

Measuring the Impact of Children’s Rights to Counsel: Advancing Child Due Process and Well-being in the Juvenile Court Ecology

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Introduction

Juvenile courts supervise all child welfare cases involving out-of-home placement and thus are the locus for key decisions regarding children in care. Courts are called upon to decide children’s frequency of visits with kin, their permanency goals, their legal status with parents, and where they will live. Parties appearing in these courts; which are also called family, dependency, and maltreatment courts, depending on the jurisdiction; are guaranteed certain due process protections. The unique character of the juvenile court distinguishes it from other judicial forums and presents special challenges for legal practice and guiding child welfare agency activities. The nature of the institution has led to continual efforts to improve juvenile court performance. This brief examines one way to improve court performance: providing children in juvenile court their own attorneys.

In 2011, the American Bar Association (ABA) adopted the *Model Act for Children in Abuse, Neglect and Dependency Proceedings (Model Act)*, which calls for states to establish a right to client-directed counsel for all children in dependency and termination of parental rights proceedings.¹ Currently, seven states do not require appointment of counsel for children in maltreatment proceedings and 14 additional states have a limited right to counsel.² Moreover, the current focus of representation is of the “best interests” of children, sometimes by

non-attorneys. Implementation of the *Model Act* would also be a departure from current prevailing practice in many U.S. jurisdictions.³

This brief describes the scope of outcomes that the *Model Act* would affect and the challenges jurisdictions face in seeking to measure the impact of such representation.

The Unique and Difficult Role of Juvenile Courts

The abuse and neglect cases heard by juvenile courts present distinct challenges in guiding reform efforts. First, unlike other judicial activity, dependency cases do not end after a case is “decided” in the dispositional hearing. Beyond this decision, a judge may spend more than a decade overseeing the case of a child who remains in foster care. Consequently, lessons drawn from other court contexts may be of limited help to juvenile courts, given the informality of proceedings and protracted post-dispositional phase germane to most cases.

Secondly, these cases involve ongoing supervision of state child welfare agency activities, putting the court in a position of reviewing the activities of professional caseworkers and service providers. Such supervision requires an understanding of due process, but also implicates fields in which judges and attorneys usually have very little training. These fields include those of psychological trauma, special education, child development, poverty, and medical care. That juvenile courts face difficulties in fulfilling their duties comes as little surprise to those who work in the field. Scholars have noted that courts and child welfare agencies often have a tense relationship, occasioned by different professional norms, distinct areas of expertise, and shared decision making responsibilities.⁴

The Adoption and Safe Families Act of 1997 mandated that the child welfare agencies emphasize safety, permanency, and well-being of abused and neglected children in care. In order to achieve these goals, and given their role in supervising these cases as well as earlier legislative frameworks, juvenile courts have been the locus of continual reform to improve child welfare outcomes. While few rigorous evaluations exist, evidence suggests that courts often are implicated in the failures to achieve timely and permanent outcomes for children.⁵

Limitations on the resources available to state agencies, caseload burdens, and calendar management often interfere with optimal outcomes for children and families. The federal Court Improvement Program provides grants to each state, and has led to a proliferation of assessments that documented shortcomings in practice and outcomes. Various efforts to address these shortcomings include the nationwide Court Appointed Special Advocate (CASA) program, which provides trained and supervised volunteers to speak on behalf of children’s best interests. CASA originated in the 1970s in part to provide a supplemental source of information to judges and offer an enduring presence in the case of a dependent child. The program is widely implemented, but is not available in all court jurisdictions.⁶

Other responses include specialized court processes to address needs that go unmet in traditional proceedings, including family drug courts and “benchmark hearings” for older foster youths.⁷ To be sure, the reasons for poor case outcomes often lie outside the courthouse, but the role and authority of the court in abuse and neglect cases make them a frequent target for reform. The *Model Act* emphasizes vigorous client representation for children, including reasonable attorney caseload caps, as a means to reduce delay and improve case outcomes.

Would Attorneys for Abused and Neglected Children Improve Outcomes?

