

YOUTH LAW CENTER

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BI - ANNUAL REPORT 2001 - 2002



YOUTH LAW CENTER

PROTECTING CHILDREN SINCE 1978

LITIGATION HIGHLIGHTS:

Higgins v. Saenz. This lawsuit challenged the failure of the California State Department of Social Services ("CDSS") to enforce federal regulations requiring states to license foster homes of relatives to ensure that they meet health and safety requirements. We resolved this case by a settlement with the State requiring CDSS to implement statewide standards for caregiver kin and to require counties to provide help to unqualified relatives in meeting those standards.

Donaldson v. Archuleta. In 2001, the Youth Law Center, in partnership with Bay Area Legal Aid, filed a lawsuit against Alameda County Department of Social Services for its failure to supervise and care for abused and neglected children in its care. Specific practices challenged in the suit included failure of caseworkers to visit children in foster care and failure to investigate complaints of abuse in a timely manner. Prior to the filing of this lawsuit, the County had failed every audit by the California Department of Social Services for the past 15 years. The County has now come into compliance with state child welfare regulations and the settlement is pending.

Warren v. Saenz. In 2000, the Youth Law Center filed a lawsuit against the California Department of Social Services ("CDSS") for their failure to license 9 county-run shelters that house abused and neglected children. Lack of state oversight exposed many thousands of children to overcrowded and dangerous conditions. These shelters often exceeded their staff or structural capacity, deprived children of basic personal rights, and failed to provide trained staff. In 2001 the court ordered CDSS to require all county-operated shelters to be licensed. Since that time, CDSS has inspected and licensed all shelters. As a result, children's lives are substantially improved: fewer children stay in shelters and counties have changed both programs and physical plants. Both the State and the Youth Law Center continue to monitor conditions at the shelters.

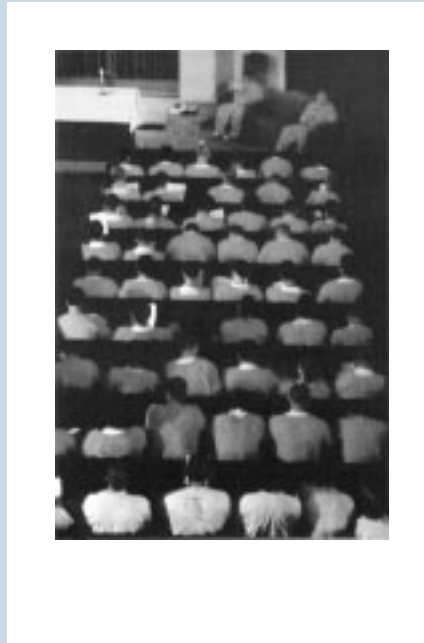
Katie A. v. Bonta. In late 2002, the Youth Law Center joined a broad coalition of public interest law groups in filing a sweeping lawsuit against the California Department of Social Services and Los Angeles County, challenging the County's failure to provide medically necessary mental health services to children currently in, or at risk of being placed under the supervision of, the Los Angeles Department of Children and Family Services. The suit also challenged the County's over-reliance on restrictive, institutional placements for children with emotional and behavioral problems. Since the lawsuit was filed, the population at the McLaren Shelter, which has traditionally been used for Los Angeles County's hardest to place kids, has been drastically reduced.

Morris v. Harper. In May 2000, the Youth Law Center filed a lawsuit against the California Youth Authority ("CYA") for its failure to license in-patient medical and mental health facilities at all Youth Authority facilities and subjecting the 7,300 youth in its care to substandard care. CYA's own reports at the time the lawsuit was filed established serious deficiencies in staffing, policies and procedures, and treatment protocols (particularly with respect to mental health). In November 2000, the judge in the case ordered that all CYA medical and mental health facilities be licensed and set out a timeline for this to occur. The State appealed and the Appeals Court upheld the decision in 2001. We are monitoring compliance with the order.

