

CHILDREN IN PLACEMENT

Fostering a better way for Connecticut's children

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Select Committee on Children

**Opposition to
Raised Bill No. 870**

Public Hearing

Thursday, February 26, 2009

**Testimony of Joan B. Jenkins, Executive Director
Children In Placement, Inc.**

The Connecticut Court Appointed Special Advocate (CASA) Program

Good morning Chairpersons and members of the Select Committee on Children. I am here to offer testimony in opposition to Raised Bill No. 870 An Act Concerning the Court Appointed Special Advocate Program. With me today is Mr. Michael Piraino, Executive Director of the National Court Appointed Special Advocate Association. Mr. Piraino has travelled from National CASA headquarters in Seattle, Washington to be with us today to address this issue.

Children In Placement (CIP), the Connecticut Court Appointed Special Advocate (CASA) program, was recently the subject of a report released by the Office of the Child Advocate (OCA). We want to make clear CIP's willingness to work with the OCA and all stake holders in advancing the best interests of Connecticut's children, and we embrace those recommendations by the OCA that move in that direction. In fact, when the OCA initiated its review of our program, we were under the impression this would be an opportunity to further improve the delivery of our service to Connecticut's abused and neglected children. And why would we not be under such an impression? Since the inception of the OCA we have worked collaboratively on cases, and to my knowledge, one of the first court cases brought by the OCA was brought as a result of their collaborative relationship with CIP. However in spite of CIP's constant request for feedback regarding the review, no information was forthcoming until the report was released that seems to have lead to this proposed legislation.

The stated purpose of the proposed legislation is to improve the oversight, accountability and quality of services of the Court Appointed Special Advocate program and to ensure consistency in training, practice and caseload standards for all guardians ad litem. I submit to you that CIP does not shy away from oversight and accountability, but as to CASA guardians ad litem, adequate accountability and oversight over the quality of

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services currently exists; as does consistency in training, practice and caseload standards. The legislation also proposes a ten member advisory committee, nine of whom to be government employed or appointed, to provide oversight. This proposal may be in response to the OCA's concern that "decision-making and oversight about the hiring, supervision, training and evaluation of CIP staff and volunteers as well as the operational management of the CASA program, is in the hands of the CIP executive staff and board."

CIP is a private non-profit organization. In that capacity, it is governed by a board of directors in accordance with the by-laws of the organization. That board of directors is comprised of the Executive Director of Community Health at Yale New Haven Hospital; Attorney and Head of Employee Relations and Human Resources Policy and Compliance for Aetna, Inc.; First Vice President and Financial Advisor for Morgan Stanley; Physician, Section of Adolescent Medicine, Department of Pediatrics, Yale University School of Medicine; Social Worker, New Haven Public Schools; Social Worker, Norwalk Public Schools; Private Attorney; Resource Development Consultant; and the Senior Policy Associate for Casey Family Services. Turning over the management of the organization as suggested by the OCA would be to abrogate the board's responsibility.

A distinct value of being a non-profit organization is the trust CIP staff and volunteers are able to build with the children and families we serve because we are not viewed as more government intrusion into their lives. This status also allows our staff and volunteers the freedom and flexibility to provide recommendations to judges that are not tainted, and do not appear to be tainted by government influence. As I have heard from one of our volunteers, "the proposed legislation seems to put the fox in charge of the hen house."

Regarding accountability and oversight, CIP also reports on a monthly basis to the State of Connecticut Judicial Branch. That reporting includes information on the number of children served by staff and volunteers as well as, the number of volunteers waiting for cases; the number of written reports submitted in cases; the number of status conferences attended; the number of hearings attended; the number of contacts made in each case; as well as the number of meetings with judges and information on the training offered. At one point information was also provided related to a tickler file managed by CIP and used to prompt DCF actions. This function was extremely time consuming and duplicative of information already tracked by DCF's updated automated system and is no longer needed.

CIP reports formally to National CASA on a quarterly, semi-annual, and annual basis and is in constant contact with, and receives constant support from National CASA staff regarding a variety of issues relevant to the delivery of advocacy for abused and neglected children. An example of National CASA's support is in the area of volunteer recruitment which is greatly enhanced by National CASA's marketing efforts. Like CIP staff, CIP recruited volunteers undergo an extensive interview, reference checks; and background checks. CIP conducts volunteer training every six to eight weeks for an average class size of eleven volunteers. These volunteers are trained for five complete days from 9:30 AM to 4:30 PM in the National CASA curriculum. Although CIP asks for a two year commitment, many of our volunteers have been with us for many years.

At the CIP Annual Meeting in October, 2008, CIP honored 39 volunteers for serving for five or more years; and 10 volunteers for serving for ten or more years.

On the issue of volunteer recruitment and training, the OCA reports that CIP has shifted its program focus away from the volunteer monitors in favor of volunteer GALs. It should be noted by this committee that the current Executive Director was hired to establish a statewide guardian ad litem program to replace the volunteer monitor program as National CASA had taken the position that it would no longer support monitoring programs. The guardian ad litem program was developed and CIP continues to provide monitors when they are requested. However, the majority of judges seek to appoint volunteer guardians ad litem – not monitors; and the majority of those seeking to volunteer want to volunteer as a guardian ad litem – not a monitor. In fact, the monitoring function is incorporated in the guardian ad litem role. Thus, every guardian ad litem is a monitor although every monitor is not a guardian ad litem.