Proponents make two key arguments for establishing a “right to counsel” for abused and neglected children in court. The first argument is one of due process and underscores that children are the only parties in dependency proceedings who lack legal representation.⁸ Fairness (and good sense) demand that the young people; who are the subject of the proceedings, removal from their families, and rulings with profound implications for their lives; have their own attorney. That is, these proceedings often result in state custody of the child, and like other instances of state custody, such as incarceration of offenders and mental health detention, ought to trigger a constitutional right to counsel.

Secondly, proponents argue that providing client-directed attorneys will improve substantive outcomes for clients. With children’s attorneys, the court would be privy to better information, as children represented by their own attorneys would be more likely to provide candid information, knowing that their confidences were protected by the attorney-client privilege, a protection not available under the “best interests” model. Children may also be more likely to feel empowered by an attorney who has a professional obligation to zealously advocate on their behalf, and who would be prohibited from supplanting their client’s expressed interests in their arguments with their own.⁹ This meaningful participation in the court proceeding makes it easier for children to accept court decisions, even if they advocated for a different outcome.

Others have expressed skepticism about the *Model Act* concerning cost and questions around the role of client-directed attorneys for young children. Skeptics also suggest that implementation challenges will threaten potential improvements offered by the *Model Act*. As with any innovation, change will be sporadic and uneven across jurisdictions. The history of the juvenile court provides many examples of reforms and federal mandates that were implemented slowly and imperfectly. Given the independence the law affords judges in their courtrooms, policymakers often find that changing habits and courtroom practices can be very difficult. Courts exhibit wide variability in practice, even among jurisdictions operating under the same set of laws.¹⁰

Moreover, the ideal of the *Model Act* may be difficult to achieve given the high caseloads and low pay germane to child representation in many jurisdictions.¹¹ Providing attorneys under the *Model Act* would require an increased initial investment, which may be difficult to secure given that juvenile courts already tend to receive what many consider inadequate resources under current mandates. Juvenile court caseloads tend to be high for judges, caseworkers, and attorneys alike, and limited time can inhibit optimal performance.¹²

Juvenile courts are generally regarded as having low prestige, and in many jurisdictions face high turnover among judges and attorneys. It is important to note, however, that many states already have systems that are in line with the *Model Act’s* provisions. For example, states that include Massachusetts, Maryland, Louisiana, New Jersey, and New York have systems where legal representation is client directed. Many other states have systems where the lawyer acts in a hybrid role with the direction of clients being an important consideration to representation. Additionally, some jurisdictions within states employing a best interest model have transformed to a client directed model, including Fulton County, Georgia, which encompasses Atlanta.¹³

Research suggests, however, that some of the initial increased costs of implementation may be recouped through improved case processing. In a study of a client-directed legal representation model in Palm Beach

County, Florida, researchers found that providing attorneys for children in dependency hearings achieved permanency more quickly than children represented under a non-attorney best-interests model, and did not diminish rates of reunification. The study suggests that enhanced representation may yield some cost savings from reduced court time, foster care, and services.¹⁴ Other evidence of lawyers' roles in improving outcomes is compelling, but tends to be anecdotal.¹⁵

In short, as evidenced by the Palm Beach study, the passage of the *ABA Model Act*, and the adoption of state statutes requiring legal representation over the past few decades, there seems to be increasing substantive support that children in dependency proceedings should be afforded the advantages of attorney representation. What is missing, however, are studies of sufficient breadth that demonstrate improved outcomes for children and families and justify the expense of attorney representation of children in accordance with the *Model Act*.¹⁶

Defining and Measuring Success within the Juvenile Court Ecology

Beyond the Palm Beach Study, the paucity of rigorous research examining juvenile courts is a testament to the difficulty of meaningfully gauging the effects of reforms and de-emphasis on the substantive and due process rights of the children subject to the proceedings. The challenge arises in part from the nature of the juvenile court, which has broad but ultimately limited influence on case outcomes. Scholars have noted that courts have more authority over certain aspects of child welfare cases – those that emphasize legal activity – than others. For example, courts may be able to effectively reduce court delay or speed termination of parental rights proceedings, but they have less influence in accelerating certain agency activities, such as the completion of adoption.¹⁷

Additionally, creating meaningful change in a juvenile court in order to affect case processes and outcomes must account for the local context of the court and child welfare agency. In seeking to implement the *Model Act*, for example, policymakers and practitioners must consider the way attorneys are compensated, the personnel and agency resources available, and existing level of collaboration among key stakeholders in the jurisdiction. Improving outcomes is done best when attorneys, judges, and agency personnel collaborate.¹⁸ Such collaboration allows professionals to maintain professional relationships, exploit the expertise available, and elevate overall court outcomes and agency performance. That is, elevating one component within the juvenile court/child welfare system ought to elevate other components as the system seeks to improve client outcomes.