Christina v. Bloomberg. This lawsuit challenged conditions of confinement at the South Dakota State Training School in Plankington. Among the challenged practices were 24-hour cell confinement, stripping youth to their underwear and putting them in 4-point restraints, and deprivation of medical and mental health care. A settlement agreement approved by the judge abolished 4-point restraints, limited the use of isolation, and addressed deficiencies in mental health, education and training. The state of South Dakota closed the facility at the end of 2001.



PROTECTING CHILDREN SINCE 1978



Now in its 25th year, the mission of the Youth Law Center continues to be the protection of at-risk youth, particularly those children living out-of-home in the nation's child welfare and juvenile justice systems. Youth Law Center staff investigates reports of abuse of children in adult jails, county juvenile detention facilities, state institutions, and child welfare systems throughout the country and uses a variety of strategies to bring about positive outcomes for youth.

PROTECTING CHILDREN IN OUT-OF-HOME CARE

The Youth Law Center works to see that children in care of the state, whether in the delinquency or dependency system, receive the services and treatment they need to grow to healthy adulthood. To that end, the Youth Law Center has been working in the following areas:

REDUCING SHELTER AND GROUP CARE. Throughout the country, there has been an alarming trend towards placing children, youth and infants in congregate group care facilities like group homes and shelters, where they do not get the individualized care, treatment, and support that they would get through individualized foster care placements. The Youth Law Center has been working to address the inappropriate growth in shelter and group care in a number of ways. Last year, we obtained a court order requiring all public shelters in California to meet state licensing requirements, which prohibit overcrowding, establish minimum staff qualifications and staffing requirements, and set minimum standards of care. *See Litigation.* Through advocacy with local officials we have worked to limit the expansion of shelters and to modify programs to offer a more family like setting. We will soon release a "briefing book" on group care that can be used by policy makers and advocates to respond to initiatives to expand the use of shelters or group care or replace foster care with group care. This briefing book will include a survey of research and statements from youth in group care, we have also recently completed a study on developing group care in California.

CHILDREN IN ADULT JAILS. Since its inception, the Youth Law Center has worked to end the practice of confining children and youth in adult jails. This problem is now compounded by the national trend toward trying children as adults and holding them in adult jails and lockups prior to their conviction. This year, we addressed the plight of girls held in isolation for weeks and even months in the Los Angeles County adult jail. We are now confronting the practice of confining boys whose cases have been transferred to the adult court, but who have not yet been convicted of any offense, in adult facilities. Through legislative and policy changes, organizing community advocates and, if necessary, litigation, we are working to end this abuse.

MEDICAL AND MENTAL HEALTH CARE. Children in the foster care and juvenile justice systems have enormous unmet health care needs. Many children come into children's shelters or detention centers because of a mental health care problem in the first place; lack of services in care exacerbates their problems greatly. Last year, in response to our lawsuit, *Morris v. Harper*, the court ordered that all inpatient mental health facilities in the California Youth Authority meet licensing standards. We are currently challenging the lack of appropriate residential and mental health services for children in the custody of the Los Angeles Department of Family and Children Services, *Katie A. v. Bonta. See Litigation.* On a broader scale, the Youth Law Center is investigating the reasons behind the failure to provide mental health services to children in California's out-of-home care system and identify policy and practice changes necessary to remedy this failure. As part of this project, the Center published a major paper addressing the problem of Medicaid coverage for children in juvenile justice and dependency institutions in California.

OVERCROWDING IN DETENTION CENTERS. The crowded conditions common in juvenile facilities throughout the country result in institutional violence; a lack of medical and mental health care, education, and recreational opportunities for youth; and imposition of punitive disciplinary measures. The Youth Law Center has been working with the Annie E. Casey Foundation to alleviate this problem through their Juvenile Detention Alternatives Initiative. Center staff, with other consultants, inspect participating detention centers to determine whether conditions meet appropriate standards and develop plans for improvement.

