



QUARTER 3
PIP 5.1.3
(continued)

3. Establishing safe havens at the courthouse where teens don't have to worry about unwanted encounters with family members and can access resources for youth.

We recommend that a Youth Haven be put into the courthouses to help reduce the stress and anxiety youth feel when coming to court. They would lessen the emotional trauma of going to court and could increase the number of youth who attend their court hearings.

Youth Havens would fill many different needs. First, they would be safe spaces. Many youth we spoke to said that they dread seeing family members in the waiting room, and having to be in the same waiting area with them makes them nervous and upset. Second, youth need to be taken away from all the other drama that is occurring in Family Court. One youth waiting for her hearing saw another teen in handcuffs: "I shouldn't have to see that, it freaked me out." Even in the best situations, youth need something to ease the anticipation of their own experiences and help them relax. It is more comforting for youth to see and interact with other youth who are experiencing similar situations. Third, youth could receive information about court, their rights, and who's who in the courtroom through resources at the Youth Haven. Last, if there are more time certain cases and youth were in the Youth Haven awaiting their cases to be called, the waiting rooms would be less crowded.

"For youth, the court experience can be confusing and emotional—something has happened in their family and now someone is making decisions for the family who is not a part of the family unit."

— Louis S. Sartori, Attorney-in-Charge,
Juvenile Rights Division, Manhattan, The
Legal Aid Society

We recommend:

- The Youth Haven should be supervised by a social worker who can help youth deal with the emotional difficulties of being at court, and who can provide information about the court and where to get resources. We think the Administration for Children's Services would be the best agency to provide staff and supervision. However, we know that resources for staff and services are tight; a partnership with another agency—similar to how the Children's Centers are run by Safe Horizon in partnership with the court system—is also an option;
- To pilot this idea, the Youth Justice Board would like to start with older youth who will require less supervision and, over time, expand the program to include younger youth. Since 19.0% of adolescents in care are between 16-17 years old,¹³ we suggest starting with that age group; and
- We discussed whether or not the Youth Haven should be restricted to youth in care, or could be available to teen parents who have children in care and youth in court for juvenile delinquency cases. After a lot of debate, we agreed that no youth should be excluded from the Youth Haven. All youth who come to Family Court should have access to a stress-free

¹³ "Support for Youth." *ACS Plan for Preparing Youth for Adulthood*. June 2006. New York City Administration for Children's Services. 17 May 2007
<http://www.nyc.gov/html/acs/html/support_youth/pub_youth_adulthood.shtml>.

environment and information that could help them. Also, our research and interviews show that youth in foster care frequently also have a juvenile delinquency case.¹⁴ If the Youth Havens exclude youth who are in Family Court because of delinquency proceedings, they are just leaving out the youth who may need access the most.

Information, resources, and features could include:

- Resources produced by Legal Information for Families Today (LIFT), an organization that distributes publications on legal issues in New York City Family Court buildings;
- A library and/or magazine rack;
- A peer advocate—a youth in care who is trained to provide information to other youth in care. Peer advocates could be developed through the workshops described in our previous recommendation;
- Information about opportunities for youth, such as information from the Department of Education, about after-school programs, and job opportunities; and
- Private or semi-private spaces for youth to meet with their law guardians or caseworkers.

Activities could include:

- Computers with Internet access. We recognize that computers and Internet access cost money, but the Internet is an important resource for youth, and many youth in care don't have access to computers in group homes or foster boarding homes;
- Basic games and recreational activities such as cards and checkers;
- Vending machines for food; and
- The ability to make free local phone calls, limited to 15 minutes each.

¹⁴ Morris, Leslie. "Youth in Foster Care Who Commit Delinquent Acts." *The Link: Connecting Juvenile Justice and Child Welfare* 3 (2004): 1, 4, 8.

4. Improving access to private spaces for youth and their law guardians to meet, and encouraging law guardians to use these spaces.

It's important for law guardians to have their own special rooms or spaces to talk to youth about their cases privately. During court observations, we saw that waiting rooms are loud and law guardians often need to shout in order to be heard. There are some rooms for private conversations in the courthouses, but youth report that their law guardians sometimes don't want to go a different floor to use these rooms, or that the rooms are packed and they and their law guardians can't wait for space to become available. Unfortunately, waiting rooms are not places where important information should be discussed; there isn't a sense of privacy for the clients. Because some youth already have a hard time talking to people in authority, these impersonal settings make it more difficult for teens to broach important subjects. If there were spaces provided for youth and law guardians to discuss important information, it might be easier for youth to really bring up what should be talked about in the courtroom. They will feel more comfortable and know that confidentiality is in effect at all times.

