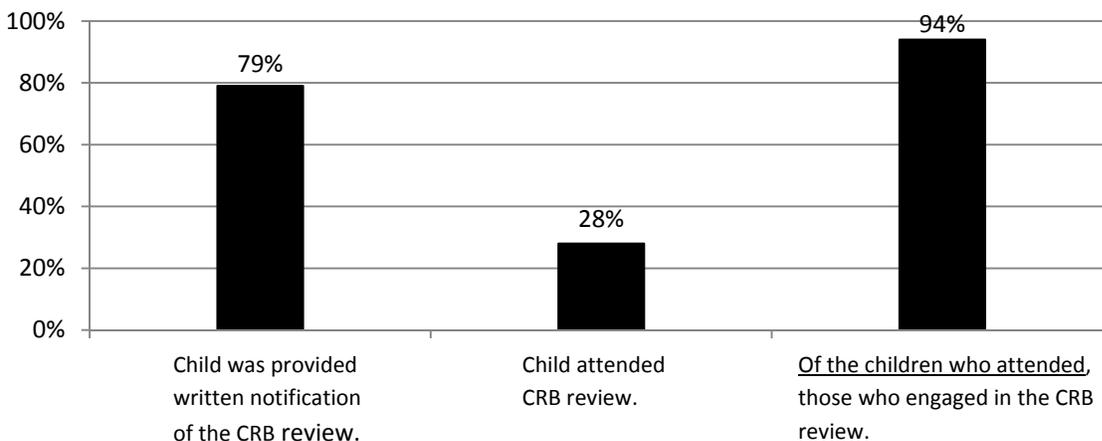
# Engaging Youth in CRB Reviews



The people who are *most affected* by the decisions made in child abuse or neglect cases (the children) *are often the least involved* in the decision making. A national survey of current and former foster youth conducted in 2006 found that less than 15% of respondents reported attending court most of the time<sup>i</sup>. This statistic is all the more concerning because lack of involvement can damage a youth's self-esteem and make a change in placement more surprising and harmful. Additionally, many youth report receiving conflicting information about what happened during a court proceeding which could be alleviated by having them present<sup>ii</sup>. Increasing child participation in their court proceedings is a priority of the federal government, state legislature, state courts, and the CRB.

In November 2009, the CRB conducted a survey to track how often children were notified of CRB reviews, the reason(s) a child was not notified, whether the child attended and engaged in the CRB review, and the reason(s) a child did not attend. The purpose of the survey was to collect baseline data so the CRB could measure its improvement efforts. The survey will be conducted again in June 2010 and results will be compared to the baseline data.

## Results of CRB Child Engagement Survey (November 2009)



## What is the CRB doing to improve youth engagement in CRB reviews?

- ✓ The CRB developed an age appropriate pamphlet that provides information about the purpose of the CRB, a description of the CRB review process, and the benefit of youth participation in CRB reviews. The pamphlet is included in all notices for CRB reviews sent to youth 14 years old or older.
- ✓ If a youth 14 years old or older is not present at a CRB review, the Board is asking the caseworker why the youth is not present. The reason is then document in the report that is sent to the judge. The Board may recommend specific actions to DHS to remove barriers that may prevent the youth from attending future CRB reviews or court hearings.
- ✓ CRB staff provide training to Volunteer Board Members on appropriate interview questions and techniques for youth in foster care.
- ✓ CRB staff and Volunteer Board Members work with local child welfare staff, foster parents, and court improvement teams to address barriers to youth participation in CRB reviews and court hearings.

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<sup>i</sup> Home At Last, *Foster Youth Participation in Court: A National Survey* (2006).

<sup>ii</sup> Pitchal, Erik S., *Where Are All the Children? Increasing Youth Participation in Dependency Proceedings*, UC Davis Journal of Juvenile Law & Policy, Vol. 12 (Winter 2008).