KINSHIP FOSTER CARE. In California, approximately half of all children in state supervised out-of-home care live with relatives. Although these families receive payments, the state provides little else to support them. Youth Law Center provides legal counsel and advice, trainings and written materials to grandparents, kinship groups, community-based organizations, judges, attorneys and child welfare workers on the legal rights and responsibilities of grandparents who care for their grandchildren.

FEDERAL JUVENILE JUSTICE LITIGATION. The Youth Law Center co-chairs the Juvenile Justice and Delinquency Prevention Coalition, which consists of more than 70 organizations. Center staff helped lead the successful effort to preserve the protections for youth in the Juvenile Justice and Delinquency Prevention Act, ending an eight-year battle over federal juvenile justice policy.

A FOND FAREWELL ... BUT NOT GOOD-BYE

James Bell, who has been with the Youth Law Center since September, 1980, is taking his very special project, The W. Haywood Burns Institute to new headquarters. He's presently finalizing these changes, and plans to be working in his new office by June, 2003. As soon as we get the specifics on this new location, we will let you know.

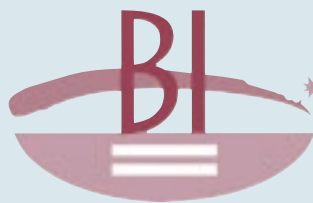
Until then, keep sending all inquiries to the Youth Law Center.

We bid James and his staff a fond farewell, wishing them the very best in this new endeavor.

Though soon in separate headquarters, we will still be together through Building Blocks and in our mutual consulting capacities.

We will miss his great presence and will always value and respect his deep passion for vulnerable children and youth.

We are especially grateful that he is continuing this important work in his new non-profit organization.



The following projects of the Youth Law Center represent new approaches to the myriad of problems facing at-risk youth in the dependency and delinquency systems.



CHANGING SYSTEMS

EDUCATION. The Youth Law Center has just begun a multi-year project designed to increase the likelihood that youth in the child welfare and juvenile justice system succeed in post secondary education. Completion of at least some post secondary education is now critical to economic success in the United States. Unfortunately, youth in the foster care and juvenile justice systems face significant barriers both in completing high school and in transitioning to a higher education or a vocational training program. Foster children are subjected not only to abuse and neglect, but also to frequent changes in educational placement, failure to maintain educational records, inappropriate educational decisions and negative stereotypes that reduce their likelihood of school success. Youth in the juvenile justice system have disproportionately low reading and general achievement levels and disproportionately high rates of learning disabilities, but few programs adequately meet their needs. Youth who are performing at or above grade level often cannot participate in programs that provide the quality of instruction or the curriculum to help them succeed and go on to post secondary school. This project includes legal and programmatic research on this issue and the development of model approaches in two target sites. Work has started in Fresno, California, and we will begin in Virginia next year.

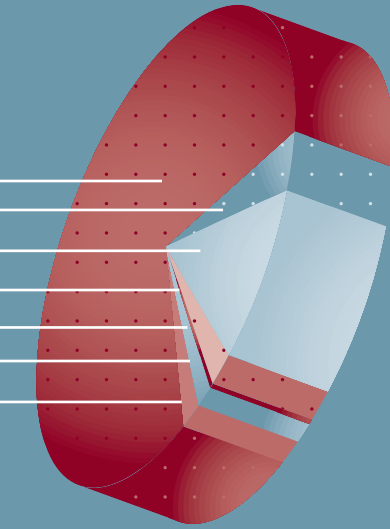
FAMILY TO FAMILY. The Youth Law Center is cooperating with the Annie E. Casey Foundation and Stuart Foundation to reorient foster care to a neighborhood-based system that supports children and families while strengthening the communities they live in. The Family to Family approach, which builds on partnerships between communities and public entities and increases support to foster parents, offers hope that children can achieve permanency without unnecessary disruptions in their lives. YLC is working with specific sites to implement this program while engaging in advocacy based on Family to Family principles.