The OCA report also brings up the issue of CIP being accused of misusing funds in 2000, but fails to state with clarity that those accusations were unfounded, inaccurate, and deemed by a judicial audit to be untrue.

The OCA report addresses issues of staff morale, and points to a year when we lost 10 employees. However, the OCA report failed to report that two staff members left because of chronic illness; one to go to law school; one to work on her masters degree in social work; one to be with her ill husband; one was asked to leave because of a policy violation; one failed to successfully complete a probationary period; one retired; and two were clearly disgruntled. It is believed that one of the two latter is listed in the OCA report as a complainant. Fortunately that was not a typical year. Last year no staff left the organization.

The OCA report indicates that the administrative staff of CIP has not been supportive of staff and volunteers, and that may well have been the perception when administrative staff enforced unpopular procedures, i.e. boundary issues, travel policies, etc. However, this is specifically the type of issue that could have been addressed through open discussion between CIP and the OCA at the time they were communicated to the OCA.

Further, the OCA reported that CIP lacked “a strategic plan to improve the marketing, presence and institutionalization of the CIP program within Connecticut’s child welfare system.” As noted above, CIP benefits substantially from National CASA’s marketing efforts. However, CIP focuses substantially on marketing itself, and does so in a variety of ways – some of which are outlined in CIP’s strategic plan. As to institutionalization, we ask that the committee consider the following:

- CIP’s staff attorney worked on the organization of training for the Connecticut Commission on Child Protection contract lawyers. Training on the role of the Guardian Ad Litem in Delinquency Proceedings was conducted by a CIP staff member with a Public Defender.

- CIP's staff attorney participated as a faculty member at the National Institute of Trial Advocacy (NITA) Child Advocacy program in Fort Lauderdale, Florida. The program provided training for lawyers and guardians ad litem from the south eastern region of the United States working on cases involving children.
- CIP's representative to the Governor's Task Force on Justice for Abused Children served as a member of the Executive Committee, and Chairperson of the Task Force Committee on Quality Representation for Children and Families.
- CIP is the recipient of the Marrakech Inc. Founder's Award – the highest award offered by the organization, in recognition for support and CIP's "unwavering crusade for abused and neglected children." Marrakech, Inc. is a private non-profit organization that provides residential, educational and job placement services to people facing economic challenges, and serves those with developmental, physical and behavioral health disabilities.
- CIP is the recipient of the Community Service Award presented by the National Association of Negro Business and Professional Women's Clubs.
- CIP's Executive Director served as a member of the committee responsible for monitoring compliance with the consent decree in *Juan v. Rowland*.
- CIP's Executive Director has served on numerous DCF committees focusing on issues of foster care and adoption.
- CIP's Executive Director and Director of Program Development have begun work with the military to begin focusing on issues of child abuse and neglect specific to that population.
- In its focus on youth aging out of the child protection system, CIP has developed a youth empowerment effort focusing on youth aging out of the foster care system and those otherwise at risk. Foster youth were transported by their social workers from Naugatuck and Bridgeport to participate along with New Haven youth in CIP's youth media lab that was developed in conjunction with an Episcopal church.
- CIP was selected by National CASA as one of five programs nationally to conduct focus groups offering foster youth an opportunity to discuss the child protection system. A quote from a CIP youth – "Foster children should be seen and heard" – has become a national slogan for the National CASA's Forgotten Children campaign reaching audiences of more than 4.8 million.
- CIP's youth empowerment program members were invited to a reception of media executives in New York where they practiced their advocacy and networking skills with members of National CASA, Broadway actors, and representatives of major TV networks and magazines.
- CIP is represented at a variety of tables around the state, i.e. Chambers of Commerce; youth coalitions
- The CIP Executive Director has served on the National CASA Training Curriculum Committee; the National CASA Marketing Committee; has written for the National CASA magazine; was most recently asked to serve on the National CASA Strategic Planning Committee; and upon a request from the Executive Director of National CASA, hosted a visit to Connecticut by the Deputy Chief Executive Officer of the State of Israel Ministry of Social Affairs to

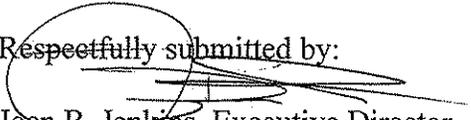
discuss the development of a CASA program in Israel. This involvement at a national level has benefited CIP and the State of Connecticut.

For many years CIP has asked to be allowed to address judges at orientation for new judges and in other forums, but we have not been offered that opportunity. The only open forum in which CIP has had an opportunity to address judges has been at a judges meeting a number of years ago, and as panelists at a CIP annual educational conference. At the conference the panel of judges was specifically asked where CIP could improve on its service and were told that we could improve the service by extending the service to FWSN (family with service needs) and youth in delinquency matters. There were no complaints regarding CIP's service to abused and neglected children in the superior courts for juvenile matters.

Finally, we ask the Committee to consider the fact that Children In Placement, Inc. has successfully administered the Connecticut Court Appointed Special Advocate guardian ad litem program in a professional manner for thirteen of CIP's nearly thirty year existence. To interrupt that process by adopting this Bill will require the unnecessary expenditure of time and resources that the State of Connecticut cannot afford to waste.

Thank you for your attention to the matter.

Respectfully submitted by:


Joan B. Jenkins, Executive Director
For Children In Placement