We recommend:

- Making more private spaces available for youth and law guardians. We know that some courthouses already have some designated spaces and that more client-attorney offices are being planned for the renovations of the New York County Family Court building. However, we heard in interviews that when space is needed for other projects in the court, space for clients and attorneys gets whittled away. Client-attorney offices are important, especially for youth, and should be protected from being used for other purposes;
- Law guardians should be encouraged to use these private spaces whenever they are available.
- Cubicles should be built to make better use of space. Dividers require less money and space than individual offices and yet still keep a level of privacy that youth need; and

5. Scheduling court hearings so it is easier for youth to attend.

Scheduling is a problem not just for the youth, but for the people who work in the courts. The calendars are packed, and people have to wait around all morning or afternoon before their cases are called. Right now, many cases are scheduled for the morning or afternoon court session, without a specific time. This means all parties for a morning session are supposed to show up at 9:00 a.m. and wait for their cases to be called. Some cases, however, are scheduled as “time certain.” This means they are set to start at a specific time, such as 10:30 a.m. We know that interruptions can happen, for example when there is an emergency removal of a youth and a hearing must be held immediately. However, we believe that improving the scheduling by using more time certain cases can go a long way in improving youth’s and families’ experiences in court.

We recommend:

- **Calendaring more cases as “time certain.”** This would help reduce the number of people in the waiting rooms, and reduce the amount of time people spend waiting. It could also improve the chances that caseworkers and law guardians will be on time for hearings—if hearings are time certain and start on time, professionals have a better chance of getting to their next hearings on time. Another impact on youth is that they will be not missing as much time in school. Instead of missing a whole day of school, youth could go to court for a time certain hearing, and then go back to school for the rest of the day; and
- **Schedule some hearings in the late afternoon, and, when possible, consider the youth’s schedule in hearing scheduling decisions.** Some youth prefer to meet during the day, but others prefer later afternoon hours. Other youth might have conflicts with potential hearing dates that can’t be changed; for example, many youth in care have workshops or classes that are mandated by their agencies. For some youth, missing after-school activities, especially a job, is more of a problem than missing school. At the same time, some youth won’t come to court if it means missing school. The key is for there to be flexibility. Asking youth what time fits their schedules, and then trying to accommodate that, would be a great step forward. (And if the youth isn’t present to be asked, the caseworker should know the youth’s schedule, especially any important obligations like therapy.)

6. Promoting a courtroom environment in which all court professionals encourage youth participation.

Youth we spoke to want judges and referees to understand them better—how they feel about their placements and services, what they think can be done to improve their situations—and for youth to feel comfortable with the tone and decisions in the courtroom. It is the youth's life that is in the judge's hands the judge makes decisions. If the youth does not feel comfortable, then the youth won't say how he or she truly feels in front of the judge. This means that the judge and other people in the courtroom may not have all the information they need. Youth want judges to be able to make better decisions with more information.

"The court experience could be better for youth who want to come to court if we make it a meaningful experience, make them feel there is a purpose to their coming, that it makes a difference in their lives, and that they are listened to."

— Judge Monica Drinane

If a judge sets aside time for youth to speak in a hearing, the judge will better understand the youth, and the youth will feel taken care of and more comfortable because the judge is asking questions directly of him or her. We learned that youth should not say anything they haven't already told their lawyers, and that law guardians might be holding back information from the court because it's in their clients' best interest. We believe that hearing information directly from youth, including getting more information on a topic already being

discussed, can help judges get a more complete picture of what's happening in the youths' lives.

We recommend:

- If the youth is not present at the hearing, the judge should ask why. He or she should remind the caseworker and law guardian how important it is for youth to appear in court, and ask them to tell the youth about benefits of appearing in court. The judge could ask the law guardian and caseworker, "Does your client want to come to court?" or "Was your client invited to court?"
- There should be fewer interruptions in the courtroom and fewer sidebars. The Youth Justice Board has learned that interruptions are a symptom of too many cases on the calendar, and they are usually relevant to the previous, current, or next case. However, the Youth Justice Board has also observed and experienced unnecessary interruptions and distractions in the courtroom—not only do these delay the hearings, but more important, they communicate to youth and families that court is not focused on their cases;
- The judge and other people in the court should address the parent and the youth by proper names, not "the child" or "the mother;"
- In every hearing where a youth is present, the Youth Justice Board recommends that the judge or referee acknowledge the youth, and ask him or her, either directly or through the law guardian, for more information. Suggestions for questions and topics are:
 - "Do you have any concerns you'd like me to know about?"
 - "Are you comfortable where you are living? If not, why?"

- “How many times have you met with your caseworker and law guardian since the last hearing?”
- “Do you agree with your goal? Why or why not?”
- “How has your court experience been so far? What can be improved?”
- (After everyone presents their reports) “Do you agree with what was just said?” Give the youth the opportunity to disagree and provide alternative suggestions;
- Inform the youth that not every need or want can be met, but the system will do its best to try to meet those needs. Then, ask the youth what he or she wants;
- Compliment youth on progress and positive behavior and accomplishments; and
- If a youth’s permanency goal is independent living, the judge could ask his or her law guardian whether the necessary services are being provided. The judge can ask the youth directly “Are you prepared to age out? What steps have you taken so far to prepare?”

