

# Keeping Current

September 2010

In March 2010, Children's Law Center began issuing this monthly events and information update, entitled "KEEPING CURRENT." This publication, which is posted on the Family Law page of ProBono.net/dc and our web page, [www.childrenslawcenter.org](http://www.childrenslawcenter.org), is a compilation of relevant news and information, including trainings and events. Practitioners should also be sure to review the weekly CCAN e-mail for up-to-date information or changes. If you have suggestions or comments for future publications, please contact Nancy Drane, Training Director, at [ndrane@childrenslawcenter.org](mailto:ndrane@childrenslawcenter.org) or 202-467-4900 ext. 502.

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## District of Columbia Court of Appeals News

**Upcoming DC Court of Appeals Matters of Interest:**

*In re* M.W. (09-FS-841) and *In re* J.W. (09-FS-842) — Tuesday, September 27, 2010 at 9:30 AM

*In re* Petition of D.M.L. (10-FS-218) — Thursday, September 30, 2010 at 9:30 AM

*Oral arguments are broadcast on the DC Court of Appeals website:*

[www.dccourts.gov/dccourts/appeals/calendar/index.jsp](http://www.dccourts.gov/dccourts/appeals/calendar/index.jsp)



## District of Columbia Council News

Committee of the Whole Hearing  
 September 21, 2010 at 10:00 AM — Room 500  
 "Legislative Meeting"

Committee on Public Safety and the Judiciary and Committee on Human Services  
 October 6, 2010 at 10:00 AM — Room 412  
 "Prevention of Child Abuse and Neglect Amendment Act of 2009"

Committee of the Whole Meeting  
 October 9, 2010 at 10:00 AM — Room 500  
 "Youth Issues"

All Hearings and Meetings Held at the Wilson Building, 1350 Pennsylvania Ave. NW, Room 500  
*Selected hearings are broadcast live on the DC Council website: [www.dccouncil.us](http://www.dccouncil.us)*

The materials referenced in *Keeping Current* are intended to be additional resources for consideration by members of the CCAN community. Children's Law Center cannot verify the quality of all the materials or events referenced herein. CCAN attorneys should conduct their own independent research when reviewing these materials.

## DCPS and Schools News

Chancellor Michelle Rhee has issued her latest “Chancellor’s Notes,” focused on issues related to the new academic year. [DCPS Chancellor’s Notes: Back to School in DCPS](http://tiny.cc/o2cf0) (DCPS Newsletter) is available at: <http://tiny.cc/o2cf0>.

DCPS was recently awarded a federal “Race to the Top” grant. A recent DCPS Announcement, [DCPS Awarded \\$75M in “Race to the Top” Grants](http://tiny.cc/exv72), outlines the award and is available at: <http://tiny.cc/exv72>.

## Other DC Government News

### DC Department of Mental Health

The DC Department of Mental Health recently issued final rules regarding flexible spending on children’s mental health services. In the July 23 edition of the *DC Register*, the Department of Mental Health noticed final rules, “Child Choice Providers – Flexible Spending Local Funds Program.” The rule allows Child Choice Providers to bill, up to a DMH-set ceiling, for “locally-funded services and supports that are intended to augment the clinical services and increase the therapeutic benefit to the consumers.” To ensure accurate record-keeping, the final rule creates a billing code and rate to be used with DMH’s electronic billing system. The rules were final upon publication. They are available at: <http://tiny.cc/w00p8>.

### Department of Health Care Finance

The DC Department of Health Care Finance recently issued emergency and proposed rules regarding reimbursement for inpatient hospital services for Medicaid recipients: According to the July 30 *DC Register* notice, “The effect of these rules is to change the current prospective payment reimbursement methodology for inpatient hospital services for hospitals participating in the Medicaid Program.” Under the emergency and proposed rules, eight hospitals will now be paid by All Patient-Diagnosis Related Group (APDRG) rates. Other related rate changes are made in these rules. These rules, according to the notice, reflect more up-to-date practices and rates. These rules reflect changes submitted by the public in March and April 2010 after the original rulemaking was published. Details about the suggestions and result are in the notice. These rules are issued as an emergency to “ensure the continuation of appropriate and needed payments to hospitals and allow Medicaid beneficiaries access to needed medical services.” The rules went into effect July 9. They will remain in effect for 120 days or until final rules are noticed. Comments can be made in writing within 30 days of publication. They are available at: <http://tiny.cc/5raun>.

