

NOTES FROM THE FIELD

THE CHILDREN'S RIGHTS NEWSLETTER

FALL
2016



Defending America's
Abused and Neglected Kids

INSIDE:



NBC's Natalie Morales honored at 11th Annual Children's Rights Benefit



Victory in South Carolina! Federal Judge approves life-changing settlement for children in foster care

IN FOCUS:

Preserving Family Connections For Children in Foster Care

"What I wanted the most was a family, but instead I was shuffled from facility to facility like I was an animal."

For Elijah Sullivan, this was his reality growing up in foster care. Now a 25-year-old juvenile supervision officer, Elijah recognizes that if he had been given the chance to live with a stable relative, his path to success and self-sufficiency would have been much easier. "I had an uncle that was willing to take me into his home a couple of years after I entered the system, but it ended up never happening."

For many like Elijah, foster care can be a whirlwind that keeps them spinning from placement to placement, without any safety nets to help them succeed. After aging out at 18, Elijah struggled to find housing and a sense of stability for almost a year. "I thought things would be easy, but I was severely mistaken," he told Children's Rights. "Responsibilities hit me like a ton of bricks. I didn't have the slightest idea how to shop for groceries, make appointments, set up my electricity. I was lucky



Elijah Sullivan says his path in life would have been easier if he had lived with a stable relative. Photo credit: OmarStylez Photography

to have a few mentors — without them, I'm sure I would have been lost."

The importance of family ties is increasingly being

recognized, including by the U.S. Congress. The Family First Prevention Services Act, introduced by Senate Finance Committee Chair Orrin Hatch, R-UT, and Ranking



ON THE FRONTLINES

FROM CR'S EXECUTIVE DIRECTOR

In June, renowned artist and *Fostering the Future* blogger Ronald Draper arrived at our office to envision a one-of-a-kind installation for Children's Rights. Within minutes, he came up with the words that embody our mission: Hope in Action.

Of course, we've had more literal descriptors of CR's work. Yes, we defend America's abused and neglected kids. Yes, we use the law to protect thousands when child welfare systems fail to do so. But we took an instant liking to Ronald's new tagline and his fresh perspective on our work.

Because while every child should have hope, improving foster care rarely happens on its own — it requires tough advocacy. Here at CR, we strive to put hope in action every single day. And this edition of *Notes From the Field* has some great examples. Our victory in South Carolina is one. Thanks to a recent settlement in *Michelle H. v. Hailey*, the case that CR and our amazing co-counsel brought on behalf of some 3,400 children in foster care, our action has put hope at the fore: now more kids will be placed in family homes and get the medical care they need.

Our October benefit was also cause for celebration. Thanks to our Board of Directors, Advisory Council, Young Professional Leadership Council and amazing honorees — NBC's Natalie Morales and Paul Yetter and his firm, Yetter Coleman LLP — as well as remarkable foster care alumni, we had one of our most successful benefits ever. Knowing our supporters believe in us and contribute so meaningfully to our work is also a cause for hope.

And then there is some of our lesser-known advocacy. In recent months, CR began representing four unaccompanied minors who fled to the United States to escape unthinkable violence in Central America. In October, thanks to CR's dedicated attorneys, a judge positioned two of these children to receive Special Immigrant Juvenile Status from the federal government. Now these vulnerable young people will finally be able to live without fear.

None of this amazing work would be possible without you. By extension, every last one of you also exemplifies Hope in Action. As we enter this season of giving, we want to express to you our profound thanks.

Best wishes for very happy holidays.

Sandy Santana
Executive Director



CR INSIDER

Motell G. Foster, an inaugural member of the Children's Rights Young Professional Leadership Council, spent 14 years in Alabama's foster care system. He has a bachelor's degree from The University of Alabama and now lives in New York City where he is in his final year at NYU Tisch's Graduate Acting Program.

CR: What motivated you to join CR's Young Professional Leadership Council?