“It is not the attorney’s life, it is my life. Don’t speak only to the attorney.”

— Youth in care

Question to the focus group participants:

“How do you feel about people you don’t know who stand up in court and speak about your case?”

“I don’t even know them. They act like they know me and they don’t, and sometimes the information is wrong.”

“They’re probably just saying what they read... They need to listen to us more, it’s not like we’re toys.”

— Youth in care

Conclusion

This year, the Youth Justice Board's overall goal is to increase youth participation in the permanency planning process, whether it is by going to court, speaking with their law guardians, or knowing their rights. We want youth to have a sense of responsibility and influence in their own cases. We want more youth to go to their hearings. We want the best decisions to be made for youth and families. We want to turn going to court into a positive experience for youth and we want to improve a youth's chance of success after he or she ages out of foster care. This is only possible if we all work together to do all the good we can for as long as we can.

"It's sometimes necessary to measure success in small steps because small successes can build up and really make a difference."

— Stephanie Gendell, Senior Policy Associate for Child Care and Child Welfare Services, Citizens' Committee for Children of New York, Inc.

Thank you for considering our recommendations. We've put a lot of thought, effort, and time into this project because most of us know from experience that while the permanency planning process has greatly improved over the years, it can use a few more adjustments in order to provide a welcoming environment for youth just entering into care and those already in care. Youth are the future but if we don't nourish and nurture them now, then it'll be difficult for them to get a handle on life when they enter into adulthood. The goal of this report is not to criticize the permanency planning process but to praise it for its improvements while highlighting areas that need some work.

Once again, thank you for reading our report and we hope that we can all work together to improve the lives of youth in care.

We would like your feedback on our report. What are your comments, suggestions, questions, or answers to any of the questions we ask? Please contact us at:

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Members of the Youth Justice Board

Carrie

My name is Carrie, I'm 17 years old and I'm from the Harlem area of Manhattan. I attend high school and I enjoy acting, hanging out with friends, movies, skating, crocheting, and poetry. I joined the Youth Justice Board because they needed me and I needed them, to experience the court process and to understand how I and other youth feel about our court cases. The Youth Justice Board helped me understand the court process so that when I attend court I can understand what the judge and the court players are saying. I am glad that I joined the Youth Justice Board—for some reason I am proud of myself, but you know I put in a lot of effort and dedication too. I would say I did it for myself, but I know I also did it for youth like me in foster care that are having a difficult time with the court process. I would like to thank Ms. Schatanoff, Sharon R. Bryant, Ms. Hack, Ms Vargas, Mr. Dakarae, Ms Dixon, Ms. Passmore, Ms. Parson, Ms Spears, Ms. Jordan, Belinda Bullock, Tamecca Bullock, Tamia Bullock, the Crisafulli family, Ms. Herskowitz, Lyris Mattis, Ms. Frances, my aunt Joyce Parks, Ms. Jones, and Maria.

Jessica

Hey everybody, my name is Jessica and I am 18. I was born and raised in the Bronx but am now living in Queens. I am currently attending John Jay College and majoring in forensic psychology. I want to thank everybody for taking the time out to read our proposals. I am in foster care and on my way to aging out soon. I joined the Youth Justice Board because I know how it feels not to be heard by people of authority concerning OUR lives. I feel that with my knowledge and experience in foster care I could help make a difference. With this program, I have learned how to work with a team and learned more about foster care and, through what my fellow Youth Justice Board members have learned, we hope to spread the knowledge. My goal for this program is basically to spread the word and create a change in family court so the permanency planning process will go more smoothly for the families as well as the court players.

Kevin

My name is Kevin, I'm 18 years old and I'm from Queens Village, New York. I joined the YJB because I wanted to make a difference in foster care and make it better for children that come in it after me. I like to watch TV, play video games, play football, and chill with friends. In the future, I would like to be a lawyer or an EMT. I want to thank my family and friends, my friend Alana, my teacher Ms. Mohari, and the many other teachers and people in my life.

Latanya

Hi, my name is Latanya and I am 18 years old. I am currently living in Brooklyn and I'm in the 12th grade. I joined the Youth Justice Board because I felt the need to learn about the permanency planning process because I was a youth in care who did not know anything about it. I also wanted to help change the process so that other youth in care could understand it. Being in the Youth Justice Board means a lot to me because since I've been here I've developed many skills such as speaking in public, working in teams, being neutral, and improving my vocabulary. These skills are not only important in this program, but for other things too, like the real world. Without this program, my speaking wouldn't be up to par. Since I've been here, I've also learned

a lot about the court process and I'm glad I know all that I need to know. I just want to say thank you to a few people who motivated and supported me through this journey. Dory and Shamika, you two have most definitely helped me enhance my skills and didn't give up on me, all of the YJB members, my program manager, Ms. Elish Manning-Rubie, and all of my helpful staff at my group home like Ms. Shelly, Ms. Valerie, Ms. Kisha, Ms. Danielle, Ms. Brothers, Ms. Maynard, and everyone else who supported me through this exciting experience.

