

JUVENILE COURT PROJECT



PARENT ADVOCATES

Parent Orientation Video to Premiere This Spring



Juvenile Court Project clerk Carolyn Fisher and granddaughter Ceara Horne pose for the camera as part of the JCP's educational video for parents.

Lights! Cameras! Action! The Juvenile Court Project (JCP) is currently producing an educational video to debut this spring, which offers an overview of dependency and termination of parental rights proceedings.

Featured will be information about the specific legal services offered by the JCP as well as general information about the rights of parents in Juvenile Court proceedings. The video will be shown to parents who apply to the JCP for a parent advocate attorney as part of new client orientation. Additional copies will be available to service providers within the child welfare system.

In September, initial filming took place on location at the JCP office and at various locations in downtown Pittsburgh. Employees Carolyn Fisher, Sharon Ciechalski, Christina Veason, Kelly Berry and Gina Cipolletti por-

trayed various roles.

In October, a mock dependency hearing was filmed at the courthouse. Juvenile Court Administrative Judge Eugene Scanlon presided, with Barb Hanley of the Allegheny County Law Department, Frank Bogatay of the JCP and Walt Wisz of KidsVoice serving as counsel. Judge Kim Clark and Judge Cheryl Allen each narrated a portion of the script.

The video project is funded by grants from Pittsburgh City Council members Gene Ricciardi and Alan Hertzberg as part of the city's grants and donations program. Additional funding is provided by District Attorney Stephen Zappala through his office's asset forfeiture fund.

Service providers who are interested in receiving a copy of the video should contact JCP attorney Sharon Biasca at 391-4467 ext. 216.

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MISSION STATEMENT

The Juvenile Court Project is a legal assistance program of the Allegheny County Bar Foundation. Our mission is to advocate for the interests and protect the legal rights of indigent parents whose children are the subjects of Juvenile Court dependency and termination of parental rights proceedings.

JUVENILE COURT PROJECT

Parent Advocates

DIRECTOR

Mark D. Edwards

EXECUTIVE COUNSEL

Linda Ehrenreich

SUPERVISING ATTORNEYS

Sharon Biasca

Kiersten Frankowski

Eleanor Grainy

Jim Robertson

Catherine Volponi

ATTORNEYS

Yolanda Bacharach

James Ball

Frank Bogatay

Gina Cipolletti

John Hayes

Nellita Moore

William Petulla

Elizabeth Schooley

Armand Velez

PARENTAL SUPPORT UNIT

Linda Cuttler, Supervisor

SUPPORT STAFF

Kelly Berry

Sharon Ciechalski

Carolyn Fisher

Christina Veason

ACBA COMMUNICATIONS

DIRECTOR

Jennifer Pulice

ACBA GRAPHIC ARTIST

Tracey L. Shanko

EDITOR

Sharon Biasca

CONTRIBUTORS

Mark D. Edwards

Linda Ehrenreich

Kiersten Frankowski

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Director's Letter

By Mark D. Edwards

Providing effective legal representation to parents extends beyond advocating before a Juvenile Court judge or hearing officer. The Juvenile Court Project is currently embarking on two new initiatives that will enhance our representation of birthparents.

Linda Cuttler, a certified addictions counselor, has joined our staff and will supervise our Parental Support Unit. The tight timeframes imposed on parents resulting from the Adoption and Safe Families Act present significant challenges. The Parental Support Unit will consist of three Parental Support Advocates who will assist our attorneys in identifying barriers to the client in attaining his or her Family Service Plan goals. The Parental Support Advocates will also aid our attorneys in implementing strategies to overcome these obstacles. Additionally, the unit will represent our office at various community fairs and events. I strongly believe their time and expertise will not only strengthen our legal representation of birthparents, but increase the potential for reunification to be the primary outcome for more of our clients.

The Juvenile Court Project will also begin to represent clients in child abuse expungement cases. When the Office of Children, Youth and Families (CYF) receives a complaint of

child abuse pursuant to the Child Protective Services Law, CYF investigates and if it believes the complaint is warranted, an "indicated childline" results. An indicated childline has serious consequences as it is reported to the state's Childline Registry and prohibits the client from working in the child care services sector or in any private or public school.

If the client believes the complaint is inaccurate or false, he or she can seek to have the indicated childline removed or expunged from his or her record. Representation of our clients in these proceedings is critical because it impacts on their ability to seek and maintain employment. Unfortunately, many of our clients have been unrepresented in the past. Sharon Biasca, the Juvenile Court Project's appellate counsel, will represent our clients in these extremely important matters.