Essential to planning and measuring success, however, is a robust system of evaluation. Capturing outcomes of clients is essential for understanding court and agency performance and the consequences of changes in policy or practice. Obtaining accurate data takes effort; a good start is analyzing data that are already routinely collected. For an example, see the *Drawing Down Data for Local Use: Fostering Court Improvement* sidebar. Such efforts often make “real time” aggregated information on cases available to guide practice.¹⁹

Even with consensus of what constitutes a well-functioning juvenile court, a distinct challenge remains in identifying the meaningful indicators of performance and zeroing in on the cause of any measurable changes in court and agency performance. Given the roles of the many professionals involved in individual child welfare cases, at best, children's attorneys under the *Model Act* will usually have an attenuated influence on many of the outcomes they hope to affect. While courts and agencies share common goals with regards to

Drawing Down Data for Local Use: Fostering Court Improvement

Fostering Court Improvement (FCI) works in several states and is a partnership of the Barton Child Law and Policy Clinic at Emory University and the School of Social Work at the University of North Carolina. FCI collects and integrates information from national databases into reports that inform the work of dependency courts and child welfare agencies. Findings can be parsed by judicial district, county, and agency administrative region. While jurisdictions will need to be informed consumers of the information provided, and supplement the reports with locally gathered data, FCI's information can be an important starting point for understanding court and agency functioning.

More information is available at fosteringcourtimprovement.org.

children, they have distinct roles to play, and attorneys and courts cannot be held accountable for all case disappointments or successes. In examining the effects of attorneys under the *Model Act*, it is helpful to think of two targets of advocacy: the individual case level and the system level.

Case Level

For individual clients, important outcomes involve both due process, the extent to which important civil rights are honored in juvenile court proceedings, and well-being, indicators of physical, psychological, and social health. In discussing both sets of outcomes, it is critical to realize that children's needs change over the course of their lives. For example, there is an emphasis on different outcomes for infants, especially physical safety.²⁰ In contrast, older youths will be expected to have a greater role themselves in exercising due process rights, and well-being involves educational and employment goals irrelevant to younger wards. That's not to say that safety is not relevant for older youth, or that others aren't essential for infants, but emphases tend to change to reflect developmental needs.

Due Process Outcomes. Many of the markers of strong advocacy by attorneys are relevant in juvenile court, including attorney responsiveness to clients, professional qualifications, acceptable workload, and adequate resources. They also include judicial indicators such as providing notice of hearings, the right to participate, and the right to appeal. These measures, however, are rarely captured to measure the performance of attorneys for children as they are in other courts.²¹ Moreover, the protracted prolonged post-dispositional phase of most cases makes other traditional measures of attorney performance (e.g., trial wins, motion practice) of limited utility.

Policymakers must develop indicators of adequate due process protections germane to the juvenile court, which often involve relationships that invite competing, if not conflicting, due process obligations. For example, for girls in care who parent their own children, there are due process obligations to the infant, the young mother as a dependent child, and the young mother as a caretaker at risk of maltreating her child.²² Measuring whether children are afforded adequate due process in juvenile court should take into account traditional indicators of legal advocacy, but other items as well, including actual case outcomes and the level of client engagement in court proceedings.²³ For one model, see the *A System of Ongoing Evaluation: Arkansas' Attorney Ad Litem Program* sidebar. Such ongoing monitoring of performance, not incidentally, also aids in observing well-being outcomes.

