

# Vermont GAL Program Newsletter



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## What's New?

### *New Juvenile Law Starts on January 1, 2009*

#### *Training for GALs on the New Law*

The new *Juvenile Judicial Proceedings Act of 2008* will begin on January 1, 2009. A "court-to-court" training program on the new law is being delivered to GALs during these next few weeks. Administrative Judge for Trial Courts Amy Davenport will do a presentation with Court Improvement Manager Shari Young, Deputy Director Sandra Seidel and Mary Hayden. The first training took place in Lamoille County court house in Hyde Park on September 29. Thank you to Court Manager Cathy Wilson for hosting the GALs and trainers and the Lamoille County GALs who attended the "premiere" event, including Dick Anderson, Lou Gehlbach, Bill Mitchell, Sharen Offensend and Judy Shanley. Thanks also for keeping the trainers on their toes with such challenging and thoughtful questions!

#### *New Law Highlights*

The new law changes much of the terminology present in the existing statute. For example, the word "detention" will no longer be used to refer to juvenile court hearings for children in need of care and supervision or alleged to be delinquent. What is now called an "Emergency Detention Order" will be an "Emergency Care Order" which will be followed by a "Temporary Care Order". The new law has several overarching themes: early identification of the noncustodial parent, early decision on custody options, kinship custody, parent child contact, prompt adjudication, and elimination of historical causes of delay.

#### *Resources for Training and Information on the New Law*

GALs are being sent a new guidebook, entitled "A Guide to the New 2008 Vermont Juvenile Judicial Proceedings Act". You may view the schedule for the GAL training sessions at your local courthouse or by going to our website link at [www.vermontjudiciary.org/GAL](http://www.vermontjudiciary.org/GAL) and click on "New". For GALs who are unable to attend the new law training session on the day it is offered in your home court, you are welcome to attend the session in a neighboring court. GALs will continue to receive information and reminders about the training from the GAL Program office. If you have any questions, comments or concerns about the new law or the training sessions, please do not hesitate to email Mary Hayden, [mary.hayden@state.vt.us](mailto:mary.hayden@state.vt.us) or call the GAL Program office at (800)622-6359 or (802)828-6514. Also, please visit the Judicial Branch website link at [www.vermontjudiciary.org/GAL](http://www.vermontjudiciary.org/GAL).

### *GAL Program Welcomes New Staff*



We are pleased to welcome Nathalie Lindgren as the new part-time GAL Coordinator for the Rutland County region and Tony Krulikowski as the new part-time coordinator for Bennington/Windham counties.

Nathalie Lundgren has a background in not-for-profit volunteer program management at Americorp Vista, the Mentoring and Covering Kids Project in South Londonderry, VT and the Collaborative in South Londonderry serving children and families and managing the Safe and Drug Free Communities Grant. Nathalie has a bachelor's degree in Interdisciplinary Studies with a concentration on

Community Development and a master's degree in Educational and Human Service Leadership. Nathalie's position is funded under the renewed support from the Children's Justice Act Grant.

Tony Krulikowski has been a guardian ad litem for 2 years in Bennington County. He was a teacher and principal for forty years and served as the Director of the Bennington Program for children at risk for nine years. In addition to his GAL work, he serves as a mentor for the Vermont Principal's Association. He has a bachelor of arts degree in English Literature and Secondary Education and

masters' degrees in Educational Administration and Policy Studies and Educational Psychology and Statistics. Tony's position is supported by a grant from the National Court Appointed Special Advocates Association (CASA).

Nathalie and Tony will be providing recruitment, training, and supervision support to GALs in CHINS cases in Rutland, Addison, Bennington and Windham counties. Please stop by Nathalie's office in the Rutland courthouse or Tony's office in the Bennington courthouse to introduce yourself and welcome them to the GAL Program.

