

# Continuing Upwards from the Summit

Virtual National Judicial Leadership  
Follow-Up Event on Child Welfare

May 9-10, 2023



## ACTION GUIDE

# USING THE ACTION GUIDE



## Key Takeaways

This icon represents the key takeaway or message from the speaker(s) related to each presentation or subject matter. Use the takeaways as references after the event to easily remember why this information is important.



## Immediate Action

This icon represents immediate actions or steps the speaker(s) has identified as ways to begin working on the subject matter right away. These action items are things you can do individually or with a small team following the event to quickly begin making progress.



## Stakeholder Conversations

This icon represents suggestions from the speaker(s) on how best to lead or begin conversations with stakeholders related to each topic. These suggestions are meant to be used at small or large group convenings to initiate discussions on collaborative, long-term solutions.

## SUMMIT THEMES

These themes represent the five core areas that all National Judicial Leadership Summits and any follow-up events aim to enhance. Each presentation addresses one or more of the below themes.

- I. Incorporating the Voice of Families in the Court Process
- II. Delivering High Quality Legal Representation to Families in Child Welfare
- III. Safely Preventing the Unnecessary Entry of Children into Foster Care Through Meaningful Initial Hearings
- IV. Courts Ensuring Procedural Fairness, Equity and Access to Justice for All Families
- V. Leading Child Welfare Reform from the Supreme Court and AOC

# REFLECTING ON THE PAST TO MOVE OUR SYSTEM FORWARD TOGETHER

Honorable Kim Berkeley Clark – President Judge, Allegheny County, Pennsylvania

Individually and as a group, we are always striving to make enhancements to our own practice and the child welfare system as a whole. However, sometimes we get lost in the busyness of the long days and don't take the necessary time to recognize just how far we have come. Taking time to reflect on the past has a powerful impact on propelling us forward. During this presentation, President Judge Clark will discuss her journey over the past 20+ years on the five Summit themes; where things were when she started, where they are now, and what she is working towards. She invites the audience to schedule a time to reflect on the past and to recognize how "the power of the pause" gives us all the space to celebrate our successes and can launch us forward creatively, together.



## KEY TAKEAWAY

Reflecting on our past allows us to celebrate our successes and the space to imagine our future.



## IMMEDIATE ACTION

Schedule time in your calendar to think and plan.



## STAKEHOLDER CONVERSATIONS

- Discuss opportunities to pause and celebrate your system successes – The Power of the Pause.
- Discuss transformational change and what summit theme(s) you want to work on collaboratively to make *real* system change.

[Link to Recording and Presentation Resources](#)

# LEVERAGING TITLE IV-E DOLLARS FOR HIGH-QUALITY LEGAL REPRESENTATION

## Moderator

Allison Green, JD, CWLS – Legal Director, National Association of Counsel for Children

## Panelists

Honorable Doris L. Fransein – Oklahoma District Court (Retired)

Michael G. Figgins, Esquire – Executive Director, Legal Aid Services of Oklahoma, Inc.

Kevin Haddock – Finance and Business Operations Administrator, Oklahoma Department of Human Services, Child Welfare Services

Through a landmark 2019 policy change, the U.S. Children’s Bureau opened federal funding to states to support high-quality, independent legal representation for parents, children, and tribes. This session will discuss how Title IV-E dollars can be used by your state or county to support best practices and share the success story of Oklahoma stakeholders who were among the first to champion the opportunity.



## KEY TAKEAWAY

Federal funding is available to support high-quality legal representation for children and families and collaboration between stakeholders is necessary to ensure it is fully accessed.



## IMMEDIATE ACTION

- Inquire about the current status of Title IV-E funding utilization for legal representation in your jurisdiction: is it leveraged broadly for parents, children, tribes? Are funds targeted to improve legal representation through best practices such as multidisciplinary models and reasonable caseloads?
- Offer to lead or join stakeholder efforts to begin or expand utilization of Title IV-E funds. Volunteer for a committee or workgroup focused on this issue.



## STAKEHOLDER CONVERSATIONS

- What does the data tell us about the availability and quality of legal representation in our community?
- What do people with lived experience share about the availability and quality of legal representation in our community?

