



Report to the Pennsylvania State Roundtable



*Moving Children to
Timely Permanence*

*Training for Legal
Representatives of
Children and Parents*

May 2012

Co-Chairs:

Honorable Kelley Streib
Court of Common Pleas of Butler County

Honorable Wendy Demchick-Alloy
Administrative Judge
Court of Common Pleas of Montgomery
County

May 9, 2012

Dear Members of the Pennsylvania State Roundtable:

The Mission and Guiding Principles for Pennsylvania's Child Dependency System acknowledge the call to meet what are often the complex needs of a child while simultaneously engaging parents. In so doing, it mandates that the stakeholders "assure timely and thorough court hearings," and "competent legal representation." Since many of the people served in the system can not articulate their own interests before the Court, they place their voice, lives and future in the hands of legal advocates.

The Pennsylvania State Roundtable has championed a paradigm shift in the culture of the child dependency system. In 2011, this workgroup successfully trained over 600 legal advocates in Core I, emphasizing best practice. The previous research was confirmed, attorneys who practice in the child dependency system are passionate and thirsty for knowledge. We believe that the result of this training will be transformed practice.

However, to have successful sustained transformation, the training can not end at Core I. In 2011, the State Roundtable charged this workgroup with designing Core II training. While the focus of 2011 was implementing quality Core I training, based upon our experience with Core I, the Core II curriculum is being finalized.

In addition, the Workgroup was tasked with creating a pre-service training that would meet the federal Child Abuse and Prevention Treatment Act (CAPTA) requirements, which ultimately impact each county's ability to claim reimbursement for GAL services. In an effort to be responsive to the unique needs of Pennsylvania's 67 counties, the Workgroup decided to create this pre-service training in a DVD format. This format facilitates immediate access to the pre-service training. While created for GALs, information contained in this one-of-a-kind pre-service DVD set may be helpful to any

Advocate, Hearing Officer, Judge or child welfare professional practicing in the dependency arena.

In addition, a children’s activity book was created as a tool to improve communication between children and their Guardian ad Litem thus reducing trauma and assisting children in gaining a more comprehensive understanding of the court process. The activity book, “What’s Happening in Dependency Court?” is now available.

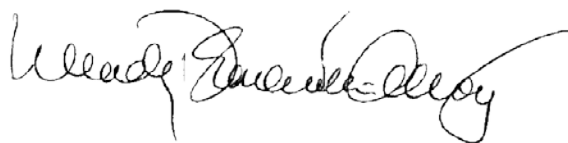
While much has been accomplished, to maintain the momentum necessary to achieve true culture change, more needs to be done. The following report and recommendations are based upon the consensus of the workgroup that the issues of advanced training, standards of practice, caseload size, compensation, and a standards oversight structure for advocates needs to be further explored.

We wish to especially thank the faculty of Core I for their selfless devotion of time and talent, and the considerable contributions and support of the staff members of the Office of Children and Families in the Courts.

Very Truly Yours,



Kelley Streib, Co-Chair
Judge, Butler County



Wendy Demchick-Alloy, Co-Chair
Administrative Judge, Montgomery County

Legal Representation Workgroup

Co-Chairs

Honorable Kelley Streib
Court of Common Pleas of Butler County

Honorable Wendy Demchick-Alloy
Administrative Judge
Court of Common Pleas of Montgomery County

Members

Jonathan Budd
Associate Executive Director
KidsVoice

Frank P. Cervone, Esquire
Executive Director
Support Center for Child Advocates,
Philadelphia

Sharon S. England, JD, MSW, BSW
Curriculum and Instructional Specialist
The PA Child Welfare Resource Center

Gregory S. Ghen, Esquire
Parent Advocate
Berks County

Katherine Gomez, Esq.
Managing Attorney
Family Advocacy Unit
Community Legal Services of Philadelphia

Wendy B. Hoverter, LCSW
Administrator
Cumberland County Children and Youth
Services

Cindi Horshaw
Director
Program Policy Unit
Department of Public Welfare
Office of Children, Youth and Families

Mimi Laver, JD
Director
Legal Education
ABA Center on Children and the Law

John Perrott, Esquire
Parent Advocate
Fayette County

Kerith Strano Taylor, Esquire
Guardian ad Litem
Jefferson County

Ronald N. Thomas, Esquire
Guardian ad Litem
Butler County

**Office of Children and Families in the
Courts**

Christy Stanek, MSW
Judicial Programs Analyst

Lynne Napoleon, MS
Judicial Programs Analyst

Elke Moyer
Administrative Associate / Graphic Designer

Sandra Moore, MSW
Administrator

Moving Children to Timely Permanence

Training for Legal Representation for Children and Parents

An Update to the State Roundtable of Pennsylvania

Background:

In 2009, through the roundtable system utilized by the state of Pennsylvania, leaders in the child dependency system began discussing the need for well-trained legal representatives for children and parents. There became a growing awareness of the inconsistent practices, across the Commonwealth, with regards to representing children and parents. At the same time, it was becoming increasingly clear there was a strong correlation between high quality representation and a better understanding, by those represented, of the dependency proceedings. Therefore, in the spring of 2009, the State Roundtable created the Legal Representation Workgroup, charging the Workgroup and the Office of Children and Families in the Courts to develop a set of recommendations regarding pre-service and ongoing training for Guardians ad Litem and Parents Attorneys. The Legal Representation Workgroup, consisting of county, state and national experts on legal representation in dependency matters, was convened in the fall of 2009.

During the first year, the Workgroup examined national best practices, conducted a statewide survey and finally developed specific objectives and action steps for both pre-service and core training. The recommendations were accepted by the State Roundtable in May 2010. The approved recommendations included the development of core training for Guardians ad Litem and Parent Attorneys. The initial training session was held in Harrisburg on March 21st and 22nd, 2011. The training consisted of fifty (50) attorneys from Phase I, II and III Permanency Practice Initiative counties. The training session was well received by participants with an evaluation rating of 4.5 out of 5.0 (overall) and 4.7 out of 5.0 (content only). The most significant evaluation response was an overwhelming recommendation to make the 1 ½ day curriculum a full 2 day session.

With the successful completion of the initial training session, the Workgroup recommended the following to the State Roundtable in May 2011:

- I. Continue work on issues pertaining to the legal representation of parties in dependency proceedings
- II. Develop a follow up training (Core II) for core issues not included in the Core I training, specifically Termination of Parental Rights Hearings and Appeals
- III. Explore the need for advanced training and provide further recommendations to 2012 State Roundtable regarding such training
- IV. Explore ways to develop a network for Guardians ad Litem and Parent Attorneys and make recommendations to the 2012 State Roundtable
- V. Begin discussions regarding potential standards of practice, caseload size, and compensation structure for Guardians ad Litem and Parent Attorneys as they

relate to supporting the work of best practice and high quality representation bringing specific recommendations to the 2012 State Roundtable. Recommendations will include strategies to implement practice standard during times of limited resources.

These recommendations were accepted by the State Roundtable and the Workgroup continued to diligently make progress with achieving their goals throughout 2011 and into the spring of 2012.

Progress on approved 2011 State Roundtable Recommendations

I. Core I Training for Guardians ad Litem and Parent Attorneys:

In 2011, Core I training was presented state-wide with over 600 Guardians ad Litem, Parent Attorneys and Solicitors receiving certificates of completion and leaving with a renewed enthusiasm to transform practice.

The past year has been one of remarkable accomplishments for the Legal Representation Workgroup. In an effort to succeed at one of the largest projects charged to this workgroup by the State Roundtable, a training subcommittee was formed to roll-out Core I training across the Commonwealth. Core I training reached over 600 dependency practitioners across Pennsylvania.

It should be noted that Core I was delivered by a highly dedicated and enthusiastic subcommittee of Legal Representation Workgroup. This sub-committee became Core I faculty. All faculty were voluntary, receiving reimbursement for travel but no other form of compensation. They were highly experienced and well-grounded in best practice, providing practical day-to-day practice strategies to participants. It is only appropriate to recognize their dedication and time in this report by offering a special “thank you” to the following training subcommittee members and faculty:

The Honorable Max Baer
Pennsylvania Youth Panel
The Honorable Kelley Streib
Administrative Judge Wendy Demchick-Alloy
Eleanor Bush, Esq.
Frank Cervone, Esq.
Sharon England, JD, MSW, BSW
Kathy Gomez, Esq.
Sarah Katz, J.D.
Sandra Moore, MSW
John Perrott, Esq.
Tammy Reese, Esq.
Christy Stanek, MSW
Kerith Strano Taylor, Esq.
Ron Thomas, Esq.
Tracey Thomasey, LSW
Lynne Napoleon, MS

**“Truly the best
CLE I have ever
attended”**

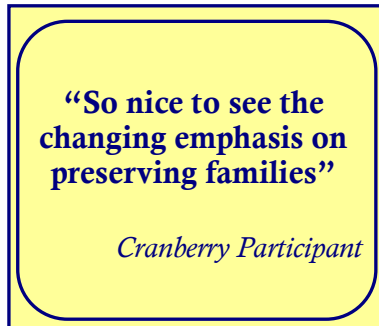
Wilkes Barre Participant

The Workgroup would also like to thank the many local courts who mandated attendance at Core I for continued dependency court appointments/practice. We appreciate the importance placed upon this session and truly applaud the local accommodations made to facilitate attendance.