### Department of Health

The DC Department of Health, in compliance with the FY 2011 Budget Support Act, noticed in the July 30 *DC Register* a number of fee increases effective immediately. Social workers are among those whose renewal fees increased, in addition to other professionals. They are available at: <http://tiny.cc/qra3t>.

### DC Housing Authority

The Board of Commissioners of the District of Columbia Housing Authority noticed in the July 23 edition of the *DC Register* a clarification of the frequency of the inspections. Written comments should be submitted within 30 days of publication. They are available at: <http://tiny.cc/bckv0>.

## Reports and Publications

### CHILD WELFARE

#### For Parents...

The latest edition of **Rise Magazine**, a publication “by and for parents in the child welfare system,” is available at: [http://www.risemagazine.org/PDF/Rise\\_issue\\_16.pdf](http://www.risemagazine.org/PDF/Rise_issue_16.pdf).

#### **Engaging Noncustodial Fathers in Child Welfare Cases: A Guide for Children’s Attorneys and Lawyer Guardians ad Litem**

This practice brief offers attorneys a new tool to advocate on behalf of children by reaching out to their fathers. It provides tips on identifying and locating the fathers of children who enter the child welfare system. It also helps attorneys assess fathers’ capacities to be a placement or other resources for their children. Attorneys learn how to involve paternal relatives in case planning, and recognize how fathers may learn and seek help differently than mothers, among other things. A *free* copy can be downloaded at: [www.fatherhoodgic.org](http://www.fatherhoodgic.org).

#### **Parent Education & Training Programs in a Child Welfare Population: A Review of the Evidence**

This review compares and contrasts the utility of the most widely used and disseminated models of parent training and education according to the strength of the empirical evidence and their relevance to parents with substantiated histories of child maltreatment. It was authored by Amy Beaulieu of the Cutler Institute for Health & Social Policy, University of Southern Maine, Muskie School of Public Service, and is available at: <http://tiny.cc/99sp6>. There is also an accompanying document, “Matrix: Review of Parent Education Models for Family Reunification Programs,” which is available at: <http://tiny.cc/ajltw>.

#### **Family Engagement**

This bulletin for professional child welfare caseworkers from the Child Welfare Information Gateway describes the benefits of family engagement in the child welfare system and discusses ways to achieve meaningful family engagement, specific strategies that reflect family engagement, and examples of State and local child welfare programs that have achieved success with engaging families. It is available at: <http://tiny.cc/4ralk>.

### AGING OUT AND OLDER YOUTH

#### **Tip Sheets for Youth in Foster Care from FCARC in Wisconsin**

The Foster Care and Adoption Resource Center (FCARC) in Wisconsin has made available a series of Tip Sheets for youth in foster care. The topics include Seeing a Mental Health Therapist; Bullying Hurts Everyone; Coping with Anger; You Are Not Alone: The Sad Truth About Having a Parent in Prison; Keys to Independence: Finding Your First Apartment; Your Voice Matters: Speaking Out by Speaking Up (Youth Advocacy); Sharing Your Story; Is This Love? Teen Dating Violence; How to Ace Your Job Interview; Tips for Filling Out a Job Application Form; Financial Aid Awareness Assistance and Resources; Who Am I? Exploring Your Sexuality; Life Books: A Creative and Fun Way to Express Yourself; How Career Assessments Can Help You Make School and Career Choices; and, Earning a GED or HSED. Each tip sheet is 3-4 pages long and in a printable PDF format. They are available at: <http://tiny.cc/j5hrv>.

