Warren and Forest County Attorney Jodi A. Bevevino Receives “Child Advocate of the Year” Award

The Pennsylvania Bar Association Children’s Rights Committee presented its 2005 Child Advocate of the Year Award to attorney Jodi A. Bevevino, guardian ad litem for Forest and Warren counties. The award was presented on April 22 during the committee’s spring meeting in Harrisburg.

The Child Advocate of the Year Award was established to recognize the accomplishments of lawyers and judges who are advocates for children within the commonwealth or who are involved with child advocacy.

In a letter nominating Bevevino for the award, Charlotte M. Uber, director, Warren County Children and Youth Services, described Bevevino as someone who demonstrates a concern for each and every child she represents; always showing professionalism, integrity and determination while working with the complex, heart-wrenching issues that impact children and families involved in the child welfare system.

In another nomination letter, Gregory J. Hammond, solicitor for Warren County Children and Youth Services, indicated that Jodi fully investigates each case and provides strong and caring representation for her clients.

Since 2000, Bevevino has served as the guardian ad litem in the vast majority of cases of dependency, termination of parental rights and custody cases in Forest and Warren counties. She also serves as an advocate for children as a member of the Child Abuse Prevention Committee for the community. She was instrumental in the CASA (Court Appointed Special Advocate) Steering Committee, which worked on and accomplished the establishment of a CASA program in Warren and Forest counties.

Jodi Bevevino’s family and Judge Paul H. Millin (rear) join Bevevino (left), winner of the Child Advocate of the Year Award.

(Continued on Page 2)
Notes from the Chair

By Joyce A. Hatfield-Wise

If you’ll recall, at the time of the fall newsletter, I asked for bail money so that I could be released from prison. Well, thanks to many kind donations including the fine folks at PBI, I was granted a “Get Out of Jail” card in October, but not until helping to raise funds for the annual Muscular Dystrophy Association Lock-up. It was an opportunity to rally others for a good cause and together make a difference in the lives of others.

As a Children and Youth Solicitor for more than eight years, I have worked hard to make a positive difference in the lives of children. I’ve also sought to change the image that Children and Youth Solicitors are not advocates for children and that somehow we represent a client who doesn’t have the safety and best interests of children as a priority. It is Children and Youth Solicitors who petition for removal, return home, permanency plan approval, change in visitation, vacation, adoptions, guardianships and any number of other motions for the benefit of children.

I am privileged to serve as chair of the PBA Children’s Rights Committee. To me, it is not a stretch from my daily work to advocate for the rights and interests of children. I am also honored to have been one of the original incorporators of the Pa. Children and Youth Solicitors’ Association and a current officer.

I believe that it is so important that we each try to make a positive difference in the lives of children. And I would encourage all of us to share our journeys and our struggles. I have truly found that many hands make light work. Take this time to consider how you might step up your involvement in our committee and take an active role in one of its five working subcommittees: Legislative Action, Child Advocate Award, Newsletter, Spring CLE and Fall Standards of Practice CLE. There is plenty of work for all of us and each child deserves our best effort. Sign up today to reserve your place on the roster of those “Making a Difference in the Lives of Children!”

The Children’s Rights Committee would like to thank its own Maureen Grace for her excellent service as chair of the Newsletter Committee for 2004-05. Maureen’s efforts were indeed Herculean and we all thank her for helping us move the newsletter into its now familiar electronic format. She has and will continue to serve the committee well. Thank you, Maureen!

Warmly,
Joyce

PBA Children’s Rights Committee
2005-06 Leadership

Joyce A. Hatfield-Wise, Chair
Andrea Marceca, Co-Vice Chair
Craig Bluestein, Co-Vice Chair
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Jessica Diamondstone, Chair, Fall CLE Subcommittee
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To Submit Articles

The Children’s Rights Committee invites members to submit material for publication in the newsletter. Please contact the editor, Patricia Dervish, at (610) 439-8780, or e-mail: patriciadervish@lehighcounty.org. We invite your comments and suggestions.

Warren and Forest County Attorney Jodi A. Bevevino Receives “Child Advocate of the Year” Award

(Continued from Page 1)

Prior to serving as guardian ad litem, Bevevino was a law clerk to Judge James A. Brogan, Second District Court of Appeals, in Dayton, Ohio, from 1988 to 1990, and worked in the Public Defender’s Office of Warren County, Pa., from 1991 to 1995. She had a private law practice in Warren from 1995 to 2000.