In closing, on behalf of the Juvenile Court Project, I would like to express our deep appreciation to my predecessor Linda Ehrenreich, who is now serving as executive counsel. Her leadership, dedication and tenacity have created the foundation for strong advocacy for the legal rights of birthparents in Allegheny County.



The Juvenile Court Project can provide brochures and speakers to community groups interested in learning more about Parent Advocates.

For further information, call 412-391-4467 ext. 231

Parent Advocate attorneys offer law clinics within the community for parents with active CYF cases. To find out the location of an upcoming clinic near you, call **412-391-4467 ext. 207.**

The Adoption and Safe Families Act *DON'T RUN OUT OF TIME!*

Since Pennsylvania's incorporation of the Adoption and Safe Families Act (ASFA) into its Juvenile Act, there has been a significant rise in the number of petitions filed by the Allegheny County Office of Children, Youth & Families (CYF) to involuntarily terminate the parental rights of the natural parents of dependent children in foster care so that these children may be adopted. The spirit of ASFA is that every child is entitled to a safe and permanent home whether that home is that of the natural parents, a relative, or an adoptive family.

Under the law, CYF has a limited time in which to achieve ASFA's permanence for the children in its care. This also means that parents of dependent children in foster care have a very limited time in which to achieve reunification with their children. Although adoption is not the only way to achieve permanence, it is unfortunately the ultimate goal in many cases. The provisions of ASFA require CYF to file a petition for involuntary termination of parental rights when a dependent child has been out of his parents' care for 15 out of the previous 22 months. If a child has been in foster care for at least one year, CYF usually requests the child's goal become adoption. Once a child's goal becomes adoption, a petition to terminate parental rights is soon to follow.

Typically, a CYF petition to involuntarily terminate parental rights will allege and seek to prove the following reasons, or "grounds" for termination: (1) the parent has "abandoned" the child by allowing six or more months to pass without contact; (2) the problematic behavior, or lack thereof, on the part of the parent has caused the child to be without necessary parental care and control and the parent either will not or probably cannot correct the problem; (3) the child has been out of the parent's care at least six months and the parent has not corrected the problems that led to the child's removal, even with CYF's help, in a reasonable period of time and termination of parental rights is best for the child (serves his "needs and welfare"); (4) the child has been out of the parent's care at least one year and

the parent has not corrected the problems that led to the child's removal and termination of parental rights best serves his needs and welfare.

A judge presiding over a termination case is required to make an additional finding that termination best serves the needs and welfare of the child on the whole, even if she has already found that CYF has proven its allegations as listed above. A big part of this finding often comes from evidence about the child's relationship with his foster parents.

Because of the ASFA timeframes, natural parents must remain involved with their children through visitation while they are in foster care. Parents who are being denied an opportunity to maintain a relationship with their children can seek to enforce their rights. If a case is active in Juvenile Court, they can ask a judge to enforce these rights. All natural parents have the right to have an attorney represent them in all Juvenile Court hearings.

Parents who cannot afford to pay for an attorney might be eligible for free representation by the Juvenile Court Project (JCP), whose attorneys are accessible at the downtown courthouse and at the CYF regional offices on all hearing days. No parent should enter a courtroom unrepresented even if he or she is in agreement with CYF at that particular time. Parents may not understand the court's rules, procedures, and customs. If a parent does not have an attorney, he or she can request that the hearing be continued until an attorney is present. Parents who seek reunification with their children should become involved in the management of their cases immediately and maintain a relationship with their children. There is a limited time to fix what was broken and CYF must provide assistance to the parent in this endeavor. Court and CYF involvement can be very overwhelming, especially when a child has been removed from his parents. The advice and assistance of an attorney will provide an understanding of the process, what needs to be done, and how to get it done before 15 months have come and gone.



BRIEFS...

Lydia's Place—Juvenile Court Project attorney Eleanor Grainy hosted a table at the September fundraiser for Lydia's Place, an outreach program for women incarcerated at the Allegheny County Jail. Those in attendance were moved by the testimonial of a young mother who was recently reunified with her children after serving time in jail. Attorney Grainy is on the board of directors for Lydia's Place, as are Juvenile Court Judges Cheryl Allen and Kim Clark. For information about Lydia's Place call (412) 471-3410.