Makeda

I joined the Youth Justice Board because I wanted to make a difference in the lives of youth in care. As a 17-year-old who resides in Brooklyn, I got to step out of my comfort zone during the fieldwork phase of the Youth Justice Board. As a member of the Youth Justice Board, I became more empowered about getting my voice heard and creating change for disenfranchised people, especially youth in care. I would like to thank Shamika Vargas, Dory Hack and YJB for empowering me. Legal Outreach, Mr. Craig Livermore, Heather Butts, Jason Klein, Karma Johnson, Summer Search, Einstein Charles, Diane and Aaron Sr. Saunders, Aaron Jr. and Dijon Saunders, and God for being strong forces in my life.

Martin

Hello, my name is Martin, I am 17 years of age currently residing in the Bronx, and I'm a senior in high school. Besides the Youth Justice Board some of my other interests are law debates, reading, writing, and basketball. Some of my plans for the future are to go on to college and major in political science, I want to try and change the world but for now I will settle with becoming a lawyer. I joined the Youth Justice Board because I wanted to see a reform in the outcomes of kids dealing with the Family Court System and I knew this would be my best opportunity. Now one whole year later the Youth Justice Board has exceeded my expectations and turned out to be one of the best things that's happened to me in terms of achieving my goals and moving on into adult hood. First and for most I would like to thank God because without Him none of this would be possible. During the year I would like to thank everyone for their support, I would like to give a special thanks to my loving dad and also my harsh but caring mom because without them I would not be here. Last but not least I would like to thank Dory and Shamika for giving me the opportunity to enhance my experiences whether it's a Tuesday or Thursday workday or a long and intensive Saturday workshop. Once again thank you all for your time, effort, support, and your ears.

Michael

Hi, my name is Michael, I'm 19 years old and I live in the Bronx. My hobbies are reading, writing, volleyball, dancing, and music. I hope to go to college, live on my own, and make the world a better place for all. I joined the Youth Justice Board because I wanted to improve the court experience for youth after I leave care. I always wanted to be remembered as doing something for my community and my agency. Being on the Youth Justice Board I can say has changed my life. I never really completed anything before and by being on the Youth Justice Board it showed me that I can do anything if I put my mind to it. Another thing I learned about myself is that I can't do everything on my own. Sometimes you just have to ask for help and work on a team. I would like to thank my parents; my brother Rasheem; my best "brother" Sammi; my best friend for life Alisha Gelman—thanks for being my rock; my best friends Beba, Francis, Dominique Anita, Nathalie, Josephine, Edwin, Eric, Adam, Lance, Melinda, and

Melissa; Chewy Thomas Hernandez; Gwenieve; the workers at JCCA; my mentors Brian and Allison; and of course everyone who is part of the Youth Justice Board. I love U All!!

Nadica

My name is Nadica and I am 18 years old. I am from Manhattan, and I've lived in New York City for my whole life. This year I am going to be graduating from high school, and heading off to college this fall. I am going to major in criminal justice, which was part of my reasoning for wanting to join the Youth Justice Board. I was really excited by the idea of working with an organization that was affiliated with the courts. I really wanted to have hands-on experience with interviewing authorities and working with them to solve issues that affect youth like me. Besides the experience, the topic this year directly affected me, and I was anxious to learn more about it, and what the court experience was supposed to be like. Being a part of the Board has helped me stay on top of my law guardian and caseworker and advocate for what I need. It has also helped me learn what to do to get what I need and when something isn't going right what to do about it. I have become bolder, and now I have evidence to support my stance. This Board is helping my court experience and foster care experience feel a bit more together. Being here has also led me to realize that in my future I want to be in the court room, and I want to help people get everything that they need.

Panida

My name is Panida. I'm 16 and from Queens. I joined the Youth Justice Board because I was looking for a program that would allow me to make a change. The Youth Justice Board was a great opportunity for me to meet and work with new people and learn a lot about family court, specifically foster care. The Youth Justice Board has been more than just learning about the system and its policies; I have been able to surround myself with people who have the same ambition about making a change, yet we all have startlingly different ideas. Not only have I learned and made friends that I want to see again every week, I have also improved my presentation skills. I am not as nervous when asked a question and I am willing to say all that I want to say while keeping in mind that my audience is the most important aspect, because without them, my ideas may never be heard. I want to thank all of the YJB members for making this experience and unique and memorable one. I want to thank all of the people that I interviewed for their willingness to pass on their knowledge and observations along with providing a comfortable, supporting place to ease us into the interview. I especially want to thank my best friend, Javier Caballero, for allowing me to bounce my ideas off him, for being patient, and a great listener even in my worse moments. Thank you again YJB, and I look forward to working with you next year!