FAITH BASED COMMUNITIES FOR FAMILIES AND CHILDREN. The Youth Law Center sponsors a coalition of religious leaders in Los Angeles that provides support to, and advocates on behalf of, children and families in the child welfare and juvenile justice systems. The group recruits foster families, has developed a mentoring program, and trains leaders to assist their own members and others caught up in these systems. We are currently developing an affiliate organization in the Bay Area and working on a statewide strategy to make the voice of this very important community heard. Central to the work of the group are principles of restorative justice and community healing.

BUILDING BLOCKS FOR YOUTH. The Youth Law Center coordinates Building Blocks for Youth, a national campaign to reduce overrepresentation and disparate treatment that affect youth of color in the juvenile justice system and to promote rational and effective juvenile justice policies. The project consists of a coalition of organizations jointly engaged in research, site-based work on decision making in the system, direct advocacy, constituency-building among state and national organizations, public education, and media advocacy. To date, Building Blocks has written and distributed seven major publications, the most recent documented the disproportionately harsh treatment that Latino/Latina youth suffer at each point in the juvenile justice system. This year, staff worked in New York City to prevent \$65 million dollars from being spent on new detention beds; in Louisiana to close the dangerous and violent state facility housing youth in Tallulah; and in Kentucky to address the differential treatment of youth of color under zero tolerance policies and other school disciplinary policies.

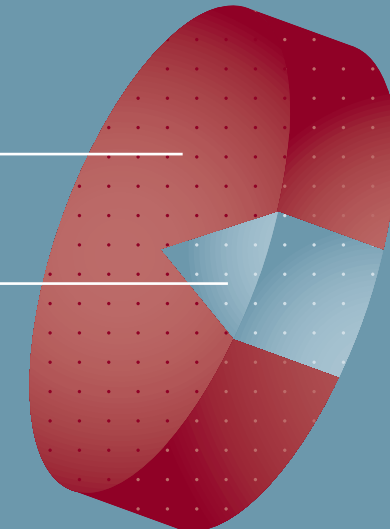
Revenue and Support Fiscal Year 2001-2002

FOUNDATIONS	\$2,462,977
STATE BAR TRUST FUND	\$130,319
GOVERNMENT AGENCIES	\$350,000
GENERAL CONTRIBUTIONS	\$67,980
ATTORNEY'S FEES	\$10,955
INTEREST	\$46,510
MISCELLANEOUS	\$60,298
TOTAL	\$3,129,039



Allocation of Funds Fiscal Year 2001-2002

DIRECT PROGRAMS	
Juvenile Justice	\$2,107,706
State Bar Trust Fund	\$132,231
Child Welfare	\$863,311
ADMINISTRATION	\$289,713



Youth Law Center has been recognized in *Worth Magazine* as one of America's best charities.



Traditionally, a picture of the Director fills the space above this message. The theory is that this will humanize the organization by putting a face on what may be only a name to most readers. This year we are, instead, printing a picture of some of the youth we try to serve, young people at a religious service in juvenile hall, half of whom are facing adult criminal charges. We include this picture because our task, as advocates, is to individualize these children, to show that each of the children and teens in the juvenile justice and foster care systems has a name, a face and a story. Or, in the words of Jacques Brel, "All children are like your own, the same brave hopes, the same sad tears..."

Our goal this year, and every year, is to give these children the same chance we would want for our own children if their fate was in the hands of a government system from which we could not protect them. This is why we work to ensure that children are treated as individuals, that they live in places that are safe and that offer them a chance to reach their potential and develop their character, that they have health care and go to school and that they can become participating members of their communities.

The projects and cases highlighted in this report are some of the ways we try to achieve this goal. Thank you for being part of this effort.

Carole Shauffer

Carole Shauffer
Executive Director