Core I consisted of 11.5 Continuing Legal Education credits, including one ethics credit. To minimize travel and time away from dependency practice, Core I training was offered in five regions across Pennsylvania and Philadelphia. Those regions included:

Wilkes Barre (North East Region)	October 11 th and October 12 th
Cranberry (North West Region)	October 25 th and October 26 th
Monroeville (South West Region)	October 27 th and October 28 th
Carlisle (Center Region)	November 14 th and November 15 th
Villanova (South East Region)	November 16 th and November 16 th
Philadelphia	February 22 nd and February 23 rd

Core I included the following:



- Pennsylvania’s Mission and Guiding Principles
- Roles and Responsibilities of Guardians ad Litem and Parent Attorneys
- Shelter Hearing Proceedings
- Adjudicatory Hearing Proceedings
- Disposition Hearing Proceedings
- Permanency Hearing Proceedings
- Grief and Loss
- Enhancing Communication with Children and Parents
- Overview of Appeals

It should be noted that due to the availability and requirements for practitioners in Philadelphia, Core I was slightly amended in that location by the elimination of the Overview of Appeals.

The training opened with a videotaped message from Max Baer, Supreme Court Justice regarding the importance of quality legal representation. Core 1 training also contained the appearance a panel of former foster youth through video technology. We appreciate the time and effort of Justice Baer and the youth in making the video presentation and sharing their perspectives on Guardian ad Litem and Parent Attorney work.

The workgroup set out to raise the bar on legal representation for children and parents across Pennsylvania. In addition to providing an enhanced understanding of the Guardian ad Litem and Parent Attorney’s role in and out of the courtroom and highlighting critical elements of the law, rules and statutes, the workgroup aimed to shift the thought process of practitioners towards a strength based, family driven model. This new direction focused on family empowerment, safety, and an understanding of the impact trauma, grief, and loss pose to a child.

The Honorable Kelley Streib, Butler County, then provided an overview of Pennsylvania’s Mission and Guiding Principles. At each location, discussion and networking was evident. Participants were interested in understanding practice across Pennsylvania and how they could improve their own practice. The evaluations reflected this shift as well with comments such as, “I was surprised to see the changing emphasis to preserving families” and “It is interesting how differently counties practice across the state.”

Efforts were made to provide practical information pertaining to the law, statutes and rules. Additionally, time was spent updating attendees on best practices currently driving child welfare casework across the Commonwealth. It was acknowledged that attorneys are educated on the law; however, many were never educated on the social work aspects of dependency practice that drive decision making for their clients. Therefore, the training included sections on Family Group Decision Making, Family Finding, Safety Assessment and Planning, Family Service Planning, and Visitation.

Overall the evaluations showed a favorable response by the attendees, with an overall rating of 4.4 out of 5.0. Again, due to the amendment of Core I for Philadelphia, the evaluations had to be computed separately to ensure accuracy of the ratings. Philadelphia showed an overall rating of 3.5 out of 5.0. Many attendees were surprised by the practical application the training material provided to their work. Many also commented on their surprise by the high quality, relevancy, and dynamic presentations they “typically do not experience at other CLE trainings.” Evaluation results, for all five regions and Philadelphia can be found in APPENDIX I and II.

“This was not the usual dull CLE full of poor public speakers. Do this next year for CLE credits”

Philadelphia Participant

Following the completion of Core I, the training subcommittee was asked by the Pennsylvania Solicitor’s Association to provide an overview of the Core I elements. As a reminder, Core I was primarily developed for Guardians ad Litem and Parent Attorneys because there was no specific organization from which those attorneys receive dependency specific support and training. Core I was condensed to a three (3) hour overview and presented to the Solicitor’s Association on January 26, 2012 in State College. Although a smaller number of attendees, the response on Core I continued to show favorable results with an overall rating of 4.4 out of 5.0. The request by the Solicitor’s Association sparked conversation within the Legal Representation Workgroup on the need to include Solicitors in future trainings. This question was then posed to the 2012 Leadership Roundtables with a unanimous agreement that Solicitors should be included in future trainings. Solicitors present during Leadership Roundtable meetings explained the trainings available through their Association did not cover material presented in the Core I training.