#### **Building Trust, Brick by Brick**

In this story, available on the YouthSuccessNYC website, the youth writer shares the experience of arriving in his third foster home at age 8 but developing a positive bond that leads to adoption. It is available at: <http://tiny.cc/3m5hs>.

## Reports and Publications (cont.)

### **National Survey of Child and Adolescent Well-Being: Report and Research Briefs**

The Administration for Children and Families (ACF), Office of Planning, Research, and Evaluation (OPRE) has posted a report and two research briefs using data from the National Survey of Child and Adolescent Well-Being (NSCAW). The report, "Children Involved with Child Welfare: A Transition to Adolescence," is based on a longitudinal follow-up of a group of children who were reported to child protective services during their early school years, and then followed up during their adolescent years. The report describes their cognitive, social, emotional, and adaptive functioning, as well as other aspects of their experience, at the follow-up point. "Research Brief #15, Kinship Caregivers in the Child Welfare System," reports on an analysis of kinship care providers for children who were removed from their homes. "Research Brief #16, A Summary of NSCAW Findings," reports on key findings from analyses conducted by various researchers who have used the data base. NSCAW is a nationally representative, longitudinal survey involving two cohorts of children who have come into contact with child welfare services. The data are available to the research community through the National Data Archive on Child Abuse and Neglect: <http://www.ndacan.cornell.edu>. The report, research briefs, and additional information can be found online at: <http://tiny.cc/7ff8m>.

### **CHILDREN AND YOUTH**

#### **Protecting Assets & Child Custody in the Face of Deportation: A Guide for Practitioners Assisting Immigrant Families**

The Casey Foundation supported Appleseed in developing a manual that helps protect children and family assets when immigrants are deported. Nearly 5 million children are living in families at risk of separation due to increased immigration enforcement. When these working parents are deported, their U.S.-born children often remain here. The manual helps providers counsel their clients on issues such as establishing child custody, closing a bank account, and transferring assets into their children's names. The Mexican government has translated the guide into Spanish and is distributing it through its network of consulates in the United States and Mexico. It is available at: <http://tiny.cc/ga4of>.

### **JUVENILE JUSTICE**

#### **Indigent Defense**

"The Legal Defense of Juveniles: Struggling But Pushing Forward," by Ted Rubin, offers a look at current juvenile indigent defense problems and reform efforts from adolescent brain development and shackling to high caseloads and systemic failures. Available at: <http://tiny.cc/xasdc>.

## Reports and Publications (cont.)

### HEALTH

[The Foundations of Lifelong Health Are Built in Early Childhood](http://tiny.cc/977qm) (Center on the Developing Child, Harvard University) *A vital and productive society with a prosperous and sustainable future is built on a foundation of healthy child development. Health in the earliest years—beginning with the future mother’s well-being before she becomes pregnant—lays the groundwork for a lifetime of vitality. When developing biological systems are strengthened by positive early experiences, children are more likely to thrive and grow up to be healthy adults. Sound health also provides a foundation for the construction of sturdy brain architecture and the achievement of a broad range of skills and learning capacities. This publication was co-authored by the National Scientific Council on the Developing Child and the National Forum on Early Childhood Policy and Programs.* Also available at: <http://tiny.cc/977qm>.

### EDUCATION

[Poverty’s Impact on School Reform](http://tiny.cc/xhfqh) (DC Fiscal Policy Institute) Also available at: <http://tiny.cc/xhfqh>.

### OTHER

[A Way to Reconnect](http://tiny.cc/pb0uv) (Parade) *Profiling “Camp to Belong” – a nonprofit summer camp that reunites siblings separated by foster care.* Also available at: <http://tiny.cc/pb0uv>.

### REMINDER for CCAN GAL PANEL!

Children’s Law Center **HELPLINE** provides GALs with legal information and assistance!