Training Days—Philadelphia was the site of an October Continuing Legal Education seminar attended by Juvenile Court Project attorney Jim Robertson. The week-long intensive training focused on trial advocacy skills for attorneys practicing in Juvenile Court. In November, attorney Sharon Biasca attended a program sponsored by the Pennsylvania Bar Institute's Children's Rights Committee entitled, "Advanced Psychological Issues: Legal and Ethical Considerations." Dr. Stephen P. Schachner of Pittsburgh provided insight as to questions surrounding the use of psychological evaluations in Juvenile Court proceedings.

National Fatherhood Initiative—"Missing In Action," an award-winning film about the importance of a father's involvement in the family was screened locally in November thanks to the efforts of the National Fatherhood Initiative of Greater Pittsburgh. Event sponsors included the Juvenile Court Project, Citizen's Bank, Greater Pittsburgh YMCA, Hill House, Pennsylvania Department of Economic & Community Development, and Healthy Start. The National Fatherhood Initiative of Greater Pittsburgh's telephone number is (412) 258-6656.

Holiday Project—The Juvenile Court Project participated in the Office of Children, Youth & Families Holiday Project by donating coats and toys for seven children whose mother is a client of the JCP. This family was successfully reunified after just a two month separation. Last year, the Holiday Project provided gifts to more than 4,300 area children.

Birthparent Mentoring—A new program spearheaded by Juvenile Court Judge Cheryl Allen and Pastor Connie Brooks of the Gilead Center hopes to assist local birthparents in keeping their children out of the child welfare system through the use of mentors. The program is currently seeking funding and tangible goods. For more information call Juvenile Court Project Director Mark Edwards at (412) 391-4467.



www.acbfparentadvocates.org

Information about the Juvenile Court Project (JCP) can now be accessed through the office's new website at www.acbfparentadvocates.org.

The site includes an overview of the dependency and termination of paren-

tal rights process, a discussion of the laws affecting parents in these proceedings, an explanation of the JCP application process, a map and directions to the JCP office, and links to sites for the Allegheny County Bar Association, Neigh-

borhood Legal Services and the City of Pittsburgh Housing Authority.

The JCP gratefully acknowledges Linda Greenberg of Pittsburgh, who donated a large portion of her services to design the website.

LAW CLINIC SCHEDULE

The Juvenile Court Project offers law clinics within the community where parents can complete the intake application process and discuss their case with an attorney. This intake option is in addition to the regularly scheduled intake times at the downtown Juvenile Court Project office. A current list of law clinic sites is as follows:

SITE	DATE	TIME
A Second Chance	4 th Tuesday of month	4-6
Allegheny County Jail	Mondays	1-2:30
CYF Regional Offices:		
Lexington Intake	Wednesdays	9-4
North	1 st and 2 nd Tuesday of month	2:30-4
South	1 st and 2 nd Tuesday of month	2:30-4
East	1 st and 2 nd Tuesday of month	2:30-4
Central	1 st and 2 nd Tuesday of month	2:30-4
Mon Valley	1 st and 2 nd Tuesday of month	2:30-4
FamilyLinks (Shady Avenue)	1 st Tuesday of month	6-7
Family Resources:		
Bedford Dwellings	3 rd Wednesday of month	3-5
East Liberty	1 st Tuesday of month	2-4
McKeesport	2 nd Thursday of month	4-6
Operation Nehemiah	1 st Tuesday of month	10-2
Parental Stress Center	1 st Thursday of month	2-4
POWER	2 nd Thursday of month	1-3
Sojourner House	3 rd Thursday of month	2:30-4
Spectrum Family Services	1 st Thursday of month	11-12:30
Womansplace (McKeesport)	2 nd Tuesday of month	10:30-12:30
Women's Center & Shelter of Greater Pgh.	3 rd Wednesday of month	4-6

Pennsylvania's Parent Advocates to Form Statewide Organization

The county solicitors who represent children and youth agencies in Pennsylvania have a statewide organization that meets regularly to discuss current child welfare law issues and conduct continuing legal education programs for its members. Attorneys and guardians *ad litem* representing children in Pennsylvania have a similar organization. No such organization existed for the more than 400 Pennsylvania attorneys who represent parents in juvenile court dependency and termination of parental rights cases - until now.