A System of Ongoing Evaluation: Arkansas' Attorney Ad Litem Program

While Arkansas holds to a “best interests” standard of child representation, the state can serve as a model of ongoing evaluation for juvenile courts, especially those implementing the *Model Act*. The state Administrative Office of Courts (AOC) runs the program that provides attorneys ad litem (AALs) in juvenile court. To ensure high quality representation, the AOC has instituted an ongoing multi-layered evaluation process that includes:

- **Case data** provided by AALs that includes hours, cases, and client contacts
- **Periodic file review** of five AAL cases, one of which is selected by the AAL, the others by the AOC program manager. Reviews are conducted by AOC staff, other AALs with low caseloads, or contracted reviewers.
- **AAL annual self-evaluation**
- **Court observation of AAL hearings**
- **Stakeholder input** of AAL performance from judges, agency personnel, CASA volunteers, placement providers, and fellow lawyers
- **Client feedback** from current & former foster youth online surveys and focus groups

AALs who do not cooperate with the evaluation or demonstrate competence have their contracts terminated. Administrators acknowledge that the evaluation effort demands resources, but emphasize that the evaluation data has improved quality and documented activities to support continued state funding.

More information is available at the Arkansas AOC – Juvenile Division website: www.arjdc.org

Well-Being Outcomes. Although the *Adoption and Safe Families Act of 1997* emphasized well-being as a central goal of children in foster care, alongside safety and permanency, the term is by no means clear. Research literature provides little clarity about what actually constitutes well-being of children.²⁴ While few would challenge the value of increasing well-being for young people who come to the attention of the state, some argue that a broad focus on improving well-being of dependent children is beyond the proper scope of state responsibility and invites improper meddling into the lives of families.²⁵

A second and related concern is with regard to measuring well-being. While safety and permanency have simpler (if not binary) outcomes, well-being is broader and is often viewed as encompassing education, health, and other outcomes. For infants and very young children, safety tends to be the foremost concern. Educational outcomes are central for all school age children.²⁶ For older youth, including those who expect to age out of care, the emphasis is keeping them from being “disconnected” by focusing on high school graduation, post-secondary programs, and employment.²⁷ Also acknowledged as important for all young people is social connectedness, but the notion is also resistant to clear definition.²⁸

An emphasis on well-being involves collaboration with entities beyond the child welfare agency, which further attenuates the influence of court advocacy and judicial activity. To meaningfully ensure well-being, legal and child welfare professionals will need at times to work with schools,²⁹ health care systems,³⁰ and other state agencies. Measuring and reporting well-being indicators is also an important means for defining activity and advancing accountability.³¹ The court’s authority to pull parties together over an individual case can provide a route to integrating systems that often eludes broader system-wide efforts.

System Level

The effects of strong client advocacy extend beyond the individual case. Appellate-level advocacy may bring new legal interpretations that change due process or substantive rights of foster children beyond an individual

case. Moreover, practice itself can improve child welfare system practice in a number of ways. For example, by successfully advocating for services previously unavailable, attorneys may expand offerings that in turn become available to other children.³² Zealous advocacy and enhanced due process may change expectations of courtroom personnel and can improve outcomes beyond individual cases.

Advocates often embrace the obligation to agitate for system change on behalf of their population of clients.³³ For example, the Safe Babies Court Teams initiative emphasizes that avoiding maltreatment of very young children is best accomplished by protecting clients from additional harm *and* exposing structural barriers within the child welfare system to improving family care.³⁴ The juvenile court has “positional power” that legal advocates can leverage to improve routine agency practice.³⁵ Courts, for example, might be able to facilitate information-sharing agreements between agencies, courts, and schools to aid collaboration and improve outcomes that involve activity outside the purview of the child welfare agency.³⁶ As the ABA did through the *Model Act*, other communities that are positioned to pool their collective valuable wisdom from these cases to put forth recommendations for systemic improvements could include children’s attorneys (through the National Association of Counsel for Children), juvenile court judges (through the National Council of Juvenile and Family Court Judges), social workers (through the National Association of Social Workers), state agencies (through entities such as the American Public Human Services Association), state court organizations (such as the National Conference of State Legislatures), youth voices (through organizations like the Foster Care Alumni of America), health care workers, law enforcement, and parent advocacy organizations.