Bevevino is active in the community, serving on the Warren County Literacy Council, the Jefferson DeFrees Family Center and the Traveling Art Gallery. She holds a second-degree black belt and is a certified instructor in the Ji Do Kwon style of Tae Kwon Do.

Bevevino is a graduate of Dickinson College and the University of Pittsburgh School of Law.
Interviews With the Children’s Rights Committee:
Co-Vice Chair Andrea Marceca

Q: What is your educational background?
   J.D. University of Baltimore, 1994; B.A. University of Pittsburgh, 1991.

Q: What jobs did you have before you became an attorney?
   Clerked at law firms and various retail establishments.

Q: Which job was your favorite and why?
   Talbots — Even though I was “helping” people, like all lawyers think they are doing, I could shop all day and get a discount on anything I bought! ... I’m still wondering why I left that job.

Q: What qualities do you admire most in attorneys whom you admire?
   Integrity and respectfulness.

Q: What qualities do you admire in judges whom you admire?
   Courtesy and respectfulness to all members of the bar and to all clients.

Q: What is your favorite vacation location?
   Jamaica: what goes on in Jamaica, stays in Jamaica.

Q: Who do you admire most?
   My mother.

Q: What is your idea of perfect contentment?
   Holding my kids, Aileen (6) and Daniel (8), at night.

Q: What annoys you the most?
   Rude people.

Q: What talent/skill/ability would you most like to have?
   Complete an Ironman.

Q: What saying or motto helps to motivate you?
   That which you survive makes you stronger.
LegisAct
Subcommittee:
Upcoming Activities

Legislative Action (LegisAct) Subcommittee Chair Eleanor Bush plans to schedule a conference call meeting in June to begin discussion of Senate Bill 637. SB 637 would repeal the existing Adoption Act and replace it with the version in the bill.

Senator Stewart Greenleaf is the main sponsor of the bill. This bill is a re-introduced version of the bill that died at the close of the last legislative session. At our conference call, we will review the content of the bill and identify key areas for further analysis and discussion.

You can find the bill at www.legis.state.pa.us/cfdocs/legis/home/session.cfm.

Eleanor Bush can be reached at elbush@earthlink.net.

Pennsylvania Bar Association
CHILDREN’S RIGHTS COMMITTEE
SUBCOMMITTEES 2005-2006

SUBCOMMITTEE SIGN-UP

Please indicate the subcommittee(s) you would like to join:

☐ Child Advocate of the Year Award:
Members will solicit and review statewide nominations to select award winner for presentment at the annual spring CLE.

☐ Fall CLE Seminar:
Members will plan a CLE program for fall 2005 to address an area of practice of representing children.

☐ Legislative Action:
Members will review relevant legislative proposals and develop position statements when necessary for presentment to the PBA governing body for adoption and approval.

☐ Newsletter:
Members to develop electronic publication to alert committee members of current legal topics that affect attorneys who represent children and to provide updates on committee activities.

☐ Spring CLE Seminar:
In collaboration with the Pennsylvania Bar Institute, members will develop curriculum and select presenters for the committee’s annual spring CLE program.

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Child Advocacy Practice Groups

By Frank P. Cervone

It is not uncommon in large, diverse firms for two of the firm’s lawyers to be involved in volunteer service with a particular nonprofit, yet not know of the other’s involvement. Opportunities for mutual support and collaboration are lost. For the Support Center for Child Advocates (Child Advocates), Child Advocacy Practice Groups are helping to bridge these gaps.

Like a law firm’s traditional departmental or substantive stratifications, pro bono practice groups exist within the larger organization and structure of the firm. Some gain formal recognition of the law firm, while others exist or at least start out as informal relationships and gatherings.

“We can provide one another with legal, practical and moral support, by covering each other at court hearings and helping each other when a crisis arises in our individual child advocacy cases.”