- Staffed by CLC attorneys
- Confidential
- Legal information and assistance on general and case-specific topics, such as help identifying resources and services, sample pleadings, and other materials
- All Helpline calls are screened to identify potential conflicts of interest

Call (202) 467-4900 (Option 4) — Monday-Friday, 9:00 a.m. to 5:00 p.m.

## Upcoming Trainings and Events

### **Mastering the Rules of Evidence Series, sponsored by DC Bar**

Tuesday, August 31, 2010 and Tuesday, September 7, 2010 from 6:00-9:15 PM — DC Bar, 1101 K Street NW  
*This series is designed to help attorneys master the federal and local rules of evidence and will address both criminal and civil evidentiary issues. Proper objections and other considerations associated with evidentiary foundations at trial will be reviewed. Faculty will also help attorneys learn procedures and trial strategies, and teach attorneys to deal with evidentiary and foundational issues comfortably. Part 1 (August 31) - This session will address topics ranging from competence and privileges to opinion and hearsay testimony. Hearsay and hearsay exceptions will be reviewed and practical examples will be presented. Part 2 (September 7) - The second session will continue the discussion on hearsay rules and also consider the authentication of various types of exhibits, helping participants understand the evidentiary rules about the admission of various writings, recordings, and photographs. Speakers: L. Jackson Thomas II, Office of the US Attorney; Terrence McShane, Lee & McShane PC. FEE = \$119. Register at [www.dcbbar.org](http://www.dcbbar.org).*

### **Washington Council of Lawyers Annual September Social Hour**

September 8, 2010 from 6:30-8:00 PM — Goodwin Procter, 901 New York Avenue NW  
*This will be a fun evening of socializing, networking, food and drink. This event is a great opportunity to meet WCL members and board members, who represent many aspects of pro bono and public interest law. At the social hour, you will also have the opportunity to meet the Council's new Executive Director, Nancy Lopez. There is no cost to attend. To register, follow the link on WCL's website, [www.wclawyers.org](http://www.wclawyers.org).*

### **Supreme Court Review and Preview 2010, sponsored by the DC Bar**

Friday, September 10, 2010 from 9:30 AM-12:45 PM — DC Bar, 1101 K Street NW  
*This popular annual course features a lively panel discussion of the issues and cases that will be before the Supreme Court in the next term, as well as a look back at the highlights of the 2009-10 term and what they may indicate for the future. Our panelists will focus on the potential role and possible impact of Supreme Court nominee Elena Kagan. The panel includes experienced Supreme Court practitioners and jurists who are uniquely qualified to look at the Court's trends and statistics as well as provide insight into its decisions and the 2010-11 term. The panelists have proven to be uncannily astute in assessing the direction of the Court. Speakers: Michael Dreeben, Office of the Solicitor General; Thomas Goldstein, Akin Gump Strauss Hauer & Feld LLP. FEE = \$89. Register at [www.dcbbar.org](http://www.dcbbar.org).*

### **Monthly Family Court Training**

Wednesday, September 15, 2010 from 4:30-6:00 PM — DC Superior Court, Juror's Lounge  
 Topic TBA

### **2010-2011 Supreme Court Preview, sponsored by the American Constitution Society**

Thursday, September 16, 2010 from 12:00-2:00 PM — National Press Club Ballroom, 529 14<sup>th</sup> St. NW, 13<sup>th</sup> Fl.  
*ACS will host a panel discussion at the National Press Club where a diverse group of experts will offer their insights on the Supreme Court Term that begins October 4. They will discuss key cases on the Court's docket and will suggest areas to follow as the Term unfolds. They will also address how the addition of Associate Justice Elena Kagan might affect the Court. The panel will feature: Moderator, Rebecca Brown, Newton Professor of Constitutional Law, USC Gould School of Law; Michael A. Carvin, Partner, Jones Day; David C. Frederick, Partner, Kellogg, Huber, Hansen, Todd, Evans & Figel; Cynthia Jones, Associate Professor of Law, Washington College of Law; Cyrus Mehri, Founding Partner, Mehri & Skalet; Jennifer Chang Newell, Staff Attorney, ACLU Immigrants' Rights Project; Cliff Sloan, Partner, Skadden, Arps, Slate, Meagher & Flom; and Paul R. Q. Wolfson, Partner, WilmerHale. A light lunch will be available starting at 12:00 PM; Program will begin at 12:30 PM. FREE. Register at: [www.acslaw.org](http://www.acslaw.org).*