Recognizing the importance of system-level advocacy underscores the need for a robust system of internal feedback. As systems change, new challenges will emerge and require redress. Indeed, in examining the easily quantifiable outcome of permanence, a recent study called into question cases that seemed to have successful outcomes. Researchers found that 15 percent of reviewed cases with “permanent” resolutions returned to court with a new petition during the study period.³⁷ While these cases may, at an individual level, be categorized as successes, such a system-level finding may nevertheless warrant policy and practice changes.

Implications for Policy and Practices

General considerations:

- In making changes in legal representation, policymakers must consider the broad ecology of the child welfare system and juvenile court. Implementation of the *Model Act* and other reforms should take into account the due process rights of children as well as the availability of federal dollars and local resources.
- In weighing costs of implementing the *Model Act* and other reforms, advocates must also calculate potential savings that accrue through shorter stays in foster care, reduced court costs, and long-term benefits to clients.
- It is essential that juvenile court communities collaborate with other agencies and identify the many goals that are shared by legal representatives, judges, other court professionals, and agency personnel. Comprehensive and ongoing evaluation can define and reinforce these shared goals, as well as provide freedom to children’s attorneys to provide zealous advocacy without facing belligerence or professional

consequences. That is, the organizational dynamics of juvenile courts must be understood to prioritize the substantive and due process rights of children.

- Despite years of evaluative work emerging from state Court Improvement Programs and other initiatives, the field has scant studies with the rigor to inform policy and practice reforms.
- While rigorous study of can be costly and place burdens on affected jurisdictions, rigorous controls are the best means for eliminating the selection bias that threatens the validity of research conducted in child welfare.³⁸

Action items:

- A high-quality study evaluating attorney versus non-attorney representation in a representative national study with longitudinal data on cost and outcomes is needed to further understand the real value of attorney representation to the child, family, and community.
- Case studies of state and local pilot programs can illuminate the impact of the *Model Act's* standard of legal representation for children in dependency cases and inform state and federal policy decisions. Such studies should explore the challenges of growing programs “to scale” so that they may be widely implemented and examine the experiences of those jurisdictions that have already put key components of the cct in place.³⁹
- The U.S. Department of Health and Human Services should update its 2002 guidance for the representation of children. Current recommendations already emphasize that for states to meet the requirements of the *Child Abuse Prevention and Treatment Act* (CAPTA), every child in dependency cases should have an attorney (in addition to a guardian ad litem).
- CAPTA is due for reauthorization in 2015, providing an important opportunity for reform. Evidence suggests that a revised CAPTA should require that foster youth who choose to remain in care beyond age 18 (through the *Fostering Connections Act*) retain their CAPTA representative and court oversight until they leave care. CAPTA should also explicitly recognize dependent children as parties to their own cases as a means of ensuring due process rights. Finally, CAPTA should require states to appoint attorneys for all children in dependency cases.

Conclusion

As efforts continue to expand the right to counsel, measuring the impact that children’s attorneys working in accordance with the *Model Act* have on their case outcomes must take a broad view. Effective representation of children is exceedingly difficult with high caseloads, so limiting attorney workloads would be an important precursor to full implementation of the *Model Act*. The effects of enhanced legal representation may be at times attenuated, but such representation potentially influences a wide range of individual case outcomes and also broader, system-wide practice. Policymakers must also recognize, however, the practical limits of seeking to effect change through court reform. The child welfare system is a complicated system that involves public and private child welfare agencies, other state entities, law enforcement agents, communities, families, and legislators, in addition to court personnel. With careful attention to gathering information regarding court and

agency performance, individual jurisdictions and the field can understand the impact of client-directed representation for children at the client and system level and with regards to due process and well-being outcomes.



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The First Focus State Policy Advocacy and Reform Center (SPARC), an initiative funded by the Annie E. Casey Foundation, Jim Casey Youth Opportunities Initiative, and Walter S. Johnson Foundations, aims to improve outcomes for children and families involved with the child welfare system by building the capacity of and connections between state child welfare advocates. You can visit us online at www.childwelfaresparc.org or on Twitter at [@ChildWelfareHub](https://twitter.com/ChildWelfareHub).