Rob Hawn convened Cozen O’Connor’s Child Advocacy Advisory Group in September 1997 with a memo to 10 Child Advocates volunteers. He invited his colleagues to “band together as an informal ‘practice group.’ We can provide one another with legal, practical and moral support, by covering each other at court hearings and helping each other when a crisis arises in our individual child advocacy cases.” Hawn also established a reference binder of case law, articles and other developments in the field. Now there are 43 Cozen lawyers and paralegals from their Philadelphia and West Conshohocken offices working with Child Advocates and the new Montgomery Child Advocacy Program in Norristown. Hawn expects the group to incorporate at least 12 lawyers from their other offices who are representing children.

In Philadelphia, the idea of practice groups has its roots in a small group of Blank Rome lawyers, led by Lawrence Beaser and Francis Crowley, representing youths in juvenile justice cases in the early 1980s. The current group of child welfare volunteers at Blank Rome meets quarterly, with sessions often staffed by social workers and staff attorneys from Child Advocates. Last year, firm Pro Bono Coordinator Kathy Ochroch invited Family Court Administrative Judge Myrna P. Field to address members of the Blank Rome group and other practice groups from around the city. The session identified problems experienced by volunteer lawyers and helped to encourage development of Dependency Court’s new block scheduling program.

Child Advocates’ Managing Attorney Merrilee Weiss is impressed that the firm is developing in-house expertise in key areas such as confidentiality and access to treatment records. “At Blank Rome, they chart cases and issues in the office, so that group members have sense of what is going on.” Ochroch has organized several substantive programs for group members, including an ethics training that included the firm’s Wilmington office connected by teleconference. Blank Rome anticipates providing CLE programs for future group meetings.

The practice group can be an effective pro bono recruitment vehicle. In his initial memo, Cozen’s Hawn invited each attendee to “recruit a prospective child advocate and accompany your recruit to this meeting.” Blank Rome’s Ochroch creates separate child welfare orientation sessions for their summer law clerks and first-year associates.

Hawn observes that the “growth in numbers of volunteers and continuing involvement results from the reinforcement that they get personally and professionally from the practice group.”

Practice groups focused on a specific area of pro bono work offer inter-departmental connections, and even attract non-litigators to fields like child advocacy that might ordinarily be pitched only to trial lawyers. Like many of the practice groups in Philadelphia, Morgan Lewis’ Child Advocates Group includes attorneys from many practice areas, including intellectual property, real estate, business and finance and litigation. The group’s coordinator, Susannah Henderson, observes that the group “provides a forum to discuss case issues and to receive information, guidance and direction on issues that may not arise on a day-to-day basis in a particular lawyer’s practice. For example, transactional lawyers often seek guidance on issues that may arise in a court appearance.” In general, child advocacy cases provide an opportunity to utilize a wide range of skills possessed by all attorneys, whether their practices involve litigation or are transactional in nature.

“The Child Advocates Group assures that our lawyers can benefit from the experiences of advocates who have already successfully handled cases,” Henderson said. Henderson has also brought in experts to conduct trainings in topics such as special education.

(Continued on Page 6)
Child Advocacy Practice Groups

(Continued from Page 5)

Firms are beginning to create pro bono practice groups in other areas of law, and the affinity groups help to support practice in legal areas that are not traditionally within their expertise. At Dechert, the child advocacy practice group has been meeting for over a year and plans are in the works for as many as 12 different substantive areas. Pepper Hamilton has practice groups in child advocacy, homeless advocacy and tanged title, and they hope to start a community development group in the coming months to focus on tax, real estate and transactional work with community development corporations and micro-businesses to improve neighborhoods. Pepper’s director of pro bono programs, Joseph Sullivan, says that their practice groups are ideal vehicles for motivating and training young lawyers. Each of the groups is “vertically integrated with partners, senior and junior associates and other professionals” and meets monthly to “discuss common issues and do problem solving,” Sullivan said.

[Ex]istence of the group “raises the comfort level for a junior lawyer who might prefer to consult within the firm before going outside for consultation.”

“We are connecting people in different departments who ordinarily don’t have contact … it’s good on a personal and a professional level.”