Over 55 parent advocate attorneys met in Pittsburgh this fall to discuss the formation of such an organization. The attorneys were in Pittsburgh to attend a continuing legal education program co-sponsored by the Juvenile Court Project (JCP) and the Family Advocacy Unit of Community Legal Services of Philadelphia.

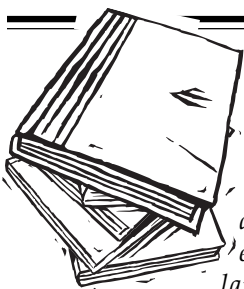
Attorneys representing parents in Allegheny, Armstrong, Beaver, Bucks, Butler, Crawford, Fayette, Indiana, Jefferson, Lancaster, Lawrence, Mifflin, Philadelphia, Venango and Westmoreland counties expressed enthusiasm about joining an organization that will offer them the opportunity to associate with others who represent parents in juvenile court. Attorneys from additional counties, who responded to a JCP



Discussing ideas for a new statewide organization for parent advocates are (left to right) John Perrott of Fayette County, Shirley Makuta of Westmoreland County and Linda Ehrenreich of the Juvenile Court Project in Allegheny County.

questionnaire, have also articulated the desire to join such an organization but were unable to attend the initial organizational meeting in Pittsburgh. Plans are underway for a second organizational meeting this spring at a site in central Pennsylvania.

Attorneys who are interested in more information about the organization can contact JCP attorneys Linda Ehrenreich or Sharon Biasca in Pittsburgh at 412-391-4467 or Community Legal Services attorney Peter Schneider in Philadelphia at 215-981-3714.



BOOKSHELF.

Expediting Dependency Appeals: Strategies to Reduce Delay. The National Center for State Courts (NCSC), with support from the State Justice Institute, recently published this national account of strategies appellate courts use to reduce delay in child welfare cases. The booklet documents specific strategies and procedures used to expedite dependency appeals by changing state statutes, court rules and internal operating procedures to shorten timelines. The

report also includes references to each state's current statutes and court rules. Available from NCSC at no charge (S&H \$5) by calling (757) 259-1591.

Evaluating Parenting Capacity and Allegations of Child Maltreatment: Parental Rights Cases. Lois Oberlander Condie, Ph.D. presents a discussion concerning various aspects of parenting, which includes the topics of imprinting and bonding; attachment and bonding; socio-economic status and parenting; diversity and multi-cultural issues in parenting; and non-traditional families and parenting. Available from Dr.

Condie for \$15 plus postage by writing to her at 1770 Massachusetts Ave., PMB 275, Cambridge, MA 02140.

Shattered Bonds: The Color of Child Welfare. Dorothy Roberts, a professor at Northwestern University School of Law and a fellow at Northwestern's Institute for Policy Research, contends that the disproportionate representation of African American children in the U.S. foster care system is weakening African American communities and reinforcing racial inequality. Published by Basic Civitas Books (2002).



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Juvenile Court Project

Suite 300 • Allegheny Building
429 Forbes Avenue
Pittsburgh, PA 15219

Phone: (412) 391-4467

Fax: (412) 391-4465

E-mail:

www.acbparentadvocates.org

Continuing Legal Education Program a Success



Nationally renowned forensic pathologist Dr. Cyril Wecht was a featured speaker at "Representing Parents in Juvenile Court," a recent continuing legal education program co-sponsored by the Juvenile Court Project. Pictured (left to right) are Peter Schneider of Community Legal Services in Philadelphia; JCP Director Mark Edwards; JCP Executive Counsel Linda Ehrenreich; and Dr. Wecht.

This fall, the Juvenile Court Project and the Family Advocacy Unit of Community Legal Services of Philadelphia presented a continuing legal education program in Pittsburgh entitled, "Representing Parents in Juvenile Court."

Over 70 attorneys from throughout Pennsylvania attended to learn about recently decided case law, the procedure for seeking expungements of indicated Childline reports, the lawyer disciplinary process in Pennsylvania, and proposed revisions to the commonwealth's Adoption Act.

Allegheny County Juvenile Court Judges Cheryl Allen and Kathleen Mulligan, Hearing Officer Cynthia Franklin, and Blair County Juvenile Court Judge Jolene Kopriva participated in a panel discussion focusing on how attorneys can better represent parents.

The program concluded with a presentation on the use of forensic evidence in child abuse cases by Dr. Cyril Wecht, Allegheny County coroner and nationally renowned forensic pathologist.

This CLE program was well received by the attendees and plans are underway to make it an annual event.