Phyllis

Hello, my name is Phyllis, I'm 16 years old, and I live in Brooklyn. I'm currently a high school junior and I enjoy reading and writing poetry and being involved in activism. I am a CORO Exploring Leadership graduate and am currently a member of the Young Women of Color against HIV/AIDS Coalition. I plan to enroll in a pre-med program in college and hope to become a psychiatrist. I also hope to release a collection of my writing in the future. When I first heard about the Youth Justice Board, I knew I had to be a part of the group. I wanted to be a part of the creation of a change in foster care that may not affect me directly, but affects my peers who are in foster care. Almost a year later, along with the YJB, I have increased my knowledge

of the foster care system through endless research. Not only that, but we have created a large family among ourselves which will last a lifetime. I would like to thank everyone who has supported my work with the Youth Justice Board throughout the year and also my Uncle June who passed away, rest in peace, I love you.

Renée

My name is Renée. I'm a sixteen-year-old from Brooklyn. I heard about the Youth Justice Board from my mock trial captain at school, and even though I've never been in foster care, I was very interested in learning more about how the system worked and could be improved. Being in the Youth Justice Board has broadened my horizons and taught me a lot of valuable skills. I thoroughly enjoyed being a part of the Youth Justice Board and I hope that all of our recommendations will be implemented and will help foster youth through the court process.

Rocina

Rocina is the name of a shy, reserved, talented, intelligent 16-year-old young lady who wants to succeed in life. I have a lot to say. Sometimes I just do not know how to say it. I am quiet; however the Youth Justice Board has opened my eyes to new things. Since being on the Youth Justice Board I have been speaking more in school and out of school. I am not afraid to voice my opinion about something that I feel strongly about. I joined the Youth Justice Board because I wanted to make a difference in the lives of youth in care who face problems during their process. The YJB has taught me more and expanded my knowledge on youth in care and permanency planning goals. As a youth who has not been in care this issue is important to me because learning about the many screws that are loose in the court process pushes me to tighten those screws. It's not affecting me directly but it affects my friends and family in foster care. With an open the Youth Justice Board facilitators accepted me just as I was and molded me into someone I've yearned to be—someone who speaks up for what she believes in. I would like to thank Dory and Shamika, who guided us every step of the way; Kathryn, who interviewed me; the YJB members for their hard work, teamwork and dedication; and my parents for giving me this opportunity and not letting me pass it up because they were not going to be there.

Shayna

My name is Shayna, I'm 19 years old and I'm from the Bronx, New York. I joined the Youth Justice Board because I wanted to make a difference for those who come after me in foster care and, as a youth who's about to age out of care, I wanted to make the process better possibly for myself and for other people as well. I would like to thank Dory and Shamika for dealing with us through the whole year, and my mentoring specialist Ms. Burgos for introducing me to the Youth Justice Board and for pushing me to commit to the program.

Taquan

My name is Taquan, I'm 17 years old, and I have seven brothers and sisters. I was born in the Bed-Stuy section of Brooklyn in the Lafayette Gardens Projects. The reason I joined the Youth Justice Board is because I wanted to help make a difference in the lives of my peers who have been affected by the foster care system. Being on the Youth Justice Board makes me feel that there are ways for us to help each other out. There are ways we can make a difference. I have learned how hard it is for youth inside of the foster care system. And that they are regular ordinary kids. If we work hard and stick together, we can do it. I would like to thank the

Williams family, the Pugh family, Deana Salomen, Jude Michelle, and the members and staff of the Youth Justice Board.

Theresa

My name is Theresa, I'm 17 years old, live in Brooklyn, and I'm a senior in high school. I like to listen to rap, r&b, soca, hip-hop, reggae, and rock. I also like to read, write poetry, and hang out with my friends. My future plans are to attend a four-year CUNY college and then attend John Jay College to pursue a career in law. My sister and I are in foster care and even though this is a burden, it also has become a way out—a way to start a new life and focus on my dreams. One day my Independent Living worker gave me an application to apply for a spot on the Youth Justice Board and it was one of the greatest opportunities I ever got. We are all fighting for the same cause and there's nothing more powerful than a passionate youth. The main reason I chose to join the Youth Justice Board is because it presented an opportunity for me to try and improve a system that greatly affects thousands of youth each year. Being on the Youth Justice Board has meant a lot to me. I have matured a lot, learned new life skills, and evoked my passion about a very complicated system. I've learned that passion comes from within and kindness begets kindness, so do all the good you can while you can, for as long as you can.

Yesenia

Hi, my name is Yesenia, I'm 17 years old and I live in Brooklyn. I go to high school in Manhattan and that's where I first found out about the Youth Justice Board. I was on my school's safety advisory board, which was one of the recommendations from last year's Youth Justice Board. I really thought that this new up-and-coming group could make a difference, so I applied; and look at me now—trying to make a difference to make the foster care system better. And I believe the recommendations we came up with show a lot of things that should be changed and that can benefit a lot of youth and that just makes me overwhelmed with joy because I know that this will impact many people on a positive level. There were many things I got out of this experience, but the one that stands out to me is meeting the remarkable members on this team. I would like to give a special thank you to the people that guided me: my mom Maria; my brothers Jonathan and Felipe; my sisters Elizabeth and Jackie; my friends Sara, Nelle, Tasha, Denise, Luis, and LuLu; and my teacher Mrs. Naughtan.