In addition to Solicitors, Spring 2012 Leadership Roundtable members were asked to provide guidance regarding possible Core 1 (or a condensed version) for Hearing Officers. This feedback was solicited based upon a recognition that Hearing Officers were the only dependency legal professionals who had not received Core I information. Once again, the response showed a strong need to ensure that Hearing Officers are equally exposed to the

Core I elements. This recommendation has been provided to the State Roundtable Hearing Officer Workgroup.

Finally, the Honorable Kelley Streib and Honorable Wendy Demchick-Alloy, Co-Chairs for the Legal Representation Workgroup, provided a presentation during the dependency luncheon at the February 24, 2012 Pennsylvania Conference of State Trial Judges, held in Philadelphia. The presentation was received with enthusiasm and questions regarding plans for future training.

“This was the best course I have ever taken”
Monroeville Participant

II. Development of Core II, including Termination of Parental Rights Hearings and Appeals

A curriculum and regional roll-out plan for Core II is currently being created with an emphasis on termination of parental rights, appeals, trauma and child development.

Following the successful completion of Core I, the workgroup focused on the remaining charges from the 2011 State Roundtable. To ensure efficient use of time, the workgroup divided into three subgroups. The first of these subgroups focused on follow up training to Core I, referred to as Core II. The second focused on advanced training topics and roll-out. The third subcommittee began the examination of practice standards for Guardians ad Litem and Parent Attorneys.

“Please have these trainings as a regular, ongoing part of the AOPC”
Carlisle Participant

The Core II subgroup is currently creating Core II as a one day training that would continue where Core I concluded. Specifically Core II would cover Termination of Parental Rights and Appeals. In addition, the workgroup plans to add advanced elements of trauma and child development to the curriculum, believing an enhanced understanding of these areas may assist attorneys in communicating and representing the best interest needs of their clients. In keeping with a family focused system, the use of family engagement and Family Group Decision Making will also be included in Core II.

While the details of Core II roll out continue to be developed, the subgroup anticipates another regional roll out with the first session occurring in late 2012.

III. Exploring the need for advanced training

To sustain the change effectuated by Core I and II trainings, advanced training should be routinely offered to child dependency practitioners. Survey results indicate that both the bar and bench desire advanced training. Ensuring high quality training and consistency with the Mission and Guiding Principles is a priority.

As mentioned in section II above, the workgroup divided into two training related subgroups. The first is focusing on Core II and the second is focusing on the need for advanced training. As this subgroup began discussions, the focus expanded to include sustaining change following the actual legal representation trainings. This section will provide information on both advanced training and sustaining change.

In order to gain the insight and inclusion of the Leadership Roundtable, the subgroup developed a survey for the 2012 Leadership Roundtables. Forty-five (45) survey responses were received. To summarize the results of the survey, 100% of those completing the survey expressed a need for continued legal representation training. Eighty-nine percent (89%) of survey respondents indicated a willingness to require legal representatives in their counties to attend a future training. When asked what training needs exist in their counties, multiple topics were consistently identified.

These topics included:

- Concurrent Planning
- Termination of Parental Rights
- Act 101
- Visitation
- Educational Issues
- New Rules
- Trauma
- Reasonable Efforts
- Mental Health
- Requirements of Child Welfare

“Thanks for the much better than expected training”

Villanova Participant

The survey also gathered information related to Guardian ad Litem and Parent Attorney turnover rates (since Core I), reasonable travel time to attend future sessions, and how frequent future training sessions should occur. The majority of respondents identified 1-2 hours travel being reasonable and requested annual training sessions. Two (2) new Guardians ad Litem and twenty one (21) new Parent Attorneys were identified as being newly appointed since the completion of Core I.

The survey and a breakdown of responses can be found in APPENDIX III.

As the subgroup continued to examine the issue of advanced training, the role of the Legal Representation Workgroup in ongoing training was explored. In recognizing the potential ongoing nature of training, one option discussed was for the Legal Representation

Workgroup to become an Ongoing Training Oversight Committee. The purpose of the oversight would be to ensure the highest quality training, while at the same time ensuring the Mission and Guiding Principles for Pennsylvania's Child Dependency System are upheld in training curriculum. The subgroup continues to work on draft protocol details for the Oversight Committee and will present such to the 2013 State Roundtable.

IV. Explore ways to develop a network for Guardians ad Litem and Parent Attorneys

Attorneys who practice in the child dependency system desire a networking system.