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Notes

¹ American Bar Association (2011), *Model Act Governing the Representation of Children in Abuse, Neglect, and Dependency Proceedings*, http://www.americanbar.org/groups/child_law/what_we_do/projects/empowerment/righttocounsel.html.

² National Coalition for a Civil Right to Counsel c/o Public Justice Center, Right to Counsel Status Map for Children in Abuse/Neglect/Dependency cases, accessed February 18, 2016: <http://civilrighttocounsel.org/map>.

³ The Child Abuse Prevention and Treatment Act (CAPTA) requires that children be appointed a guardian ad litem who may be an attorney or a trained advocate. See First Star & Children’s Advocacy Institute. (2012). *A Child’s Right to Counsel: A National Report Card on Legal Representation for Abused & Neglected Children* (Third Edition). Washington, D.C.: First Star.

⁴ Boyer, B. A. (1995). Jurisdictional conflicts between juvenile courts and child welfare agencies: The uneasy relationship between institutional co-parents. *Maryland Law Review*, 54, 377-431.

⁵ Karatekin, C., Gehrman, R., & Lawler, J. (2014). A study of maltreated children and their families in juvenile court: I. Court performance measures. *Children and Youth Services Review*, 41(0), 62-74. doi: <http://dx.doi.org/10.1016/j.childyouth.2014.03.010>

⁶ The Model Act calls for CASA volunteers to be appointed to all cases, in addition to attorneys.

⁷ Buss, E. (2010). Juvenile court for young adults? How ongoing court involvement can enhance foster youths’ chances for success. *Family Court Review*, 48(2), 262-276.

⁸ Indeed, CAPTA does not recognize children as parties to their own cases (though some states do so through statute), which naturally has consequences for the right to counsel. In contrast, other than Mississippi, every state provides legal representation of parents in some form, and the state child welfare agency has consistent representation in matters of concern. First Star & Children’s

Advocacy Institute. (2012). *A Child's Right to Counsel: A National Report Card on Legal Representation for Abused & Neglected Children* (Third Edition). Washington, D.C.: First Star.

⁹ Moreover, only lawyers can make objections, file appeals, subpoena records, interview witnesses on the stand, and counsel her client on their legal rights and options. Khoury, A. (2010). Why a lawyer? The importance of client-directed legal representation for youth. *Family Court Review*, 48(2), 277-283.

¹⁰ Peters, C. M. (2012). Examining regional variation in extending foster care beyond 18: Evidence from Illinois. *Child and Youth Services Review*, 34(9), 1709-1719.

¹¹ National Association of Counsel for Children, NACC Recommendations for Representation of Children in Abuse and Neglect Cases (2001), available at http://www.naccchildlaw.org/resource/resmgr/docs/nacc_standards_and_recommend.pdf.

¹² Wood, S. M., Russell, J. R., Macgill, S. O., & Summers, A. (2014). The Effects of Judicial Personnel on Hearing and Outcome Timeliness in Juvenile Dependency Cases. *Family Court Review*, 52(1), 90-99. doi: 10.1111/fcre.12072; Judicial Council of California. (2008). Dependency counsel caseload standards: A report to the California legislature. San Francisco, CA: Judicial Council of California.

¹³ States indicated as aligning most closely to the Model Act include those given high scores in the First Star "Report Card" (see note 8): Connecticut, Iowa, Kansas, Louisiana, Maryland, Massachusetts, Mississippi, Missouri, New Mexico, New York, Ohio, Oklahoma, Texas, Vermont and West Virginia. Information on Fulton County's representation model can be found at http://www.fultoncountyga.gov/index.php?option=com_content&view=article&id=2890:home-oca&catid=340&Itemid=1200.

¹⁴ Zinn, A. & Peters, C. M. (in press). Expressed-interest legal representation for children in substitute care: Evaluation of the impact of representation on children's permanency outcomes. *Family Court Review*.

¹⁵ Rosado, L. M. (Ed.). (2014). *Changing Lives: Lawyers Fighting for Children: Stories of attorneys making a difference in the lives of our most vulnerable children*. Chicago, IL: First Chair Press.