### Family Services Transformation Plan

The Department for Children and Families--Family Services Division is implementing new strategies to protect children and strengthen families. GALs will be seeing changes in number of key areas, including:

#### Front End Services

- Centralize Intake and Report Acceptance to promote a consistent approach and to free up district supervisory time to focus on casework
- Differential Response to reports of abuse

#### Children in Custody

- Build capacity for social worker to have contact with children in custody at least once per month\*
- Improve permanency outcomes
  - Complete case plans 60 days after case opening
  - Encourage concurrent planning
  - Increase the number of children living with relatives; improve family finding
  - Decrease the number of placements
  - Locate and involve fathers
  - Improve transition planning for older teens
- Enhance high quality supervision and promote the use of group supervision and teaming models
- Ensure Appropriate Use of Residential Care
- Provide appropriate information technology for staff to reduce redundancy

\*To review the new policy on "Frequency and Quality of Social Worker Visits" go to [www.dcf.state.vt.us/vsd/policies](http://www.dcf.state.vt.us/vsd/policies) and click on policy number 70.



#### Judge Hayes and GAL Advisory ad hoc Committee Issue Proposal to Revise Family Court Rule for GALs

The GAL Advisory Committee issued its final proposal for revisions to Family Court Rule 7 on the role of GALs in domestic custody cases. The proposal includes clarification of the role of GALs at pre-trial hearings and calls for the appointment of an attorney for the child when parental rights and responsibilities and/or parent child contact are substantially contested.

The proposed revisions are not final yet. The Family Court Rules committee will be considering whether to

approve the proposed changes for public comment. If GALs have any questions or comments about Rule 7 and the role of the GAL in domestic custody cases, please feel free to contact Mary Hayden, [mary.hayden@state.vt.us](mailto:mary.hayden@state.vt.us) or call (800)622-6359, or contact committee members John Bisbee, GAL, Chittenden County or Maureen Bogosian, GAL, Windsor County through the GAL Program Office.

#### Judge's Survey on Impact of 2007 Rule Giving Foster Parents and Care Givers Notice of Permanency Hearings; Consultation with Youth at Hearings – Shari Young, Manager, Court Improvement Program

It looks like the procedure developed to provide foster parents and caregivers with notice of permanency hearings is working. In a recent survey of judges, 85% agree that foster parents' and caregivers' participation in permanency hearings is generally constructive and helpful to

the judge. Two thirds of judges have noticed an increase in attendance and participation by foster parents and caregivers at the hearings. Judges report that youth over age 16 are routinely attending hearings and 82% of Judges routinely consult with the child in an age appropriate manner.

#### New Grant to Provide Services for Mentally Ill Youth in Transition

The state of Vermont has been awarded a \$9 million grant to support youth in transition. The Children's Mental Health Initiative Grant is a six year grant to develop integrated home and community-based services and supports for youth in transition (age 16-22) with serious emotional disturbances, as well as their families.

This grant will allow Act 264 interagency teams to engage youth at teen centers, recovery centers, homeless programs and through juvenile and criminal court. For more information on these services, GALs may check with their local DCF District Office.

#### GAL Program Seeks funds to Update GAL Juvenile Delinquency Training Program

The GAL Program has applied for grant funding to improve its pre-service training program for delinquency cases. If approved for funding, the new training program will reflect recent and significant changes to the law, incorporate interactive training methods and opportunities for practice with case scenarios. The training program will also include a protocol and guidance for GALs appointed for minors charged in District Court.

## 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.)*

Oct 8 & 9  
**VT Victim Assistance Academy – Family Violence, Part 1**, sponsored by the Center for Crime Victim Services, at the Capitol Plaza Hotel, Montpelier, 8:30 am to 4:30 pm, FREE, contact [willroberts@ccvs.st.vt.us](mailto:willroberts@ccvs.st.vt.us) or 241-1250 x 114

Oct 15 & 16 **VT Victim Assistance Academy – Family Violence, Part 2**, sponsored by the Center for Crime Victim Services, at the Capitol Plaza Hotel, Montpelier, 8:30 am to 4:30 pm, FREE, contact [willroberts@ccvs.state.vt.us](mailto:willroberts@ccvs.state.vt.us) or 241-1250 x 114

Oct 28 **Co-occurring Education Video Series – Preventing Relapse**, sponsored by Friends of Recovery-VT, at the Turning Point, 489 North Main St, Barre, 10:30 am, FREE, contact El'Anya Nightingale at 229-6103 or [forvtpeerservice@aol.com](mailto:forvtpeerservice@aol.com)