MF: One of my mentors, Karen Baynes-Dunning, is a court-appointed monitor for CR's *Kenny A.* case in metro Atlanta. Prior to the summer I told her I wanted to get away from theater to spend time advocating for foster youth. I also told her I wanted a thorough education on the child welfare system. Consequently, I worked with different players within the system and several organizations that monitor it. This is how I connected with CR. When the Council came up, it was a no-brainer. CR's a very impactful organization — but, like most, there is a need for more constituent voices. This is where I come in.

CR: You have a passion for the arts. Why?

MF: As a kid, I experienced a lot of neglect and trauma. This led me to favoring imaginative worlds over reality. Daydreaming, anime and role-play are some of the things that made life bearable. Of course, it's a larger conversation — but acting and theater have provided me the time and distance, via role-play, to unpack my trauma; specifically, the patterns attached to it. This art is the lens through which I've seen more of myself.

CR: What does the future hold for you?

MF: I believe I'll do well as an actor. I'm really excited about the possibility, but I don't think about it a ton. Currently, one



of my big aims is to find the best way to provide the trauma-unpacking benefits of role-play to foster youth. I'm in the early stages of creating a Drama-Therapy framework for just that. I have high hopes.

CR: What is the one accomplishment you are most proud of?

MF: I usually try to veer from that lane of thinking, but I'm proud of the awareness and action that I've helped to cultivate in my networks on behalf of foster youth. Thankfully, it's just the beginning.

New Young Professional Council to Help Advance CR Mission

Children's Rights is thrilled to announce the launch of its Young Professional Leadership Council — a dynamic and passionate group of individuals who will help CR advance its mission of making a difference in the lives of vulnerable kids. The group will work in a variety of capacities, from bolstering fundraising efforts to organizing networking events and panel discussions with like-minded leaders.

The group is made up of seven professionals from diverse areas: Jason Bressner, Founder of Limpuagua; Motell G. Foster, third-year graduate acting student at NYU Tisch School of the Arts (see above); Christine Rivera, VP of Wealth Management at America Deutsche Bank; Hana Shahin, Accounting Manager at MacAndrews & Forbes Incorporated; Cindy L. Taylor, Founder of Full Extent Coaching LLC; Maria Vlassenko, Private Equity Attorney at Goodwin Procter LLP;



Members of the Children's Rights Young Professional Leadership Council join together at CR's Annual Benefit Oct. 18 at the Lighthouse at Chelsea Piers. From left to right: Cindy L. Taylor, Maria Vlassenko, Christine Rivera, Samrat Singh, and Jason Bressner.

and Samrat Singh, VP at U.S. Trust, Bank of America Private Wealth Management.

The council will host various events to raise funds for CR, conceptualize panel topics and help coordinate networking opportunities for council members, CR staff and other supporters of the

organization to engage in deeper dialogue and foster a sense of community.

Interested in becoming a member or learning more? Contact our Development Manager Kathleen Rivera at 646-216-3306 or by email at krivera@childrensrights.org.

Extraordinary Allies Natalie Morales, Yetter Coleman LLP Honored at CR Benefit

Hope in Action — that was the theme of Children’s Rights’ 11th Annual Benefit on October 18. The sentiment carried through the evening as honorees Paul Yetter of Yetter Coleman LLP and NBC’s Natalie Morales movingly described what fuels them to make a difference in the lives of vulnerable kids.

“Two decades ago, a report referred to young people in Texas foster care as ‘the children that even God has forgotten,’” said Yetter, who, along with his firm, was honored for extraordinary efforts in helping CR secure a landmark ruling on behalf of 12,000 children. “But not even this dire descriptor was enough to change the status quo. If CR and our team hadn’t stepped in to say ‘enough is enough,’ we wouldn’t be where we are today.”

As part of the TODAY Show’s “Pay It Forward” series, Morales interviewed three former foster youth — including benefit keynote speaker Steffanie Kramer — and created a Public Service Announcement for CR that has aired more than 18,000 times across the country. “This organization is near and dear to my heart,” said Morales. “Every single day, CR thinks of the hopes and dreams that are eluding so many of our kids, and takes decisive action to make them a reality.”

The tremendously successful event raised more than \$920,000 to help CR continue its work to protect and defend the rights of abused and neglected children.

