

Vermont GAL Program Newsletter



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What's New

*GALs Participate in Juvenile Court Improvement Program
Report to Feds on Interstate Compact on the Placement
of Children ("ICPC")*

Federal law requires state Court Improvement Programs to report on the effectiveness of court practices with respect to timely out-of-state placements of children in foster care under the Interstate Compact on the Placement of Children ("ICPC"). Vermont's Court Improvement Program is presently compiling data for its report. Juvenile Court Improvement Program Manager, Shari Young is busy compiling information from stakeholders and drafting the report. The report will offer recommendations for improving how courts handle those placements.

The ICPC is an agreement among states for a uniform process when a child in foster care might be placed out-of-state. It ensures that children placed across state lines for foster care or adoption are placed with caregivers who are safe, suitable, and able to properly care for the child. Once a potential out-of-state placement is identified, the ICPC process requires that a home

study be conducted by the receiving state. A child may not be sent to an out-of-state placement before the referral is approved. Courts play an important role to the extent they allow for the sharing of information between states and allow participation in hearings without requiring people to travel across state lines.

Fifteen GALs who have had case assignments with an ICPC component responded to a survey and in Chittenden County, two GALs participated in a facilitated focus group meeting about their experience with ICPC in their cases. Thank you to Shari Young and all of the GALs who took time out to participate in this important project. We will keep you posted on the results.

*DCF Amends Policy
on Use of Force at
Woodside*

DCF released a new policy on the use of force at Woodside. The policy specifies when physical intervention and mechanical restraint may be used, and addresses the written report to document the use of such force. It is policy #177 and [click here to see the policy](#).

This policy addresses situations in which these verbal de-escalation techniques and interventions have failed to help a resident to keep his or her behavior safe and appropriate and more intrusive intervention is required.



Improving Outcomes in Juvenile Proceedings Report from Shari Young, Juvenile Court Improvement Manager

Many GALs actively participated in last years Juvenile Court Best Practices Meetings in their local courts. The purpose of the meetings was to review local practices relative to identified "best" practices and commit to working on improvements that will impact outcomes for children in foster care.

The meetings were an opportunity for the group to reflect on what they do well, what could use some improvement, and what the group wants to do to improve outcomes.

Courts were asked to select two outcomes to work on, based on a list of 12 outcomes for which data is available, or will soon be available. The groups then

identified strategies for improving those outcomes. More than 170 people participated in these meetings: judges, court staff, attorneys for parents, children, state; AAG, Field Directors, GALs, school officials, law enforcement, and others. Broad participation was essential. At some of the meetings, there was visible joint leadership by the judge & local DCF district director.

Three major areas of interest were identified across the state as a result of the meetings. They are:

Placement stability - Twelve courts chose to work on this, despite the fact that many DCF districts could not provide current data on this outcome. Groups

identified a role for the judge, GAL, and attorneys to play in improving this outcome. For example, in Newport they agreed that notices of placement changes would promptly be sent to the GAL. Orange County agreed that identifying potential kin as placements would be addressed by the judge and attorneys at detention hearings. The GAL would ask the child about connections in terms of fictive kin. The judge will order paternity testing soon after detention if appropriate. In Grand Isle, they agreed to explore different models of foster care. In Burlington, they agreed to identify and coordinate treatment team meetings within 30 days of removal.

Improving Outcomes in Juvenile Proceedings (cont'd)



Kinship placement- Eight courts chose to work on increasing the rate of children placed with kin. Strategies include: identifying potential kin (and absent parents) much sooner in the court process, judges addressing kinship matters at the detention hearing, court clerks using VTADS to help identify non-custodial parents, more timely assessment of kin's suitability once they are identified.

Reduce time in custody- Five courts chose to work on reaching permanence sooner. Strategies include: early front-loading of services, addressing needed services at Detention Hearings, exploring subsidies for Permanent Guardianships, more effective Team Meetings, and improvements in court scheduling to allow for more thorough hearings.

Thanks to all of the GALs for their dedicated and valuable participation in developing these court improvement action plans.

Legislative Bills of Interest

H.635 Reports of Child Abuse or Neglect

Would authorize disclosure of DCF's records of abuse and neglect to the court, parties to the juvenile proceeding and the child's guardian ad litem if there is a pending juvenile proceeding or if the child is in the custody of the commissioner.

These records would also be disclosed to probate courts involved in guardianship proceedings.

S.245 Victims of Crime

May delay a sentencing hearing if notice of hearing not provided by State to victim.

S.271 Child Support for Children with Disabilities

The bill authorizes court to order continued support up to age 22 if loss of support would

result in loss of housing and related services or loss of health or community services.