Youth Justice Board Staff:

Kathryn Ford

Kathryn Ford, a social worker experienced in working with adolescents, advised Youth Justice Board staff on a variety of programmatic and member-specific issues. As a Senior Domestic Violence Associate at the Center, Ms. Ford addresses family violence issues through needs assessment research, dissemination of best practices, and the provision of training and technical assistance. She also conducts trauma-focused therapy with children and adolescents through the Child and Adolescent Witness Support Program located at the Bronx District Attorney's Office. Prior to joining the Center, Ms. Ford was a social worker in Safe Horizon's Supervised Visitation Program in the Bronx and an intern in the Kings County District Attorney's Office Counseling Services Unit. She received her Master's in Social Work from Columbia University.

Dory Hack

Dory Hack is the Project Coordinator for the Youth Justice Board. She is the lead planner and facilitator for the program, and is responsible for program design, curriculum development, fund raising, and collaboration with outside partners. Prior to her work with the Youth Justice Board, Ms. Hack was responsible for the planning, development, and user training of several technology applications used by the Center for Court Innovation's projects. Ms. Hack is a graduate of Wesleyan University.

Jimena Martinez

Jimena Martinez, Director of Youth Programming, is responsible for coordinating the work of the Center for Court Innovation's youth and juvenile justice programs. Her responsibilities have included launching the Youth Justice Board. Formerly, as the Project Director of the Harlem Community Justice Center, Ms. Martinez ran a community-based court. Ms. Martinez also served for three years as the Center for Court Innovation's Director of Technical Assistance, managing a team that provided assistance to hundreds of community justice projects around the country, including helping eleven cities open community courts. Before joining the Center, Ms. Martinez was director of development for Educators for Social Responsibility Metropolitan Area and a division manager at DRI/McGraw-Hill. She has a B.A. from Barnard College, Columbia University.

Justine van Straaten

Justine van Straaten is the Director of the Family Court Blueprint for Change initiative at the Center. The Blueprint for Change, in collaboration with the New York City Family Court, represents a coordinated vision for improving the processing of abuse and neglect matters in the Family Court by building upon reforms that are already underway. Prior to joining the Center, Ms. van Straaten was a policy analyst at the New York City Administration for Children's Services in the Division of Child Protection. Ms. van Straaten received a Bachelor of Arts from Johns Hopkins University and received both a law degree and a Masters in Social Work from Loyola University Chicago, where she was a CIVITAS ChildLaw fellow.

Shamika Vargas

Shamika Vargas is the Program Associate for the Youth Justice Board. Along with co-facilitating and planning sessions, she is responsible for developing curriculum, organizing workshops, and managing administrative tasks. Before joining the Youth Justice Board, Shamika was a child care worker at group home in Connecticut and a full time college student. Ms. Vargas has also worked in a variety of social service settings through internships including The Bronx Defenders, the Poughkeepsie Middle School, and Dutchess County Healthy Families. She received her B.S.W. from Marist College in Poughkeepsie, New York and her M.S.W. from Columbia University.

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Administration for Children's Services: <http://www.nyc.gov/html/acs/html/home/home.shtml>

New York City Family Court: <http://www.nycourts.gov/courts/nyc/family/index.shtml>

Appendix A: Overview of the New York City Permanency Planning Process

In New York City, if a child (less than 18 years old) has been abused or neglected or is in danger of being abused or neglected, a petition can be filed in Family Court against the child's parent(s) or persons(s) legally responsible for the child. The court then holds a series of hearings to determine whether the allegations of abuse or neglect are true. If the allegations are found to be true, the court then determines what actions should be taken to protect the child.¹⁵ The goal is to ensure that all efforts are made to return a child home safely wherever possible, and if that is not possible, to find every child a safe and supportive permanent home. The following is an overview of what happens when there is a suspicion that a child is being abused or neglected.

In New York State, if someone wants to report a suspicion of abuse, neglect or maltreatment of a child, he or she calls the New York State Central Register Child Abuse & Maltreatment Hotline.¹⁶ If the family resides in New York City, the call triggers an investigation by the New York City Administration for Children's Services, (Children's Services) which investigates an average of 55,000 reports of abuse or neglect each year.¹⁷

If the agency's investigation reveals sufficient evidence that abuse or neglect may be occurring, the Children's Services Family Court Legal Services division may file a petition alleging abuse and neglect by the parent or guardian in New York City Family Court. The Administration for Children's Services, through its Commissioner, John B. Mattingly, files the petition on behalf of the City of New York.