¹⁶ Amy Harfeld, *The Right to Counsel Landscape After Passage of the ABA Model Act – Implications for Reform*, 36 *Nova L. Rev.* 325 (Spring 2012).

¹⁷ Ibid.

¹⁸ Golden, O. (2009). *Reforming Child Welfare*. Washington, D.C.: Urban Institute Press.

¹⁹ Good examples of such information sources include the "Dependency Dashboard" in Pennsylvania (<http://www.ocfcpcourts.us/data-and-research/dependency-dashboard>). Data for some states participating in Fostering Court Improvement can be found at http://fosteringcourtimprovement.org/state_websites.php.

²⁰ Katz, L. F., Lederman, C. S., & Osofsky, J. D. (2011). *Child-centered practices for the courtroom & community: A guide to working effectively with young children & their families in the child welfare system*. Baltimore, MD: Paul H. Brookes Publishing Co. See also The Safe Babies Court Teams Project of ZERO TO THREE: National Center for Infants, Toddlers, and Families at <http://www.zerotothree.org/maltreatment/safe-babies-court-team/>.

²¹ Keshner, A. (2015). City Broadens Its Evaluation of Indigent Criminal Defense. *New York Law Journal*.

²² Center for the Study of Social Policy. (undated). Pregnant & Parenting Youth in Foster Care: A Case for Services and Quality Legal Representation. Washington, D.C.: Center for the Study of Social Policy. http://www.cssp.org/reform/child-welfare/pregnant-and-parenting-youth/Pregnant-and-Parenting-Youth-in-Foster-Care_Quality-Legal-Representation.pdf

²³ Khoury, A. (2010). Why a lawyer? The importance of client-directed legal representation for youth. *Family Court Review*, 48(2), 277-283.

²⁴ Jones, A. S., LaLiberte, T., & Piescher, K. N. (2015). Defining and strengthening child well-being in child protection. *Children and Youth Services Review*, 54, 57-70; Walsh, A. (2015). Legal Permanency Isn't Everything: Readdressing The Need For Well-Being

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²⁵ Wulczyn, F., Barth, R. P., Yuan, Y.-Y. T., Harden, B. J., Landsverk, J. (2005). *Beyond Common Sense: Child Welfare, Child Well-Being, and the Evidence for Policy Reform*. Herndon, VA: AldineTransaction.

²⁶ Legal Center for Foster Care & Education. (2014). Fostering success in education: National factsheet on the educational outcomes of children in foster care. Washington, DC: American Bar Association Center on Children and the Law.

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²⁸ Committee on Improving the Health, Safety & Well-Being of Young Adults Board on Children, Youth, & Families. Bonnie, R. J., Stroud, C. & Breiner, H. (Eds.). (2014). Investing in the Health and Well-Being of Young Adults. Washington, D.C.: National Academy of Sciences.

²⁹ Legal Center for Foster Care & Education. (2014). Fostering success in education: National factsheet on the educational outcomes of children in foster care. Washington, DC: American Bar Association Center on Children and the Law.

- ³⁰ Zlotnik, S., Scribano, P., Wood, J., & Noonan, K. (2014). Improving child well-being: Strengthening collaboration between child welfare and health care systems. Washinton, D.C.: First Focus.
- ³¹ One important example of identifying – and reporting on – progress on client outcomes is found in the outcome reports provided by Philadelphia’s Support Center for Child Advocate’s (<http://www.advokid.org/resources/client-outcomes-report/>).
- ³² Peters, C. M. (2012). Examining regional variation in extending foster care beyond 18: Evidence from Illinois. *Child and Youth Services Review*, 34(9), 1709-1719.
- ³³ See, e.g., Legal Center for Foster Care & Education. (2014). Fostering success in education: National factsheet on the educational outcomes of children in foster care. Washington, DC: American Bar Association Center on Children and the Law. http://fostercareandeducation.org/DesktopModules/Bring2mind/DMX/Download.aspx?EntryId=1937&Command=Core_Download&method=inline&PortalId=0&TabId=12.
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- ³⁹ See endnote 12.