S.348 Workforce Training for Older Youth/Truancy

This bill would require 16 to 18 year olds to enroll in education or workforce training unless granted a waiver by the school system. This bill would also authorize filing a CHINS C truancy petition by the Agency of Human Services or the State's Attorney.

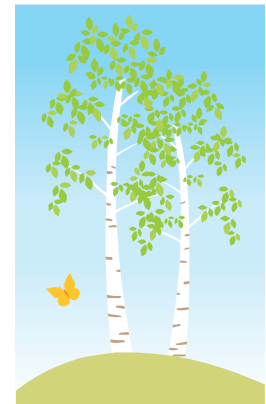
H.615 and S.336 Hearings held on Amendments to Juvenile Law

The bills proposing revisions to Chapter 55 of Title 33 are proceeding through House and Senate committees. The bills propose changes to the Vermont Juvenile Proceedings statute, divide the Chapter so that Delinquency and CHINS are addressed in separate

sections, eliminate internal inconsistencies in the statute, make the statute easier to read, and codify some current practices.

There may be additional amendments to these bills as they move forward. We will keep you posted regarding the progress of the bill and the final version.

If you want to read the text of these bills or others pending before the state legislature, please go to www.leg.state.vt.us/database/search.cfm



Recruitment & Training

There have been 35 new applicants and 25 referred for training. The first basic training for 2008 began on March 28 in Waterbury (yes, it did snow!) and the next two days are scheduled for April 25 and May 16th. There are 21 trainees enrolled in the current session. The VPR ad and the radio public service announcements will be running at least through the end of June.

Lamoille County Recruitment

Lamoille County was experiencing a significant shortage of GALs and statewide recruitment programs were not generating many applicants. Beginning in January, 2008, Court Manager Cathy Wilson and the GAL Program Office in Montpelier collaborated on a local recruitment project for Lamoille. First, a letter to the editor was published in the Stowe Reporter, which led to the publication of a news article. Juvenile Court stakeholders, including GALs from

Lamoille were asked to make referrals to the program. The efforts have paid off, as five new applicants have been qualified for training. If five new GALS complete training, this will nearly double the number of GALs on the Lamoille County roster, significantly reducing the caseload presently carried by the dedicated GALs in that county. Thanks to Cathy Wilson, Judge Brian Grearson and GALs Bill Mitchell and Dick Anderson for all of their help on this project.

Windham County

Hedy Harris, Windham County case manager has launched a local recruitment effort due to the recent resignation of several long term GALs who served in the program for many, many years. There are several good prospects from referrals generated by word of mouth and a letter to the editor in the Brattleboro Reformer.

Other Training Opportunities *(Please note there may be fees for the following training opportunities. If you wish to request a fee waiver or scholarship to attend any of the trainings, please contact the GAL Program Office.)*

April 22nd

Adolescent Brain Development & High Risk Behavior

sponsored by Health and Learning, Michael Nerney, trainer, in Montpelier, 8:00 am to 3:30 pm, \$35, CEUs, contact 254-6590 or www.healthandlearning.org

May 6th

State & Communities Share Their Experiences – Strength & Hope of Recovery for Children & Families

sponsored by the National Child Welfare Resource Center for Organizational Improvement, this is a “webinar”, FREE, contact <http://muskie.usm.maine.edu/helpkids/tele.htm> for details

October 20th & 21st

11th Annual New England Conference on Child Sexual Abuse

sponsored by OUR House of Central VT, Sheraton Hotel & Conference Center, contact 476-8825

April 24

4th Annual Kinship Care Conference – “Parenting Revisited: Promise, Potential & Permanence”

, Sheraton Hotel & Conference Center, Burlington, fee, for information contact heathers@lundfamilycenter.org



May 30th

Legal Proceedings

sponsored by Central VT Network of State Investigators (NSI), Caroline Earle, Chief – Attorney General’s Litigation Division, FREE, contact Margaret Davis, Dept of Labor, at 828-2997; Margaret.davis@state.vt.us for details such as start/end time, location

October 17th

6th Annual Collaboration Conference on Children, Youth & Families

Killington Grand Hotel, Killington, contact don.mandelkorn@ahs.state.vt.us for information or go to <http://humanservices.vermont.gov/barre> for periodic updates

Brown Bag Lunch Meetings

The Education Surrogate Parent Program of the Vermont Department of Education, is available to present at GAL monthly brown bag lunches in your local court. The education surrogacy program appoints a “surrogate parent” to children in state care to represent the child in special education planning. If you wish to have the education surrogacy program present at your court’s brown bag lunch in-service training event, please contact Mary Hayden at the GAL Program Office who will arrange for a speaker.