The New York City Family Court is presided over by the Administrative Judge of the New York City Family Court, the Honorable Joseph M. Lauria. New York City Family Court is made up of five separate courts, one in each of the five counties of New York City—Bronx County, Kings County (Brooklyn), New York County (Manhattan), Queens County, and Richmond County (Staten Island). In turn, each Family Court is divided into divisions, each of which are responsible for different types of cases: (1) Child Protective and Permanency Planning; (2) Juvenile Delinquency/Designated Felonies/PINS¹⁸; (3) Domestic Violence/Custody/Contested Paternity; and (4) Support/Paternity. Currently, 25 judges and 18 full time equivalent referees hear child protection cases. (Referees are officers empowered by the court to hear and determine proceedings in Family Court upon referral by a judge and consent of the parties. Referees and judges work together as part of a judicial team.)

¹⁵ "Abused or Neglected Children (Child Protective Proceeding)." *New York City Family Court*. New York State Unified Court System. 4 Jun 2007 <http://www.courts.state.ny.us/courts/nyc/family/faqs_abusedchildren.shtml>.

¹⁶ "Child Protective Services." *New York State Office of Children & Family Services*. New York State Office of Children & Family Services. 4 Jun 2007 <<http://www.ocfs.state.ny.us/main/cps/>>.

¹⁷ "Mission and Organization." *New York City Administration for Children's Services*. 4 Jun 2007 <<http://www.nyc.gov/html/acs/html/about/mission.shtml>>.

¹⁸ "PINS" stands for Person In Need of Supervision, and in this context refers to those cases that originate from a parent or guardian filing a petition requesting that the City become the legal guardian of a child.

From the moment of initial investigation onwards, the Administration for Children's Services may decide whether it is in the child(ren)'s best interest to be removed from the home, or whether services can be put in place to allow the child(ren) to remain safely in the home. Independent agencies, known as "provider agencies," are contracted by the Administration for Children's Services to provide such services, including housing and other services for youth in the City's care. Whenever a child comes under the care of a provider agency, he or she is assigned an agency case worker.

When a petition of abuse or neglect is filed in Family Court, the court assigns an attorney, known as a law guardian, to the youth (referred to as the "subject child" in court). The law guardian is to make sure that the best interests of the child are taken into consideration in every decision that the court may make, particularly if the child is not old enough to express his or her own wishes. Parents or guardians against whom the petition is filed (referred to as the "respondents") are represented by either public defenders, assigned by the court at no cost, or by private counsel. In child protection proceedings, the City is represented by an attorney from the Administration of Children's Services Family Court Legal Services (FCLS) division, referred to as the "FCLS attorney."

When a petition is filed by the Administration of Children's Services, the court holds a fact-finding hearing during which a Family Court judge reviews evidence about the case and decides whether abuse and/or neglect has occurred. If the judge decides that there has been abuse and/or neglect, he or she may order more reports in order to determine what services can be provided to help the family in moving forward.

This information is then used in a dispositional hearing at which the judge determines, among other things, which services should be provided to the family and, where the child or children have been removed from their home, whether their current housing—referred to as placement—in foster care is appropriate, or whether the children can safely be returned home. The judge also approves a permanency plan for these children. In fiscal year 2006, 9,234 children were in court cases filed by the Administration for Children's Services for foster care placement.¹⁹

In New York City, there are four housing, or placement, options: kinship care (placement with a relative other than the respondent(s)), congregate care (including residential treatment centers), foster boarding home (commonly referred to as "foster home"), or return to the family with supervision by the court. The "permanency goal" refers to the desired long-term outcome of the case for the youth and family. There are five permanency goals which the agency may submit and the court may approve: reunification, placement with a fit and willing relative, legal guardianship, another planned permanent living arrangement (commonly referred to as APPLA), or adoption. According to recent data released by the Administration for Children's Services, for youth 14 years of age or older a majority of cases have the permanency planning goal of family reunification²⁰, and in 2006, the majority of youth released from care, regardless of age, was reunited with his or her parent(s)²¹.

¹⁹ ACS Update, June 2006, FY 2006. New York, NY: New York City Administration for Children's Services. 2006. <http://www.nyc.gov/html/acs/html/statistics/statistics_links.shtml>

²⁰ Preparing Youth For Adulthood. New York, NY: New York City Administration for Children's Services. 2006.

²¹ ACS Update, June 2006, FY 2006. New York, NY: New York City Administration for Children's Services 2006.

Under the permanency legislation passed in December 2005, the case remains under the jurisdiction of the Family Court until the permanency goal is reached, or the child ages out of care. After the dispositional hearing, the next stage in the case includes permanency planning hearings, the first of which must occur no later than eight months after the subject child(ren) is removed from the home. After the first hearing, subsequent permanency hearings are held no later than six months after the last such hearing was completed. At these hearings, all parties in the case appear in court to review any updated reports on the youth and family, make adjustments to services as necessary, and check in on the family's progress towards the identified permanency goal.