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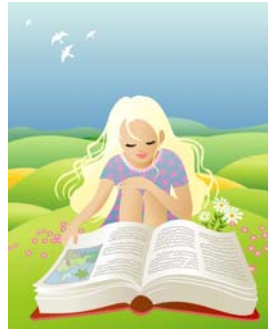
March 4 **Overview of Coordinated Services Planning for Children with Complex Needs & their Families**, sponsored by the Interagency Support Workgroup of the State Interagency Team (SIT), Sherry Schoenberg & Joanne Unruh, trainers, 1:00 to 4:30 pm, thru Interactive TV (local sites include Randolph, Waterbury & Montpelier), details at [www.vt.csp.blogspot.com](http://www.vt.csp.blogspot.com) after Sept 15

Oct 14 **Co-occurring Education Video Series – Personal Trauma**, sponsored by Friends of Recovery-VT, at the Turning Point, 489 North Main St, Barre, 10:30 am, FREE, contact El'Anya Nightingale at 229-6103 or [forvtpeerservice@aol.com](mailto:forvtpeerservice@aol.com)

Oct 21 **Co-occurring Education Video Series – Understanding Depression & Addiction**, sponsored by Friends of Recovery-VT, at the Turning Point, 489 North Main St, Barre, 10:30 am, FREE, contact El'Anya Nightingale at 229-6103 or [forvtpeerservice@aol.com](mailto:forvtpeerservice@aol.com)

Oct 28 **70<sup>th</sup> Annual Vermont Association for Mental Health Conference**, sponsored by the VT Association for Mental Health, at the Capitol Plaza, Montpelier, \$18/person before 9/30 & \$21/person after 9/30, 9:00 am to 3:30 pm, contact [yamh1@aol.com](mailto:yamh1@aol.com) or 223-6263

March 25 & 26 **VT Victim Assistance Academy – Criminal Justice System & Mental Health Needs of Victims, Part 1**, sponsored by the Center for Crime Victim Services, at the Capitol Plaza Hotel, Montpelier, 8:30 am to 4:30 pm, FREE, contact [willroberts@ccvs.state.vt.us](mailto:willroberts@ccvs.state.vt.us) or 241-1250 x 114



Oct 22 **Adolescent Treatment**, sponsored by VT Addictions Professional Association, Win Turner, PhD, trainer, at Capitol Plaza, Montpelier, 9:00 am to 4:00 pm, CEUs, \$65 non-members & \$25 members, contact 1-866-482-3222 or [two-boys@comcast.net](mailto:two-boys@comcast.net) or go to [www.vapavt.org](http://www.vapavt.org)

December 4 **All the Rage: Helping Adolescent Girls in Crisis**, sponsored by NFI-VT, UVM School of Social Work & Child Welfare Training Partnership, Martha Straus, PhD, trainer, at UVM Billings Hall, Burlington, 8:30 am to 4:00 pm, cost TBD, contact NFI at 658-3924

April 1 & 2 **VT Victim Assistance Academy – Criminal Justice System & Mental Health Needs of Victims, Part 2**, sponsored by the Center for Crime Victim Services, at the Capitol Plaza Hotel, Montpelier, 8:30 am to 4:30 pm, FREE, contact [willroberts@ccvs.state.vt.us](mailto:willroberts@ccvs.state.vt.us) or 241-1250 x 114

## Training

### ***GAL Basic Training***

Fall training for new GALs begins on October 10, October 22 and November 5 in Waterbury. We have the potential to add 15 more GALs from various counties, including Addison, Bennington, Caledonia, Lamoille, Rutland, Washington & Windsor.

### **Brown Bag Lunch Meetings**

It is suggested that each court hold regular monthly brown bag meetings for GALs to meet for support, information and in-service training. Below are some suggested topics for local court brown bag lunches.

### **New Juvenile Judicial Proceedings Act of 2008 ("JJPA")**

Juvenile Court stakeholders will all be adjusting to the new JJPA which goes into effect on January 1, 2009. Schedule meetings with stakeholders such as the public defender, state's attorney and DCF and the presiding Judge. This is an opportunity to begin addressing issues which may come up during this transition. It may be appropriate to schedule a series of meetings with different stakeholders on this one topic.