Mary Gay Scanlon, executive director of the pro bono program at Ballard Spahr Andrews & Ingersoll, notes that her firm has identified child advocacy as an area of practice having firm-wide interest. “We have connected attorneys across offices as well as within offices. We have about 50 people in six or seven offices representing abused and neglected children.” One Ballard colleague in Salt Lake City served on the Governor’s Child Abuse Prevention Task Force in Utah to make recommendations for systemic reform. Their Washington D.C. office recently hosted a presentation by the local Children’s Law Center. Ballard’s Colorado lawyers work with the Rocky Mountain Children’s Law Center, a pro bono agency in Denver that is also a partner in the National Children’s Law Network coordinated by the Support Center for Child Advocates. “We are connecting people in different departments who ordinarily don’t have contact … it’s good on a personal and a professional level,” said Scanlon.

Other multi-city firms are taking a similar approach. Reed Smith recently signed on with the National Children’s Law Network, to make children’s law a signature project of their national pro bono program. Morgan Lewis’ Henderson notes that both their New York and Miami offices have active children’s representation practices, and looks forward to connecting to colleagues there.

Finally, the practice group creates a profile for the nonprofit agency within the firm, helping to involve the firm’s many employees in the mission of the agency. The groups facilitate connections between paralegals and attorneys for work on individual cases. In addition, Child Advocates’ Holiday Toy Drive, which collects and distributes gifts to thousands of needy children in the region, gains exposure with its linkage to the Child Advocacy Practice Group. Recently, Ochroch and firm partner Ron Fisher hosted an after-hours social event at the firm for their practice group members and Child Advocates’ staff. Ochroch said that the celebration allowed the firm “to thank staff members who are involved in the toy drive and in the case work.”

Picture a parade of dozens of legal secretaries, librarians and support staff, marching down the 1800 block of Cherry Street from Blank Rome’s building toward our office, arms and carts filled with wrapped gifts in the week before Christmas. With this scene replicated several times this past holiday season, one can imagine the broad and diverse impacts of intrafirm presence and exposure. Added to the hundreds of children represented by volunteer lawyers in child abuse prosecutions and other protective cases, the benefit to the community and goodwill within the law firms are making Child Advocacy Practice Groups the gift that keeps on giving.
No battle seems to garner more passion than the ones in which children are involved. When it comes to children, we all seem to take it personally; the sadness in their eyes, their solemn shyness and stoic demeanor call out to us and fuel our fervor to win for them. It is precedent as much as pioneering that determines the outcome of their cases, and research and resolve are essential tools for guaranteeing them a stable and secure life.

Each spring, a seminar is planned and presented by the Pennsylvania Bar Association’s Children’s Rights Committee, whose members are wholly and enthusiastically dedicated to serving this special population. They have the needs of child advocates in mind when they organize the program — the needs for a quick and comprehensive recap of the year in the courts, for in-depth analysis of new practices sweeping the state; the needs to hear what goes into deciding cases and what can be done to influence that decision, the needs to master the fine art of juggling more and more cases efficiently and successfully.

On April 22, professionals throughout the state who represent children gathered at the Pennsylvania Bar Institute in Mechanicsburg to teach, learn, exchange and build better practices. It was an exciting day of discovery in key areas essential to practicing good advocacy, featuring the latest on these annual favorites:
• Hot Topics in Juvenile Delinquency and Dependency — a recap of the year’s most significant cases.
• Legislative Update — the top picks from the legislature that will surely impact your practice.
• Judges’ Panel — a view from the bench on how your cases are decided.
 Plus — new additions this year:
• Growing Up Scared — The Impact of Domestic Violence on Children.
• The Intersection of Dependency and the Education System — collaboration and clashes, programs and services.
• Making In-Roads in Advocacy — an extraordinary discussion with a panel of some of the state’s trailblazers whose reputations have been established through their unique work.

Why did child advocates attend?
• Time management: Presenters waded through recent cases and identified the ones that impact your practice the most.
• Panelists covered the legal, medical and emotional issues, not just the legal summaries.
• Networking — attendees boosted their professional resources by connecting with others who practice in this area.

See related photos on Page 8.

Spring 2005 Training Seminar Recap

A Look at the Pa. Children and Youth Solicitor’s Association

By Jason P. Kutulakis

In 2004, the not-for-profit corporation known as the Pennsylvania Children and Youth Solicitor’s Association was formed. Its mission is to discuss and resolve the various questions arising in the discharge of duties and functions of the Children and Youth Solicitor in the various counties in Pennsylvania, and to provide uniform efficient and economical methods of administration of the affairs of the counties pertaining to their offices of Children and Youth Solicitors through cooperation, coordination and full exchange of information.