It was evident throughout the Core I training sites that the participants valued the opportunity to network with other attorneys in the dependency system. Participants often gathered during break, lunch and prior to leaving at the conclusion of the day. Likewise, the members of the Legal Representation Workgroup expressed an interest and desire to maintain this type of networking amongst their dependency colleagues. The mechanism for how this would be done is still unclear. Discussions included options such as encouraging Guardians ad Litem and Parent Attorneys to access resources on the Office of Children and Families in the Courts website, to ensure consistency in practice and updated information. Discussions also included encouraging networking to continue at the local level. The Legal Representation Workgroup would like to continue exploring ways to advance the dependency networking that began throughout Core I training and present additional recommendations to the 2013 State Roundtable.

V. Explore Standards of Practice

The exploration of practice standards is timely and important. Preliminary research is concluded. The Workgroup needs more time to review the data and to reach a consensus on next steps.

The issue of practice standards for attorneys, while complex, is timely. While Workgroup members believe that moving forward on practice standards is very important and should be explored, due to the extensive time spent on the development and implementation of Core I roll-out, the full Legal Representation Workgroup did not have time to thoroughly consider this issue. As such, a Standards Sub-Committee was created as a subgroup to the Legal Representation Workgroup. The sub-committee is Co-Chaired by Frank P. Cervone, Esq. and Kathy Gomez, Esq.

In April 2012, the sub-committee presented an in-depth preliminary report to the Legal Representation Workgroup. Workgroup members believe any recommendation to the State Roundtable should address implementation, funding, accountability and oversight in addition to the actual standards. The preliminary report provides detailed background information on the issue, recommends basic elements (domains) to be included in any proposed standards, and an overview of the various models of representation currently occurring in the Commonwealth. Abbreviated sections of the report are provided below:

i. Introduction and Background

In May 2011, the Legal Representation Workgroup received authorization from the State Roundtable to pursue the following recommendation:

Begin discussions regarding potential standards of practice, caseload size and compensations structure for GALs and parent attorneys as they relate to supporting the work of best practice and high quality representation bringing specific recommendations to the 2012 roundtable. Recommendations will include strategies to practice standards during times of limited resources.

--Recommendation 5 from *Moving Children to Timely Permanency, An Updated Report to the Pennsylvania State Roundtable, May 2011*

Consequently a Subcommittee of the LRWG composed of both GALs and Parent Attorneys (“Subcommittee”) was formed to lead this discussion and provide recommendations.

ii. Rationale for Standards of Practice

Practice Standards are needed: High-quality child and parent representation is critical for many reasons; most importantly it supports better outcomes and timely permanency for children. While the statutory right to counsel in Pennsylvania ensures representation for all children and most parents, there is little consensus about the scope of representation, including questions about client contact, participation in out-of-court advocacy and even motion practice. The consensus of the LRWG is that standards of practice that provide clearly articulated roles, expectations, responsibilities and best practices for GALs and parent attorneys are needed to guide legal representation in dependency court where the consequences of proceedings have life-altering impact on vulnerable children and families.

iii. Recommended Basic Elements: 7 Domains

1. Client Contact
2. Expertise and Knowledge
3. Case Preparation
4. Collateral Contacts and Collaboration
5. Advocacy
6. Appellate
7. Ethical Considerations



iv. Models of Engagement

Models of Engagement: Various models of attorney engagement are in use around the Commonwealth; these models are generally tied to the model that a court or county uses to compensate its lawyers appointed to represent children and parents. The models of engagement and compensation include:

-- *Inside-government staff attorney model:* Full- or part-time child or parent lawyers who are county or court employees, working in a unit of government that is organized to represent such clients. Compensation rates are typically established by county commissioners.

-- *Private agency staff attorney model:* Full- or part-time child or parent lawyers who are employees of private not-for-profit agencies that are organized to represent such clients, and the agency is funded either wholly by government funds or with mix of government and private charitable funds. Compensation rates are established by the private agency's board of directors or other personnel structure.

-- *Private attorney contract model:* Full- or part-time child or parent lawyers who are independent contractors of county government or court, receiving lump-sum fixed rate regardless of number of cases (i.e., monthly stipend) to represent children or parents, while also maintaining their own private practices. Compensation rates are typically established by county commissioners or by the court.

-- *Private attorney fee model:* Child or parent lawyers who are individually appointed, case by case, and compensated on some locally-established fee structure. This approach is often used in conflict situations where another model is also in use (i.e., agency attorney has conflict of interest, and court appoints conflict counsel). Compensation rates are typically established by county commissioners or by the court, and vary across the Commonwealth.