### **DCF Plan for Transformation**

DCF is implementing significant new strategies to protect and strengthen families. These changes will impact both front end services as well as practices for children in custody. Invite your local DCF District Director to meet with GALs to discuss these changes and their implementation. As a resource for the meeting, you may use the Vermont Department for Children and Families—Family Services Division Transforming Services for Families publication which you can download by going to <http://www.dcf.state.vt.us/fsd/> and clicking on the link: "plan to transform our services".

### **Domestic Custody Cases**

In most counties, volunteer GALs may be asked to serve in a divorce, parentage, civil union dissolution or separation case where parental rights and responsibilities and parent contact are a substantial issue. Schedule a meeting with the presiding Judge in your county and review the role of the GAL in these cases under Family Court Rule 7.

## Did you know that ...?

### Long Term Effects of Physical Abuse on Children Studied

Much has been written regarding the long term effects of physical abuse on children and some research regarding outcomes has emerged in recent years. This study examines the issue in far more detail than we have seen before.

The authors performed a longitudinal study. They first interviewed mothers of children who were five years old and asked if the children had been mistreated. The children were then followed every year until they were 21. The authors studied 574 children; 81% were European Americans and 17% were African Americans.

#### They found that:

- Adolescents who were physically abused during the first five years of life were more likely to have; been arrested as a juvenile, perpetrated romantic relationship violence, acted out, been fired from a job, and become a teen parent. These teens were also less likely to graduate from high school.
- Among African Americans, those who were abused as children, when compared to those not abused were; twice as likely to have court records for violent offenses, three times more likely to have non-violent offenses, four times more likely to have non violent offenses, not graduated from high school and become a teen parent.

- Regardless of race, girls who had been abused were three times more likely to have been fired and to have become a teen parent
- The authors concluded that “early physical abuse led not only to later violent delinquency but also to a more global pattern of violent and non violent dysfunction.”

The study tells us a great deal about the long-term outcomes of abuse and the needs of children who may have been mistreated prior to their parents divorce or termination of their rights. Furthermore, it shows just how serious the consequences of abuse really are. On the other hand, the authors do not say anything regarding the relationship between severity of abuse the children suffered and the degree of problems that resulted. While such assumption is reasonable, the science is not there yet. Nevertheless, this is not a situation that requires waiting. When there is evidence that children have been abused, they should be evaluated for treatment regardless of the degree of mistreatment they may have suffered. The sooner treatment/intervention can begin, the better.

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## Recruitment

GAL Program *Vermont Public Radio* underwriting ads have been running since January 2008 and will continue through the end of November. In 2008, 20% of our approved applicant referrals have been through VPR. Thanks to the National CASA Association for funding these ads.

You as GALS are one of our greatest sources of referrals to the GAL Program. If you know any individuals in your community who are suitable for the GAL Program, please encourage them to apply or refer them to the GAL Program office or to your local court for more information about the program



## Local GAL Meetings & Events

### Franklin County

On Thursday, August 7 GALS Linda Dragon and Pat Deasy visited Woodside for a tour.

On August 19, GALS had their monthly brown bag lunch meeting with Franklin Family Juvenile Drug Court Coordinator, Mary Mossey and Deputy Court Manager, Edie Rillo. GALS Mary Connor, Linda Dragon, Bob Peterson, Jackie Bostwick, Judy Wechsler, Deb Lynch, Pat Deasy, Beverly and Butch LeClair attended.

### Orange County

On August 7, Orange County court staff and Judge Theresa DiMauro sponsored a GAL Recognition and swearing in ceremony for GALS.

### Windham County

The Windham County Family Court annual pot luck cookout was held this summer. Judge Wesley and Judge Hayes were there as well as many GALS, public defenders, juvenile contract attorneys and deputy state's attorneys. There was a “huge” amount of food, fun and a chance to get to know local juvenile court stakeholders.

## Legislative Update

### Historic Foster Care and Adoption Legislation Clears Congress

*The Fostering Connections to Success and Increasing Adoptions Act* was approved by Congress on September 22, 2008. The President is expected to sign the bill into law shortly.

The goals and major provisions of the legislation are:

#### Permanent Placement with Relatives

Federal assistance is available for grandparents and other relatives who have been licensed and served as foster parents for 6 consecutive months for a child that is IV-E eligible, and who have agreed to become the child's legal guardian. The possibility for the child's reunification or adoption must have already been ruled out.