I have been the solicitor for Dauphin County Children and Youth for approximately six years and a member of the PBA’s Children’s Rights Committee for nearly as long. I am proud to be a member of both organizations and to protect the rights and seek permanency on behalf of children in our commonwealth. I am also a member of the Pennsylvania Supreme Court Juvenile Procedural Rules Committee. Like many children and youth solicitors, I have devoted a large portion of my law practice to issues involving children.

I am hopeful that these two outstanding groups of lawyers will come to work together to ensure we have a legal system that protects our children. I cannot stress strongly enough that children and youth agencies are not mutually exclusive with or inconsistent with the protection of children’s rights. My agency, its administrator and our court keeps children’s rights at the forefront.

I encourage members of the PBA Children’s Rights Committee to form professional relationships with your local Children and Youth Solicitors. Solicitors, as a function of their daily child welfare practices, are constantly forming the processes and procedures that directly impact children statewide.

The Pennsylvania Children and Youth Solicitor’s Association meets quarterly to provide training and discussion for its members and shares daily through an active listserv. The work of the association is also supported through its collaboration with Pennsylvania Children and Youth Administrators, Inc.

Jason P. Kutulakis is an attorney with Abom & Kutulakis LLP, Carlisle. He can be reached at jkutulakis@aol.com or at (717) 249-0900.
Photo Highlights from Spring 2005 Training Seminar

See related article on Page 7.

Left photo: Janet Stocco, Education Law Center, Philadelphia

Right photo: Craig Bluestein, co-vice chair, Children’s Rights Committee; Judge Stephanie Domitrovich, Erie County; Judge Kimberly Clark, Allegheny County, and Judge Samuel Kline, Lebanon County

Left photo: Gail Miller, solicitor, Montgomery County Office of Children and Youth

Right photo: Laval Miller-Wilson and Marsha Levick, both of the Juvenile Law Center in Philadelphia

Left photo: Craig Bluestein, Montgomery County

Right photo: Myles Kauffman, guardian ad litem, Dauphin County, and Jennifer Dressler of Kingston

Left photo: Former Children’s Rights Committee Chair Joan Smith (right) and another dedicated child advocate.

Right photo: Keynote speaker Wynona Ward of Have Justice — Will Travel, Inc.
Fall CLE Recap

On Nov. 11, 2004, child advocates from around the state gathered at the PBI Conference Center in Mechanicsburg for the fall CLE seminar to hear from Jim Nice on “Family Group Decision Making: A Process for Strengthening Families.

A family therapist, teacher, parent educator, and Child Protective Services caseworker, Nice has introduced and taught Family Group Decision Making (FGDM) since 1989. Director of the Family Unit Project in Sheridan, Or., he has been a consultant to a host of organizations, including the Child Welfare League of America, the National Council of Family and Juvenile Court Judges, and social services agencies in 30 states. He co-authored the book, The Family Unit Model: An Option for Strengthening Families. Nice received his B.A. in social science from Maryknoll Seminary in Illinois; his M.A. in counseling from San Francisco State University; his NCAST Certification from the University of Washington; and has invested over 10,000 hours in Intensive Family Services training.

Nice explained that in times of tight budgets and increased hardships for American families, agencies are in a crunch to do more with less. He presented Family Group Decision Making as a respectful process that invites family, extended family, community, caseworkers and service providers to join together to increase safety and stability for children. Based upon the belief that families are underused resources in child protection work and that children are best protected by a unified family, he detailed how FGDM offers a simple and powerful alternative for achieving this unity.

The program offered an overview to FGDM: the values and beliefs about children, families and helping; the steps to bringing all the parties together; and the follow-up after the meeting. Attendees learned the advantages that FGDM offers caseworkers, children and their families in planning for safety and stability. Nice acknowledged that FGDM poses challenges in child welfare practices, and explored those challenges and offered practical solutions to overcoming them. He also examined how FGDM can be used as an alternative to or even eliminate court intervention.

The presentation included:
- How FGDM was first launched,
- The basic principles of FGDM and how one’s own family perspective can help,
- FGDM models: the process behind the concept and a look at its advantages and challenges,
- Its track record: current research putting the concept to test.