Local Court In-service Training and Appreciation Events and News

The Vermont Guardian ad Litem Program wishes to thank all GALs for their hard work and continued efforts on behalf of children in Vermont's court system.

Franklin County

At a brown bag lunch on January 18th, Assistant Judges Teresa Manihan and Roberta Allard sponsored an appreciation luncheon and presented the GALs with gift certificates.

On February 6, Franklin County GALs heard presentations from GAL, Pat Deasy on the 10th Annual New England Child Sexual Abuse Conference which Pat attended in October, 2007, and from GAL, Linda Dragon about the Father's Nurturing Program offered by Prevent Child Abuse Vermont.

On March 5, a brown bag lunch was held at the Franklin District/Family Court in Saint Albans. Judge Howard VanBenthuyzen, presiding Judge for Family Court, explained some recent changes regarding the proposed amendments to the juvenile proceedings law. Judge VanBenthuyzen addressed the GALs about the juvenile law amendments pending before the legislature.



Franklin County (from left to right): Hon. Howard VanBenthuyzen, GALs: Mary Connor, Butch LeClair, Bruce Scott, Bob Peterson, Pat Deasy and kneeling, Linda Dragon.

Chittenden County

GAL, Adam Bortz, was honored at the Spectrum Youth and Family Services Five Year Anniversary party. Adam has been a GAL in Chittenden County for two years. He was honored for his work as a mentor to "Dennis" for the last five years. If you would like more information on the mentoring program, you may contact www.spectrumvt.org, or call (802)864-7423. Congratulations, Adam!

Rutland County

At the January meeting, Tammy Dunham, Domestic Violence specialist at DCF, spoke on the impact of Domestic Violence on children and DCF's response to violence in the home.

At the February meeting, court staff discussed procedures for processing new cases and GAL assignments.

In March, GALs had a "case staffing" lunch meeting where two GALs presented a case and got feedback from the rest of the group.

Washington County GAL Writing Book

Bob Belenky, a GAL from Washington County, invites GALs to comment on the draft of his new book, entitled, "Notes from the Second Floor: Participant Observation in an Innovative Russian Children's Shelter." Bob has been serving as a GAL in Washington County since 2003. He is a clinical psychologist and is the author of numerous scholarly articles and reviews. If you wish to comment on the draft of Bob's book, please email him at robertbelenky@mac.com.



“Did you know that ...”

There is a link between maltreated children and maltreated animals living in the home. The Humane Society in cooperation with the ABA and Action for Child Protection have published “A Common Bond”, a resource guide for professionals and agencies working with children at risk. “Animal abuse is a type of interpersonal violence that often co-occurs with other forms of family violence. Identifying and treating animal abuse is an important tool in protecting children from abuse and neglect, while at the same time promoting the safety and well-being of both children and their pets.” The resource guide includes tips for asking children questions about the care and treatment of animals in the home or the community. To read the booklet, you may go to the following link: [A Common Bond: Maltreated Children and Animals in the Home -- Guidelines for Practice and Policy](#)



Under the Social Security Act, Judges are to consult with children regarding their views on a proposed permanency plan. This Judicial “Consulting” requirement is to be done in an age appropriate manner, and for young children may be satisfied by consulting with the child’s GAL or attorney.

The relevant provisions of this part of the Social Security Act § 475(5)(C)(ii), 42 U.S.C. § 675(5)(C)(iii) are summarized below:

- At the annual permanency hearing, the court is to “consult” with the child, in an age-appropriate manner, regarding his or her views on the proposed permanency plan
- For youth who have reached age 16: the court must consult with the youth at *any* hearing related to the youth’s transition from foster care to independent living.
- If child is an infant or very young: “consulting” with the child may be met by having the judge observing the child in court.
- States need to have procedural safeguards to ensure that the “consultation” occurs.
- The Children’s Bureau has advised that states can meet the requirement of §

475(5)(C)(ii) of the Social Security Act if the attorney or GAL actually conveys the child’s views to the court during a permanency hearing.

- The legislative history indicates that this provision was added because “each child deserves the opportunity to participate and be consulted in any court proceeding affecting his or her future, in an age-appropriate manner (Congressional Record, September 26, 2006, H7384).” The statute does not prescribe a particular manner in which the consultation with the child must be achieved, leaving states with some discretion in determining how to comply with the requirement.
- The ABA Center on Children and the Law recommends that judges have each child in court at least once a year.