-- *Pro bono attorney with staff support:* Private not-for-profit agencies providing case management or other support for volunteer lawyers serving clients in the dependency system, and funded by a mix of government funds and/or private charitable funds.

If consensus of the Legal Representation Workgroup approves the above areas, along with the rest of the preliminary report, and if approved by the 2012 State Roundtable, the Standards Sub-Committee will continue the work of establishing a process for successful implementation of dependency best practice standards for Guardians ad Litem and Parent Attorneys with a proposed draft presented to the 2013 State Roundtable.

The Legal Representation Workgroup requests guidance on the following discussion items related to the charge of exploring standards, compensation, caseload, and monitoring/accountability of such:

- a. Does the State Roundtable support continued efforts and time exploring the issue of standards, compensation, caseload, monitoring and oversight?**
- b. With the consensus of the Legal Representation Workgroup, does the State Roundtable support continuing effort to draft standards for Guardians ad Litem and Parent Attorneys?**
- c. What guidance can the State Roundtable provide the Workgroup regarding successful implementation of a process for monitoring, maintaining, and ensuring accountability of standards? What is needed in the 2013 report/recommendations?**

Additional progress made by the workgroup

Two important educational resources were created to enhance practice of Guardians ad Litem in the child dependency system: an educational pre-service DVD set and a children's activity workbook.

In addition to the successful completion of the Core I training sessions, the Legal Representation Workgroup assumed the role of creating a pre-service training for Guardians ad Litem, to ensure compliance with the Child Abuse and Prevention Treatment Act (CAPTA) and the future ability for counties to receive reimbursement associated with Guardians ad Litem costs. It was recognized that the pre-service training needed to be in a format readily available to any county so that there was not a delay in the appointment of new Guardians ad Litem. To accomplish this goal, the Workgroup decided a DVD set would be developed providing an overview of elements from Core I, as well as some additional information to assist new Guardians ad Litem.

Overall the DVD set is a remarkable and historic product resulting from the dedication and passion of our Supreme Court Justice Max Baer, Superior Court Judge Susan Peikes Gantman, Deputy Secretary of Office of Children, Youth and Families, Beverly Mackareth, and Office of Children and Families in the Courts Administrator, Sandy Moore. In addition, Judges, attorneys, and practitioners from across Pennsylvania share their advice on best practices.

As articulated in previous Department of Public Welfare/Office of Children Youth & Families correspondence (Needs Based Plan & Budget Instructions), counties seeking reimbursement for Guardians ad Litem services will need to ensure all Guardians ad Litem appointed on or after June 1, 2012, receive the pre-service training and sign the accompanying Affidavit confirming their completion. The State Roundtable Legal Representation Workgroup developed the DVD pre-service training set. Additional copies of the set can be obtained through the Office of Children & Families in the Courts. Questions specific to GAL funding reimbursement should be directed to the Department of

Public Welfare's Office of Children, Youth & Families. A copy of the letter notifying counties of this new process can be found in APPENDIX IV.

The final project completed with the oversight of the Legal Representation Workgroup was a children's court activity book entitled "What's Happening in Dependency Court? An Activity Book for Children Going to Court in Pennsylvania" to be used by Guardians ad Litem to assist in communication with children. The workbook provides guidance to Guardians ad Litem, when answering difficult questions from children such as "Why did I have to leave my home?" and "When will I know what is going to happen to me?" Through the assistance of courtroom scenes and stickers of people and things a child is likely to see in the courtroom, Guardians ad Litem can help children prepare for the courtroom experience. The activity book attempts to alleviate anxiety and fear that children sometimes experience in the complex dependency system.

Based upon the information contained in this report, the Legal Representation workgroup respectfully recommends:

- I. Continued development of Core II training, to include issues related to Termination of Parental Rights, Appeals, Child Development and Trauma
- II. Establishment of a process for ongoing, high quality, advanced legal representation training, which is relevant to child dependency matters
- III. Continued exploration of ways for Guardians ad Litem and Parent Attorneys to network
- IV. Development of a process for ongoing, advanced training to include Guardians ad Litem, Parent Attorneys, and Solicitors
- V. Continued exploration of standards, compensation, and caseload drafting a set of Guardian ad Litem and Parent Attorney standards to present to the 2013 State Roundtable
- VI. Examination and drafting of a process whereby standards would be financed, monitored, maintained, and accounted

This report is respectfully submitted on behalf of the co-chairs and workgroup members.