Siblings may also be placed in the same relative home with federal assistance.

Children 14+ must be consulted about the permanent relative placement.

States must notify grandparents and other adult relatives within 30 days after child is removed from home.

Clarifies federal guidance on licensing standards for relative foster family placements. Allows states, on a case-by-case and child specific basis, to waive standards that do not jeopardize the child's safety, such as the number of bedrooms, square footage, etc.

#### Maintain Connections with Siblings and Family

States are required to make reasonable efforts to keep siblings together in foster, kin,

or adoptive placements, provided in the child's best interest.

Funding is provided for a new Family Connection Grants program. \$15 million is authorized annually for competitive, matching grants to state, local, or tribal agencies and nonprofit organizations with experience working with children in foster care or kinship care for: 1) kinship navigator programs (e.g., connecting families with resources to guide and support their care of children); 2) intensive family-finding efforts; 3) family group decision-making meetings, with special attention to children exposed to domestic violence; and 4) family substance abuse programs.

#### Increase the Number of Adoptions for Waiting Children

The Adoption Incentives Program is reauthorized through FY 2012 at \$43 million annually.

The baseline year is changed to FY 2007 for measuring a state's increased number of adoptions.

Incentive payments to states is increased from \$4,000 to \$8,000 for adoptions of children age 9 and older; increases the incentive for adoption of special needs children younger than 9 by \$2,000. Maintains the adoption incentive payment of \$4,000 for all other children who are adopted within the state.

The AFDC eligibility requirement for federal adoption assistance will be completely eliminated by FY 2018. Beginning in FY 2010, the test for eligibility is eliminated for children age 16 or older, and any child who has been in care for 60 consecutive months. In each succeeding fiscal year, the age threshold for children is reduced by 2 years.

The savings that result for states from the increased federal adoption assistance must be reinvested in child welfare services, including post-adoption services.

Children who are adopted at age 16 and older are eligible for independent living services and education and training vouchers.

States must inform all individuals considering adoption of their potential eligibility for the Adoption Tax Credit.

#### Improve Outcomes and Transition for Older Youth (effective Oct. 1, 2010)

At state option, IV-E funding is available for foster care maintenance for youth beyond age 18 (up to age 21). The youth must be enrolled in high school, post-secondary or vocational school or equivalent, an employment preparation program, employed at least 80 hours/month, or unable to engage in such activities because of a medical condition. The youth may be living in a supervised independent living situation, foster family, group home.

## Legislative Update (cont'd)

Child welfare agencies must work with the youth, and other representatives as appropriate, at least 90 days prior to emancipation, to develop a personal transition plan. The plan should be as detailed as the youth requests, addressing housing, health insurance, education, mentoring opportunities, continuing support services, work force supports and employment services.

### **Improve Competencies of Individuals Working with Children Involved in the Child Welfare System**

Title IV-E funding will now be available to states for training of public and private child welfare agency staff, as well as for training court personnel, attorneys, **guardians ad litem and court appointed special advocates.**

Funding may also be accessed for training relative guardians, foster and adoptive parents.

### **Improve Outcomes for Children in Tribal Courts** (effective October 1, 2009)

#### **Improve Education Stability and Coordination of Medical Needs**

The child welfare agency must ensure that a child remains in the same school at the time of his/her placement in foster care, if in the child's best interest.

If enrollment in the school of origin is not in the child's best interest, immediate enrollment in the new school, with records, is required

If the child is subsequently removed to another placement, the state may access IV-E funds for transportation costs to the school of origin. This can range between 50% - 83% of the costs, depending upon the federal allocation for locales.

Requires states to develop a plan for ongoing oversight and coordination of health care services for every child in foster care, in collaboration with pediatricians and other experts. The plan should address: 1) initial and follow-up health care screenings; 2) treatment for needs identified in the screenings; 3) how medical information will be

shared, which may include development of a health care passport; 4) continuity of health care services; 5) oversight of prescription medicines; and 6) how the state actively consults and collaborates with physicians and other appropriate professionals to assess the health and well-being of children in care to determine appropriate medical care.



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.