[Link to Recording and Presentation Resources](#)

# INCLUSIVE AND EXCLUSIVE LANGUAGE

Princess Darnell - Deputy Director of Diversity, Equity & Inclusion,  
Indiana Supreme Court

This presentation will examine language that can be considered exclusive and how we can choose more inclusive language in our everyday conversations. Attendees will walk away with a greater understanding of gendered language, people-first language, the history of words and their relation to racism, and more.



## KEY TAKEAWAY

We all have our own lived experiences; therefore, some people will have an understanding of a word or phrase that may be different from your own. There are always other words we can use to be more inclusive. This is a constantly evolving process, and our language will continue to develop and change over time.



## IMMEDIATE ACTION

Consider your own language and how you can change some commonly used words or phrases to be more inclusive.



## STAKEHOLDER CONVERSATIONS

- Discuss how your organization can ensure that it is keeping up with best practices regarding inclusive language.
- Review documents and language used on your court / agency website and other written materials together to ensure the language is inclusive and make any necessary changes.

[Link to Recording and Presentation Resources](#)

# STRENGTHS OF THE INDIAN CHILD WELFARE ACT FOR FAMILIES

Sheri Freemont, J.D. – Managing Director, Judicial and National Engagements, Casey Family Programs

The Indian Child Welfare Act, like any statutory framework, is effectuated by the humans who are applying the intended laws. In the last few years, several dedicated courts have created communities of practitioners that are versed not only in the legal requirements of the ICWA, but also have supported cultures of “gold standard practice”.

Communities of practice should be valued as well. Court community culture that conveys to all that safe family reunification, including meaningful and observable active efforts, delivered with humility and cultural respect, matters. With these communities supporting individuals, the gold standard practices are more likely to thrive.



## KEY TAKEAWAY

All court actors can recognize and incorporate the ICWA values and principles into court cultures to keep children safely in their own homes and connected to their families, communities, and culture.



## IMMEDIATE ACTION

Make a quick list of what regular practices are “active efforts” to support families’ risks in your jurisdiction. Then ask yourself, what can I do to ensure the legal standard of active efforts is met?



## STAKEHOLDER CONVERSATIONS

- What might it feel like for tribal families to walk into state courts to seek the return of their children? Might their knowledge of the history of family separation impact their hope? Could an education or learning session for our jurisdiction regarding the experiences of tribal families be held?
- How can all stakeholders be aware of the likely fear and the context of history in our choices of how we engage with families, even if applying standards of law?

[Link to Recording and Presentation Resources](#)

# 10 WAYS TO CULTIVATE A CULTURE OF ENGAGEMENT IN THE COURTROOM

**Kayla Powell** - National Advisory Council on Children's Legal Representation Member and Iowa Department of Human Rights Youth Development Coordinator

**Cristal Ramirez, MS** - National Association of Counsel for Children Youth Engagement Manager

Cultivating a culture of engagement in the courtroom is the responsibility of adults, not youth, and is imperative to authentically hearing youth and determining what's in their best interest. This presentation will uplift 10 ways to cultivate a culture of engagement in the courtroom.



## KEY TAKEAWAY

Creating a culture of engagement is necessary for youth to be heard and to achieve their best interest.



## IMMEDIATE ACTION

- Practice transformational relationships with each other and the youth that we serve.
- Support youth participation in their court hearings through preparation, debriefing and humanizing language.



## STAKEHOLDER CONVERSATIONS

- How do youth describe their experiences in our courtrooms? [Note: adults should not assume how youth describe their experiences]
- What does preparation and debrief look like for youth attending hearings in our courtrooms?

[Link to Recording and Presentation Resources](#)

# THE INTERSECTION OF HOUSING AND CHILD WELFARE: ACTIONABLE SOLUTIONS FOR COURT PERSONNEL AND SYSTEM PARTNERS

Ruth White, MSSA – Co-Founder and Executive Director, National Center for Housing and Child Welfare

Consistently over the past two decades, more than 9,000 children are placed into foster care each year due to inadequate housing, despite the fact that child welfare agencies have flexible funding with which workers can solve housing problems. This session will provide an overview of the problem and offer instruction on how to direct child welfare professionals to tap local, state, and federal funding to prevent separation and accelerate reunification. The session will offer examples of permanent housing resources for families and youth aging out of care.