APPENDIX I

Legal Representation Core I Regional Training

What is your overall evaluation of the training?

Wilkes Barre	Cranberry	Monroeville	Carlisle	Villanova
4.4	4.6	4.0	4.4	4.5

How relevant was the information presented?

Wilkes Barre	Cranberry	Monroeville	Carlisle	Villanova
4.5	4.7	4.3	4.5	4.7

How satisfied were you with the following sessions:

Mission and Guiding Principles

Wilkes Barre	Cranberry	Monroeville	Carlisle	Villanova
4.1	4.4	3.9	4.2	4.3

Roles and Responsibilities

Wilkes Barre	Cranberry	Monroeville	Carlisle	Villanova
4.2	4.6	3.9	4.3	4.6

Shelter Hearings

Wilkes Barre	Cranberry	Monroeville	Carlisle	Villanova
4.3	4.6	4.0	4.5	4.4

Grief and Loss

Wilkes Barre	Cranberry	Monroeville	Carlisle	Villanova
3.9	4.2	3.8	4.4	4.3

Adjudication Hearings

Wilkes Barre	Cranberry	Monroeville	Carlisle	Villanova
4.4	4.7	4.1	4.7	4.6

Disposition Hearings

Wilkes Barre	Cranberry	Monroeville	Carlisle	Villanova
4.4	4.5	3.8	4.5	4.6

Communication Breakout: Guardian ad litem

Wilkes Barre	Cranberry	Monroeville	Carlisle	Villanova
3.4	4.4	3.7	3.8	4.1

Communication Breakout: Parent Attorney

Wilkes Barre	Cranberry	Monroeville	Carlisle	Villanova
4.1	4.4	3.8	4.4	4.2

Permanency Hearings

Wilkes Barre	Cranberry	Monroeville	Carlisle	Villanova
4.2	4.4	3.9	4.5	4.6

Appeals

Wilkes Barre	Cranberry	Monroeville	Carlisle	Villanova
3.8	4.1	3.8	4.2	4.0

What surprised you about the training?

“The quality”

“That my County does things all wrong”

“I really thought this was going to be the same old CLE training, but this training was excellent and reenergized me to help families”

What two things did you learn or are able to take away from the training?

“That I should file more motions for what I know needs to be done”

“The discovery of Children and Youth files and documents”

“I will be more sensitive to the trauma of separating parents and children”

What two things will you do differently in your dependency cases beginning tomorrow?

“I will visit my kids more”

“I will make sure that children have their belongings when going into care”

“I will question the original petition with greater scrutiny”

What questions do you still have about the material or what information do you still need to know?

“Visitation for incarcerated parents”

“More information on Children and Youth regulations before the case is court active”

“Information on the Interstate Compact”

What was missing from the training or what could have been done to make the training better?

“Adding some advanced topics for seasoned attorneys”

“More time for questions and answers”

“Break out sessions dividing years of practice”

APPENDIX II

Legal Representation Core I Training Philadelphia 147 Participants, including Guardians ad litem, Parent Attorneys and Solicitors

101 Evaluation Results based on a 5.0 scale

What is your overall evaluation of the training? 3.5

How relevant was the information presented? 3.8

How satisfied were you with the following sessions:

Mission and Guiding Principles 3.3

Roles and Responsibilities 3.4

Grief and Loss 3.6

Shelter Hearings 3.7

Adjudication Hearings 3.9

Disposition Hearings 3.6

Permanency Hearings 3.5

Communication 3.8

What surprised you about the training?

“The fact that a new day has dawned on the dependency arena in Pennsylvania”

“That Grief and Loss affect behaviors of parents and children”

“There was good perspectives on real-life experiences”

What two things did you learn or are able to take away from the training?

“A shift from compliance to progress thinking”

“Make sure the child is at the hearing”

“Safety Assessment and Safety Threats should be a focus”

What two things will you do differently in your dependency cases beginning tomorrow?

“I will spend more time talking with my client”

“I will ask about the safety assessment and safety threats”

“I will make sure that the family’s plan has specific objectives”

What questions do you still have about the material or what information do you still need to know?

“Specific information about incarcerated parents”

“Issues specific to Philadelphia, specifically suggestions on how we can make these things work in Philadelphia County”

“More trainings on the laws, statutes and rules”

What was missing from the training or what could have been done to make the training better?