Those in the room and following on social media commemorated the evening with the hashtag #HopeInAction, a tagline inspired by the artwork of Harlem-based artist and attendee Ronald Draper. Other notable guests included Board Chair Megan Shattuck, benefit Co-Chairs Molly Gochman and Jay Galluzzo and former foster youth Kim Larson and Kristopher Sharp.

Several foster care alumni shared their stories with bravery and passion. Kramer recounted eight months of sexual abuse at the hands of a foster father. She then recalled how her fourth set of foster parents helped turn her life around. “Tonight I do not stand before you worthless and abused ... I stand before you wanted, chosen, loved and adopted,” she said to a standing ovation.



1. Corbin Irons, Mia Irons, Joseph Irons, Adam Irons (front), Celee Irons, Christy Irons, Asher Irons, George and Karen Milner, Auggie Irons
 2. Ronald Draper, Demetrius Napolitano 3. Jim Stanton, Joseph Regele 4. Auctioneer CK Swett 5. Jane and Robert Julius 6. Christy Irons, Enid Maran 7. Cecilia Fang, Mary Ann Zoellner, Natalie Morales, Jaclyn Levin, Rachel DeLima, Megan Kopf 8. Lewis Tepper, Steven Katz, Paul Byrne, Jill Schildkraut-Katz, Kim Rimer 9. Paul Yetter, Alan Myers 10. Peter Serating, Molly Gochman, Megan Shattuck, Anne Strickland Squadron 11. Jenny and Jay Galluzzo 12. Dianne Bartosz 13. Dan Galpern, Cori Galpern, Lewis Tepper, Kim Rimer 14. Paul and Patti Yetter 15. Kristopher Sharp 16. Megan Shattuck, Sandy Santana, Bethany Pristaw, Alice Rosenwald



17. Latham Thomas, Terry Danziger, Molly Gochman
18. Kim Larson, Natalie Morales, Sara Bartosz, Steffanie Kramer

Photos ©David Berkwitz

Landmark Settlement ‘A Huge Step Forward’ for Kids in South Carolina



Attorneys from CR, South Carolina Appleseed and Wyche, P.A. celebrate in front of the U.S. District Courthouse in Charleston, SC. From left to right: Ira Lustbader, Steve Suggs, Sue Berkowitz, Matthew Richardson, Christina Remlin, Kate Wood and Dione Brabham.

For decades, a drastic shortage of foster homes has plagued South Carolina’s Department of Social Services (DSS), causing a shocking number of kids — even those as young as 5 — to be institutionalized. Caseworkers are so overburdened, with many workers responsible for over 50 kids at a time, that maltreatment often goes uninvestigated.

These unconscionable circumstances prompted Children’s Rights, the South Carolina Appleseed Legal Justice Center and Matthew T. Richardson, an attorney with the South Carolina law firm Wyche, P.A., to file a federal class action lawsuit in January

2015. By October 2016 we had a breakthrough victory. A landmark agreement was reached on behalf of 3,400 children in the case known as *Michelle H. v. Haley*.

The agreement was the result of more than a year of intense negotiations and promises vital changes, including ensuring reasonable caseloads, improving investigations of abuse allegations, preventing children 6 and under from being placed in institutions and revamping health care so that all children get the medical, dental, and mental health screenings and treatment they need. The settlement also makes final a set of

interim relief that was negotiated last September. This includes phasing out dangerous practices such as letting children in state custody stay overnight in hotels and DSS offices and allowing foster kids to remain in juvenile detention facilities, even though they have completed their sentences or pleas, due to having no place to house them.

“This settlement is a huge step forward for kids in foster care in South Carolina,” said Christina Remlin, senior staff attorney at Children’s Rights. “Governor Haley and DSS Director Alford deserve credit for coming to the table early and committing to large-scale changes, which will vastly improve safety and outcomes for the young people in their care.”

Two national child welfare experts, Paul Vincent of the Child Welfare Policy and Practice Group and Judith Meltzer of the Center for the Study of Social Policy, have been appointed as independent co-monitors as a result of the settlement and will be issuing periodic public reports on the state’s progress.