Other points included:
- Embracing the “family gathering” concept,
- Accepting family as the primary decision maker,
- Why does FGDM work?,
- Its effect on standard child and family welfare practices,
- The process under a microscope,
- Preparation, gathering, follow-up,
- Ethical questions raised by FGDM.

Another highlight of the seminar was an opportunity for attendees to meet Jim Nice at a special networking luncheon, which also provided “quality time” to make lasting professional contacts and share food and stimulating conversation. The seminar provided five substantive and one ethics credits.

See photo highlights from this engaging session on Page 10.
Photo Highlights from Children’s Rights Fall 2004 CLE

See related article on Page 9.

*Left photo:* Judge Todd Hoover, Dauphin County Court of Common Pleas

*Right photo:* Keynote speaker Jim Nice, director, Family Unity Project, Sheridan, Oregon

*Left photo:* Sandra Moore, administrator, Dauphin County Human Services and Dauphin County Social Services for Children & Youth and Jim Nice

*Right photo:* Judge Todd Hoover and Robin Kaplin, Dauphin County Social Services for Children & Youth

*Left photo:* Children’s Rights Committee Chair Joyce Hatfield-Wise and PBA Committee Liaison Louann Bell caught up on committee business.

*Right photo:* The discussion of the FGDM model continued over lunch where Jim Nice heard other perspectives.

*Left photo:* Attendees enjoyed a catered lunch as part of the CLE package.

*Right photo:* Panel with President Judge Richard A. Lewis, Dauphin County; Sandra Moore and Stephen Suknaic, Chief Juvenile Probation Officer, Dauphin County
New Resources from the ABA for Helping Children in the Legal System

The American Bar Association Center for Children and the Law has published four books intended to assist lawyers and others providing assistance to children in the legal system: Court Improvement Progress Report 2004 National Summary; Learning Curves: Education Advocacy For Children In Foster Care; How To Work With Your Court: A Guide For Child Welfare Agency Administrators, 2nd Edition and Legal Ethics In Child Welfare Cases. Together, these books provide valuable resources for lawyers, judges, court administrators and others working with children involved in legal proceedings.

The 2004 Court Improvement Progress Update includes online state summaries and national summary sections that detail current court improvement projects throughout the country in each jurisdiction that receives court improvement grant funds and in each of the major areas of court performance.

The Update also includes a printed hard copy of the 2004 National Summary providing an overview of court improvement activities, and a state contact list of Court Improvement Directors in each state.

Legal Ethics In Child Welfare Cases is the culmination of a series of articles that appeared in the Child Law Practice, the ABA Center for Children and the Law’s monthly publication. It addresses ethical issues for lawyers representing parents, children, and child welfare agencies in child abuse/neglect and termination of parental rights proceedings by identifying ethical dilemmas, informing lawyers of their ethical obligations, and providing practical guidance on what to do in difficult situations where the appropriate course of action is not readily apparent. Specific ethical issues addressed include conflicts of interest, dealing with clients with diminished capacity, confidentiality, high caseload and litigation issues.

Learning Curves: Education Advocacy For Children In Foster Care, which is also the culmination of a series of articles in the Child Law Practice, focuses on how to meet the education needs of children in the foster care system. It addresses general education advocacy strategies, education rights and key federal laws, the special education process, education needs of young children, how school discipline policies affect children in foster care and creative approaches to address education barriers for children in foster care.

How To Work With Your Court: A Guide For Child Welfare Agency Administrators, 2nd Edition is intended to help child welfare agency administrators improve agency/court relationships. In contains recommendations for strengthening child welfare agency attorney offices and improving agency-court collaboration in state Child and Family Service Reviews (CFSRs). This book offers agency administrators strategies for working with courts, including meeting with judges, developing special court projects, training workers to perform well in court and using agency attorneys and paralegals, among others. It also explores key issues for agency-court collaboration, what agency attorneys need to know about juvenile court and steps for improving child welfare agency legal representation.

Court Improvement Progress Report 2004 National Summary costs $9.95; Learning Curves: Education Advocacy For Children In Foster Care and Legal Ethics In Child Welfare Cases each cost $15.95, and How To Work With Your Court: A Guide For Child Welfare Agency Administrators, 2nd Edition costs $15.99. They are all available online at www.ababooks.org, or by calling the ABA Service Center at (800) 285-2221.