“More time for questions and answers”

“More interaction”

“Small break-out groups with various topics to choose from”

APPENDIX III

Office of Children and Families in the Courts

Legal Representation Workgroup

Co-Chair: Honorable Kelley Streib, Butler County

Co-Chair: Honorable Wendy Demchick-Alloy, Montgomery County

Training Survey Results from the 2012 Leadership Roundtables

45 Survey results in bold *Please note that some questions were not answered

1. Is there a need for Attorneys to have ongoing training on dependency matters?

- Yes **45**
- No **0**

2. What is a reasonable distance for Attorneys to travel for training?

- 3 hours **3**
- 2 hours **20**
- 1 hour **20**
- less than an hour **2**

3. How often should Attorneys be offered dependency matter trainings?

- Quarterly **3**
- Twice a year **12**
- Annually **28**

4. Would you be willing to require Attorneys to attend dependency trainings?

- Yes **40**
- No **4**

5. How many new Guardian *ad litem* and parent attorneys have you added to your Counties recently who did not attend Core I training?

- Number of new Guardian *ad litem* **2 total from all Leadership Roundtables**
- Number of new Parent Advocates **21 total from all Leadership Roundtables**

6. How many parent attorneys have attended past OCFC Summits?

- More than 3 **4**
- 1-3 **15**
- None **21**
- Prefer to not bring our parents attorneys

7. Have you had at least one of your Guardian *ad litem* attend past OCFC Summits?

- Yes **34**
- No **6**

8. In your County, the Attorneys need dependency training on:

Concurrent Planning

Reasonable Efforts

Termination of Parental Rights

Mental Health

Visitation

Drug and Alcohol

Education Issues

Children and Youth Responsibilities

**Act 101
practice**

Personal beliefs/values impacting

New Rules

Core I Refresher



Supreme Court of Pennsylvania
ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

ZYGMONT A. PINES, ESQUIRE
COURT ADMINISTRATOR OF PENNSYLVANIA

SANDRA E. MOORE, MSW
ADMINISTRATOR
OFFICE OF CHILDREN AND FAMILIES IN THE COURTS

Re: Pennsylvania Guardian ad Litem Pre-Service DVD

Dear President Judge

We are very excited to introduce the long anticipated Guardian ad Litem Pre-service DVD training set (enclosed). This extraordinary tool, developed by the State Roundtable Legal Representation Workgroup in consultation with the Pennsylvania Department of Public Welfare's Office of Children, Youth & Families, is being provided to all President Judges and County Child Welfare Administrators, with a complimentary copy being sent to all Leadership Roundtable judges. The training packet includes: the Pre-Service DVD, the Resource CD, and the *Mission and Guiding Principles for Pennsylvania's Dependency System* booklet.

As noted in previous Department of Public Welfare Office of Children, Youth and Families correspondence (specifically Annual Needs Based Plan & Budgeting instructions), the Pre-Service DVD training will be required for all new GALs, if the county wishes to receive state reimbursement through their county Children & Youth Needs Based Plan & Budget for GAL services. Requests for additional copies of the DVD sets can be directed to our office. Questions regarding the funding aspect of this correspondence should be directed to DPW's Office of Children, Youth & Families.



The pre-service training packet was developed at the direction of the Pennsylvania State Roundtable to assist new GALs in their understanding of the child welfare system and dependency process, their representation of abused/neglected children, and to bring Pennsylvania into compliance with the federal Child Abuse and Prevention Treatment Act (CAPTA) which provides funding for child abuse services in Pennsylvania.

Finally, while the Pre-Service training packet is specifically intended for newly appointed GALs, it was designed to be helpful to anyone practicing in dependency proceedings including experienced GALs, Parent Advocates, Solicitors, and child welfare professionals. We encourage its use with professionals beyond newly appointed GALs as the court and child welfare agency deem appropriate for your local jurisdiction.

Again, additional copies of the training packet can be obtained by contacting Mrs. Elke Moyer, Office of Children & Families in the Courts – Administrative Office of Pennsylvania Courts at elke.moyer@pacourts.us

We are pleased to provide this new resource in our ongoing effort to enhance services to abused/neglected children, their families, and the many professionals dedicated to helping them.

Sincerely

Sandra Moore, Administrator
Office of Children & Families in the Courts
Administrative Office of Pennsylvania Courts

Beverly Mackereth, Deputy Secretary
Office of Children, Youth & Families
Department of Public Welfare

cc: Max Baer, Justice Pennsylvania Supreme Court
Honorable Kelley Streib, Court of Common Pleas of Butler County/Legal
Representation Workgroup Co-Chair
Honorable Wendy Demchick-Alloy, Administrative Judge Court of Common Pleas
of Montgomery County/Legal Representation Workgroup Co-Chair
Children & Youth Administrators