At a minimum, hearing participants include the FCLS attorney, the agency case worker, the respondent's attorney(s), and the law guardian. Additional parties in attendance can include a lawyer for the provider agency, the respondent, the foster parent(s) if the child(ren) is in out of home care, a social worker working with the subject child(ren), and the subject child(ren). (Cases involving siblings are considered one case, although each child could have his or her own agency case workers, social workers, or law guardian.) At the discretion of the judge, the case may be transferred to a referee upon consent of the parties to do the permanency hearings.

Between hearings, the subject child(ren)'s well-being is monitored by the agency case worker. One month before a permanency hearing, the agency case worker writes a "permanency planning report" that contains current information on the subject child(ren) across multiple domains (e.g. physical health, mental health, education, and therapeutic services). The permanency report also includes information about the respondent(s), particularly his or her progress with any services required prior to reunification, such as anger management counseling. The permanency planning report is then reviewed by the assigned FCLS attorney. Upon approval, the report is distributed to all parties in the case, including the judge, the law guardian, the respondent's attorney, and foster parents, should the subject child(ren) be in out of home care. (The subject child(ren) are not required to receive a copy of the report, but can request one from the law guardian.) The report is then reviewed and discussed in the subsequent permanency hearings.

The family is no longer under the jurisdiction of the Family Court once the underlying neglect or abuse case has been disposed and after the permanency goal has been reached. However, services may continue to be provided and/or supervised by the Administration for Children's Services after the court is no longer involved with the case.

For more information, please visit the New York City Family Court's web site at www.courts.state.ny.us/courts/nyc/family/index.shtml, the Administration for Children's Services web site at www.nyc.gov/html/acs/html/home/home.shtml, and the references cited in this report.

<http://www.nyc.gov/html/acs/html/statistics/statistics_links.shtml>

Appendix B: The Youth Justice Board Curriculum

The Youth Justice Board curriculum follows five phases: training, fieldwork, recommendation development, and action:

- *Training Phase:* Participants receive intensive training in research, consensus building, interviewing, public speaking, and “New York Civics 101” to learn how policy decisions are made.
- *Fieldwork Phase:* Participants conduct intensive research on their issue, using structured interviews with local experts, focus groups with young people affected by the issue, observation, attendance at relevant public events, and relevant readings.
- *Recommendation Phase:* The Board crafts a set of recommendations, issues a report containing their findings and recommendations, and presents it to multiple stakeholders, including prominent policymakers and other youth.
- *Action Phase:* Board Members advocate for the implementation of their ideas by holding follow-up meetings, working to increase public awareness, and collaborating with other groups working on the issue. The ultimate goal is to pilot one or more of the Board’s recommendations.

Training Phase

Goal: To develop skills needed throughout the program and to gain a solid foundation of knowledge about the topic.

Activities include:

- Introduction to the child welfare and Family Court systems of New York City
- Teambuilding activities including games, problem-solving challenges, discussions on group norms, and social activities.
- Initial exploration of personal experiences with the child welfare system.
- Lessons on interviewing techniques such as designing open questions, maintaining neutrality, and taking notes.
- Lessons on teamwork skills including sharing the floor, actively listening, and respecting differences of opinion.
- Lessons on the child welfare system and Family Court, including the organizational structure of the courts, how a case is filed and processed, the impact of recent state and federal legislation on court procedure, the roles of the various professionals in the system, and how a child welfare case moves from investigation to conclusion.
- Examination of the issues of disproportionate representation of minority youth in foster care.
- Introduction to a problem-solving process, a framework that is a backbone of the Board’s curriculum.
- Development of a goal statement.
- Development of a framework for the fieldwork phase by brainstorming questions and potential interview subjects.

Fieldwork Phase

Goal: To research first-hand the permanency planning process in New York City.

Activities include:

- Members work in teams of four or five. The members are responsible for the entire interview process, including developing goals, drafting interview questions, and conducting the interviews.
- After each interview, the teams analyze the information to identify key points and how the research might inform the Board's recommendations, and then present their analyses to the rest of the group in written reports and presentations.
- Members plan, recruit for, and conduct focus groups of youth in care.

Recommendation Development

Goal: To craft sound and credible policy recommendations, and to present those recommendations to key decision-makers and stakeholders.

Activities and outcomes include:

- Lessons on creative problem solving and policy development.
- Design and in-depth development of 10-12 public policy recommendations that would improve the experience of youth in the permanency planning process.
- Lessons on writing and public speaking skills.
- Design and writing of a report of the findings and recommendations, to be published by the Center for Court Innovation.

Release of recommendations

Goal: To promote the recommendations with key decision-makers, to get one or more recommendations implemented, and to have the Youth Justice Board viewed as a credible and valuable participant in ongoing policy discussions.

Activities and outcomes include:

- Design and development of a presentation of the findings and recommendations.
- Presentation of the findings and recommendations to a large audience that includes judges, judicial personnel, attorneys, caseworkers, and the press.
- Distribution of the report to a large mailing list of court personnel, youth organizations, policymakers, child welfare experts, and politicians.
- Meetings with key decision-makers.
- Ongoing presentations of the findings and recommendations.
- Planning for continued advocacy of the recommendations.

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