

# Vermont Justice for Children Task Force

**“All children need safe, permanent families that love, nurture, protect and guide them.”** The Pew Commission on Children in Foster Care, 2004



The Vermont Supreme Court created the Justice for Children Task Force in 2005 as a collaborative, interdisciplinary effort to improve outcomes for children in foster care. The Task Force works closely with the federally funded juvenile Court Improvement Program to develop and implement strategies to promote children’s safety, permanency, and well-being.

**Children and families struggling with addiction, mental illness, poverty, unemployment, homelessness, disabilities, and other complex needs may become involved in juvenile proceedings. When that happens, the courts are responsible for ensuring that children’s rights to safety, permanence, and well-being are met in a timely manner. Courts must do so while protecting the due process rights of all parties. This duty is further complicated by tangled layers of services and insufficient resources across all systems for meeting families’ treatment and other basic needs. In addition, families often do not trust that the people who remove their children can be supportive, no matter how much those people wish to help. These systemic barriers are obstacles to meeting the multiple needs of children and families.**

## Vision Statement

To achieve safe, permanent families that love, nurture, and guide Vermont’s youth through childhood and into adulthood, we need competent, caring professionals and an adequately resourced system which:

1. ensures accountability for protecting children;
2. ensures a safe and permanent home for children;
3. maximizes the preservation of family whenever possible;
4. preserves and/or develops life-long family and community connections;
5. supports a non-adversarial culture and timely resolution of disputes in accordance with due process.

***“It is only through the collaboration of the courts, Agency of Human Services, State’s Attorneys, Defender General’s Office, Attorney General’s Office, and the education community that children’s needs for safety, permanence, and well-being can be met.”***

- Vermont Supreme Court’s charge to the Task Force

## What We Do

- Develop strategies to reduce the impact of system-wide barriers that keep children in foster care longer than necessary.
- Monitor 15 indicators of child safety, permanency, and well-being using data from DCF, the courts, and Agency of Education.
- Offer state and local performance data to court/DCF audiences to discuss and review.
- Keep each other informed about developments, challenges, and areas needing a cross-disciplinary approach.
- Expand opportunities for training and professional development for lawyers, social workers, and guardians ad litem (GALs).
- Hold ourselves accountable to each other by reporting successes and failures at Justice for Children Task Force meetings.

## Statutory reform

Task Force members worked with the legislature on passage of the 2009 Juvenile Proceedings Act, and collaborated across branches of government to ensure smooth implementation of this comprehensive statutory reform.

Subsidies for eligible permanent guardianships were enacted in 2010.

## Fewer Children in Foster Care

Since 2009, the option for a parent or relative to assume custody of a child under court-ordered conditions has resulted in over 475 children remaining with a parent or relative... 475 children who otherwise may have entered DCF custody.

When children are removed from home, they are more likely to be placed in the care of relatives. The rate of kinship care has doubled since 2005.

## Timeliness

The length of time for the longest cases (involving termination of parental rights) to move through the Family Court process improved for three consecutive years.

Time from entry into DCF custody to discharge from foster care has improved in the last four fiscal years, most notably for reunifications and adoptions.

# Justice for Children Task Force

## Together, we have:

**Reduced time in foster care:** Fewer children are in foster care. The overall time it takes from a child's entry into foster care to return home or be adopted has improved.

### Increased family engagement:

- Social workers have more face-to-face contact with children and their parents
- Parents, children, and extended family are more directly involved in case planning
- Siblings are more likely to stay together
- More family connections are maintained
- DCF works with more families outside the court system; foster care is the last resort.

### Established an additional tier of advocacy for families:

The Office of Defender General's *Family Support Project* coaches clients on basic life skills, supports them in accessing addiction and mental health treatment despite long wait lists, and aids them in finding employment and safe, stable housing.

The *Vermont Parent Representation Center, Inc.* has provided legal and social work peer support services to parents who have an open DCF-Family Services case and are at high risk of having their children go into out-of-home placement, and has worked with multigenerational families involved with probate court kinship placements.

**Increased opportunities for learning:** Learning in multi-disciplinary settings (judges, attorneys, social workers, GALs, court staff), and more training available to attorneys who represent parents and children.

**Expanded data collection and reporting:** We now collect data on education stability and high school graduation rates for students in foster care. We were unable to do that in past years. DCF now makes a wide array of foster care data accessible to attorneys, courts, and social workers.

### Increased the number of trained guardian ad litem volunteers and the quality of their advocacy.

#### Task Force members:

Chief Justice Paul Reiber (chair);  
Rep. Sarah Buxton; Dept. of Health's  
Alcohol and Drug Abuse Programs Deputy  
Commissioner Barbara Cimaglio;  
VT School Boards Association Executive  
Director Steve Dale; Administrative Judge  
Amy Davenport; Superior Court Judge  
Thomas Devine; Court Administrator  
Patricia Gabel; Attorney Leslie Hanafin;

Senator Jane Kitchel; Upper Valley Haven  
Executive Director Sara Kobylenski; DCF  
Practice and Policy Specialist Dana  
Lawrence; Juvenile Attorney Pam Marsh;  
Agency of Education Director Deb  
Quackenbush; Assistant Attorney General  
Jody Racht; AHS Secretary Doug Racine;  
Deputy Defender General Anna Saxman;  
Juvenile Defender Bob Sheil; Dept. of

Mental Health Director of Direct Service  
Utilization Dr. Patricia Singer; Associate  
Justice Marilyn Skoglund; Probate Judge  
Misse Smith; Defender General Matt  
Valerio; DCF-Family Services Deputy  
Commissioner Cindy Walcott;  
State's Attorney Lisa Warren;  
DCF Commissioner Dave Yacovone;  
youth member Ridmi Coe

## Some Challenges:

**Families with extremely high needs:** Cases are more complex and require more intense court supervision and many hearings. The courts see those families facing the most difficult, intractable challenges. This is because DCF is able to work with many families to address their children's needs without court intervention. The majority of the court cases involve substance abuse, and the downward spiral that accompanies addiction, including loss of: job, housing, transportation, and children. The second most common reason for children entering foster care is mental illness. Lack of appropriate, available treatment services for parents and children mean they often do not get the services they need. These cases require intense court supervision and many hearings.

**Scheduling of court hearings:** Child welfare cases typically involve more parties than other types of cases, necessitating the coordination of multiple calendars when trying to schedule a single hearing (State's Attorney, DCF social worker, attorneys for each parent, the child's attorney, and the guardian ad litem). Nearly 40% of the attorneys contracted to represent parents and children cover more than one county. This leads to scheduling conflicts and delays. Advancing to the next stage in a proceeding takes longer when court time and attorney availability is limited. Children's developmental needs must be kept in mind when considering the timeliness of outcomes.

**Data:** The courts, DCF-Family Services Division, Agency of Education, and Department of Corrections have limited capacity to collect and report data. Data they do collect is hard to compare across systems. This limits our capacity to use data to guide decision making.

**Guardians ad Litem:** Vermont law requires courts to appoint a GAL to advocate for the child's best interests. In some parts of the state, courts still lack sufficient resources to effectively recruit, train, and supervise these volunteers.