## KEY TAKEAWAY

Housing solutions paid for with child welfare funding and resources can be implemented immediately; there is no need to wait.



## IMMEDIATE ACTION

- For judges – schedule a meeting with your child welfare leader to discuss the materials from this session and insist a solution be developed immediately.
- For all other stakeholders – Determine which families you work with that have a housing insecurity issue and begin to tap into resources identified in this presentation to prevent separation and accelerate safe reunification.



## STAKEHOLDER CONVERSATIONS

For years, human services organizations have claimed that they take a multi-systemic approach. Sadly, it hasn't been. These efforts typically just involve multiple social workers and a few attorneys – the folks who hold the key to economic resources are left out. Bring together a group that includes the public housing authority director and the leader of the local community action agency to develop solutions to housing insecurity issues in your jurisdiction.

[Link to Recording and Presentation Resources](#)



# THE KENTUCKY MODEL FOR IDENTIFYING AND ADDRESSING RACIAL, ETHNIC, AND EQUITY DISPARITIES

Rachel Bingham – Director, Office of Statewide Programs, Kentucky Administrative Office of the Courts

This presentation will review how research and data can inform decision-making and policy formation. It will include how to identify and define critical areas for organizational change and provide strategies on how best to collaborate with stakeholders and community partners. Tools will be provided on how to guide local efforts to establish a strategic plan to develop a racial equity assessment.



## KEY TAKEAWAY

Data drives the conversation regarding racial, ethnic, and equity disparities to effectively impact your organization's culture.



## IMMEDIATE ACTION

Identify your contact points and define the data that reflects that contact point.



## STAKEHOLDER CONVERSATIONS

Engage your champion Judges about the data and the 4-pronged approach for addressing disparities, and ask for their leadership in calling a meeting with additional stakeholders to drive collaborative action.

[Link to Recording and Presentation Resources](#)

## SPOTLIGHTS



### **The National Judicial Task Force to Examine State Courts' Response to Mental Illness**

Honorable Kathleen Quigley – Pima County Superior Court, Arizona

Teri Deal – Principal Court Consultant, National Center for State Courts

This session will focus on the National Judicial Task Force's recommendation of use of the Upstream approach for dependency courts. This preventative, community-based approach aims to better coordinate court and community resources to improve intervention and prevention opportunities for families and children involved in dependency proceedings. The presentation will highlight the key components of the Upstream approach, its potential benefits, and its implementation in jurisdictions.



### **Advocating for Pre-petition Representation in Maine**

Julian Richter – Attorney, Family Advocacy of Maine

This program will examine the early stages of advocating for pre-petition representation programs and what this experience looked like in Maine. The importance of collaborative partnerships in advocating for funding and programs will also be discussed.



### **Ohio Legal Help – Online Kinship Care Planning Tools**

David Edelblute – Manager, Children and Families Section, Supreme Court of Ohio

Susan Choe – Executive Director, Ohio Legal Help

This session will explore how Ohio Legal Help, through funding from the Supreme Court of Ohio's federal Court Improvement Program Grant, has developed a new section of its website dedicated to kinship care – when a family member or friend cares for someone else's biological child. The Kinship Care module provides free civil legal assistance through understandable explanations about complex topics that can impact displaced children and their caretakers. Those subjects include the foster care and juvenile court systems, financial assistance, and the differences between custody, guardianship, and adoption. The module also offers an interactive "action plan interview" that guides users through a series of questions where the answers produce available benefits and suggested steps.

[Link to Recordings and Spotlight Resources](#)

## GUEST SPEAKERS



**Honorable Loretta Rush – Chief Justice,  
Indiana Supreme Court**



**David Sanders, Ph.D. – Executive Vice  
President of Systems Improvement,  
Casey Family Programs**



**Aysha E. Schomburg, J.D. – Associate  
Commissioner, Administration on Children,  
Youth, and Families**

**Kristen Clarke – Assistant Attorney General,  
Civil Rights Division, Department of Justice**



[Link to Recordings, Guest Speaker Bios,  
and Resources](#)

**NOTES**

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