“This result is an excellent example of legal advocacy leveling the playing field,” said Richardson. “There is nothing more important or gratifying than knowing these children, the very future of the state of South Carolina, will receive the attention and resources they need to thrive.”

Sue Berkowitz, director of the South Carolina Appleseed Legal Justice Center, echoed that sentiment: “We partnered in this effort because of the dire need to bring accountability to DSS. There’s a lot of hard work ahead but, with children’s very lives at stake, the end result will clearly make the effort worthwhile.”

IN FOCUS: Preserving Family Connections For Children in Foster Care

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Member Ron Wyden, D-OR., would redirect federal funds to provide services to keep children safely with their families and out of foster care. If foster care were the only viable option, it would allow federal reimbursement solely for family-based settings and select residential treatment programs for children with special needs.

There is good reason for this. The majority of children who come into foster care do so because of their parents' mental health and substance abuse issues; with the proper supports and services, many of these families can remain intact. But though the Family First Act was passed through the House shortly after its introduction in June, it was not taken up by the Senate before congress recessed for the November elections.

"Foster care should be the final recourse and, when it is necessary, kids need to be with supportive, loving families," said Sandy Santana, executive director of Children's Rights. "The bill supports critical services to keep families together and provides incentives to help kids in care be placed in families rather than in more expensive and harmful group homes. It's disappointing that the Senate failed to act on landmark legislation that would improve outcomes for hundreds of thousands of our most vulnerable children."

Children's Rights has worked with stakeholders in a number of cases to help preserve family connections. After Children's Rights and co-counsel reached a settlement in *Juan F. v. Malloy*, a suit brought on behalf of children placed in Connecticut foster care, substantial measures were taken to help kids maintain family connections and avoid foster care when safe to do so. The percentage of siblings placed together, for example, increased from a baseline of 57 percent in 2005 to an astonishing 90.6 percent in 2014. And, furthermore, the placement of children with relatives has increased from 17 percent in 2011 to over 33 percent today. Connecticut has also dramatically reduced the use of group-care settings by 65 percent in the same period.

Lexie Grüber, who spent time in congregate care, knows the damage it can do. She was removed from her family of origin when she was 14 years old and spent two years shuffling between group homes. In one, she told CR, "Foster children were treated like animals at a zoo. Fridges were padlocked until 'feeding times' and we stayed in cockroach-infested spaces with no air-conditioning."

Now a policy analyst for the American Public Human Services Association, Lexie believes that Congress' failure to send the Family First Act to the President's desk is putting more children at risk. In a recent *Washington Post* op-ed she noted that if the legislation were in place years ago, "my parents could

have received the help they needed to keep me safe and at home and prevented me from entering the foster care system in the first place."

Multiple studies have examined the importance of family preservation. In a series of studies tracking thousands of children, Massachusetts Institute of Technology economics professor Joseph Doyle, Jr. found that children placed in foster care experienced drastically higher juvenile delinquency rates, adult arrest rates, teen motherhood rates, and unemployment rates than children who experienced similar abuse or neglect and remained with their families.

The apparent benefits of keeping families together aren't only developmental, they're emotional as well. Ask Vannak Kong, a blogger from CR's 2014 *Fostering the Future* campaign:

"I just wanted to be close to my family, even if it meant hiding in the attic for just a few days or hours. I was so affected by the trauma I experienced, I wet the bed until I was 13. One time, when I was around that age, I even stole my foster parents' expensive bicycle, riding 32 miles on a cold December morning in urine-soaked pajamas just so I could get home."

For some children, foster care is necessary, even life-saving, and Children's Rights will continue to serve as watchdog to make sure it functions as well as possible. But for many children, state care simply cannot replace family ties.



Lexie Grüber says Congress' failure to pass the Family First Act is putting more children at risk.



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IN THEIR OWN WORDS

"If you think about it, in one day you lose your whole family— whether it is bad or good, it is what you know. And then you are thrown into something different. It may be better, and sometimes it's worse. You might be a couple hundred miles from home. And when you are so young all you know is your whole world just got flipped upside down. It's scary."

— Emalee

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