## Upcoming Trainings and Events (cont.)

### **Children's Law Center Half-Day Training (open to all CCAN)**

Thursday, September 16, 2010 from 10:30 AM-2:30 PM — DC Superior Court, Room 4224

*CLC will be presenting another half-day training for CCAN attorneys on issues relevant to abuse and neglect practice. We'll be doing several sessions, including a legislative update on important and relevant happenings out of the DC Council, a discussion of the current status of the LaShawn A. case, and a 'best practices' session regarding educational issues, offered in conjunction with the release of the Education Toolkit Practice Kit.*

Attorneys interested in attending the training should e-mail Nancy Drane, CLC Training Director, at [ndrane@childrenslawcenter.org](mailto:ndrane@childrenslawcenter.org).

### **Children's Law Center Training: You Say More Than You Think: How to Use the New Body Language to Get What You Want**

Thursday, September 23, 2010 from 3:30-5:00 PM — CLC, 616 H Street NW, Suite 300

*Janine Driver, founder, president and lead instructor for the Body Language Institute and a former Department of Justice law enforcement officer, will present on how to read body language and detect deception. She is a Certified instructor at the Institute of Analytical Interviewing and an International communications expert, published author, keynote speaker, and guest on many television programs. CCAN attorneys interested in attending should contact Nancy Drane, CLC Training Director, at 202-467-4900 ext. 502 or*

[ndrane@childrenslawcenter.org](mailto:ndrane@childrenslawcenter.org).

## Save the Date

**Resilience in the Inner City at Risk Population: What is it?**, sponsored by The Center for Self Discovery, in conjunction with the Washington School of Psychiatry

Friday, October 1, 2010 – THE ARC, 1901 Mississippi Avenue, SE

*The keynote speaker, Hope Hill, Ph.D. professor at Howard University and clinical researcher will speak about her research, including intervention with at-risk adolescents who lived in Anacostia in the 1990s. She is currently doing follow-up research with these youth. Natasha Cabrera, Ph.D. professor at the University of Maryland, has been doing long term research with at-risk families from this same environment. She has focused on young families and incarcerated fathers as a part of her work. Her research incorporates video interviews of incarcerated fathers with some fascinating results. Diana Wall, PsyD., Director of Training at St. Elizabeth's Hospital, will add a clinical perspective, focusing on her therapy work with this population and the therapist's experience of absorbed trauma which results from working with those who have experienced repeated severe trauma in their lives. William Kellibrew, an adult survivor of multiple severe traumas, will share his personal experiences and insights relating to his siblings, his own therapy as well as his resilience in the face of repeated extreme trauma. Attendees are also a major part of this conference, as the conference will be that much richer as attendees are offered the opportunity to share their experiences, working with this very difficult population. With this in mind, there will be a very experienced facilitator, Michael Stadter, Ph.D, to draw the threads of the conference together and stimulate growth in thinking about and understanding of risk, resilience and absorbed trauma. For thoughts or questions, please contact Caroline L. Simon, Ph.D., 301-654-3462 or [drsimon@speakeasy.net](mailto:drsimon@speakeasy.net).*

### **Family Court Ninth Annual Multidisciplinary Training Institute: Child Sexual Abuse and Exploitation**

Thursday, October 21, 2010 — DC Convention Center

**NACC Conference** — Wednesday, October 20 through Saturday, October 23, 2010 – Austin, TX

Conference brochure is available at <http://tiny.cc/g7zvkc>.