

Louisiana State Bar Association Children's Law Committee
Wednesday, February 24, 2021, at 12:00 PM
Virtual Zoom Meeting

Attendees:

- **Curtis Nelson - Louisiana Supreme Court (Committee Chair)**
- Guy Lain - *Attorney III for LA. Dept. of Children and Family Services*
- Mark Harris - *Pelican Center*
- Barbara Ferguson - *Attorney at Law & Board Chair for Research on Reforms, Inc.*
- May Ann McGrath Swaim - *Southeast Louisiana Legal Services*
- Caitlin Glass - *Pelican Center & Southeast Louisiana Legal Services*
- Rachel Nastasi - *Acadiana Legal Services Corporation*
- Danika Benjamin - *Acadiana Legal Service Corp.* – Supervising CINC Attorney
- Martha Maher - *Private Attorney & Member of OPPD Conflict Panel for CINC*
- Hector Linares - *Loyola University College of Law* – Law Clinic Professor
- Margot Hammond - *Attorney at Law*
- Steven Farber, JD. - *Director of Admin./ General Counsel for the Metropolitan Human Services District.*
- Cherrilynne Thomas - *Dept. Of Children & Family Services* – Attorney
- Kellie Johnson - *Children's Attorney Supervisor, MHAS/CAP*
- Kathleen Richey - *Louisiana CASA Association*
- Courtney Schroeder - *Attorney at Law*
- Pamela Crawford - *Mental Health Advocacy Services*
- Leigh Ann Sakla Rood - *Jefferson Parish Juvenile Court*
- Ariel Test - *Director of Civil Legal Services and Special Projects, Louisiana Center for Children's Rights.*

LSBA Staff:

- Monte Mollere
- Stephanie Beagh
- Mariarenee Contreras

Minutes

1. Welcome Introductions:

- Members were encouraged to introduce themselves through the Zoom chat box in efforts to save time and leave more room for discussion.
- **Curtis** – welcomed everyone to the meeting and allowed for ATJ’s new Project Counsel, Mariarenee Contreras, to introduce herself. She is transitioning as the new staff liaison for the committee with the help of ATJ’s Project Counsel, Stephanie Beaugh. Curtis also asked if there were any new members to the committee for them to introduce themselves, but there were none.
- **Curtis** – Margot Hammond is officially retiring and will no longer be an active member of the Children’s law Committee. Curtis thanked her for all her wonderful work and dedication to the committee. Margot mentioned that it was a pleasure working with everyone.
- **Minutes** – *Kathleen Richey* moved to approve the February 24, 2021, meeting minutes. *Mark Harris* seconded. Minutes approved without objection.

2. Working Groups:

- **Trauma Informed Care** –
 - **Kellie Johnson** said there are no updates. She would need to confirm with the other members of the group, but that there were no actual updates.
 - **Curtis** wanted to remind the committee that Louisiana is moving towards a great direction of Trauma Informed Care in the courtrooms and working with the youth. Training will be offered by the La. Supreme Court for FEND Officers in the State on Trust Based Relational Intervention, (TBRI). Trainings will include Trauma Informed Care in the court setting and strategic planning.
 - **Kathleen Richey** mentioned about the Carpenter State House Bill 136 that is going through the legislative session. The bill allows for trauma assessments before suits and suspensions take place in court in efforts to trace any connections between a child’s behavior and events that may have caused the child’s behavior to occur before being kicked out of school.
 - **Kathleen** also updated the committee about the Jackson State Senate Bill 211. The bill has passed the Senate and has moved to the House and referred to the Education group. The bill will require one hour of service training for both schoolteachers and administrators on adverse childhood experiences and trauma informed education.
- **Education** –
 - **Barbara Ferguson** informed the committee that the working group is focusing on reducing child delinquency by recommending child intervention during a child’s school year. At the last committee meeting on February 24th, a listening session was held with the new DA’s office for Orleans. It was titled, “Break the School to Prison Pipeline.” Barbara will share the presentation with anyone who missed it. As a result of the meeting, the working group decided to pick three

ideas that they want to work on together. These ideas include: 1) getting a count on the number of youth who are arrested and are dropouts due to a correlation between both numbers; 2) addressing and tracking IEP/IAIP plans and interventions; and 3) learning about trauma interventions and plans before and after a child has been suspended from school. Barbara asked if Orleans has a Dept. of Juvenile Services because she plans on reaching out to someone from Jefferson Parish's Department of Juvenile Services. Margot Hammond mentioned that Orleans does have a Dept. of Juvenile Services, but that each department runs differently resulting with various outcomes. Curtis said that he could connect Barbara with someone from the Supreme Court's FENDS department for possible future collaboration. Curtis encouraged everyone to look at the State's Truancy numbers. *Ariel Test* encouraged the working group to be careful when working on these issues initiatives. *Steven Farber* talked about the negative effects that have resulted from the 1980's zero-tolerance initiatives. The discussion continued with different committee members mentioning several past initiatives and other possible solutions.

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- **Legislative – Curtis** informed the committee about recent bills that are up for a hearing relating to the practice of children's law.
 - State Senate House Bill 143: It addresses permanency placement of children in Foster Care. The Juvenile Judges have shared with Legislature their concerns about the Bill.
 - State House Bill 216: It deals with doing away with the imposition of court costs and fees in juvenile matters and delinquency FENDS.
 - State Senate Bill 151: It is regarding the foster care bill of rights.
- **Disparities and Disproportionalities Working Group** - No updates were made.
- *Curtis* reminded everyone that ATJ's Stephanie and Mariarenee are here to help support all working groups. Please reach out to them.

3. Pelican Center Report:

- *Mark Harris* reminded the Committee that the Pelican Center for Children and Families develops the court improvement strategic plan in collaboration with the Louisiana Supreme Court and Department of Children and Family Services (DCFS). A lot of their work revolves around the Foster Care System and preventing the need for removals. The State is in the middle of a 2-year strategic improvement program that is designed to address areas that were identified in a federal "Child in Need" review. Part of the improvement implementation include going over the current plan to determine a child's safety and when removal is necessary. Foster care is meant to be a safety plan but is not an alternative family. DCFS has recently revamped their "Child Welfare Assessment Decision-making" model with safety as its primary goal and an emphasis on the following three criteria: 1) threat, 2) child vulnerability and 3) protective capacity. The Pelican Center has developed training and resources for this model. For more information visit [CLARO's website](#).

- *Caitlin Glass* followed up with updates regarding the “Child in Need of Care” benchbook. It is geared for both judges and lawyers and includes step-by-step procedures, and bench cards with short overviews of each type of CINC hearing proceeding listed under Title VI of the Children’s Code. Two orientation presentations for the bench book were held at the end of April 2021. One was geared towards educating Judges and the other towards educating lawyers. The Pelican Center has also been educating about the multi-Disciplinary model by targeting 4 working parishes: Caddo, East Baton Rouge, Livingston, and Rapides. Multi-disciplinary model representation includes meeting the needs of both the children and the parents by including social workers and peer advocates for support. The Pelican Center will be looking at other ways they can assist families to prevent removals with the collaboration of the La. Bar Foundation and DCFS.
- 4. Children’s Law Awards:** *Curtis* reminded members that the Pro Bono awards will be held on May 20, 2021. This year’s winners were Loyola Law Clinic Professor Ramona Fernandez and Southeast Louisiana Legal Service’s CINC unit.
- 5. Engaging Law Students:**
- *Curtis* reminded everyone about the importance of encouraging the engagement of law students in children’s law by visiting and providing skills trainings at law schools. *Curtis* mentioned the different work that has been done at the 4 law schools, but that there is much more to accomplish to providing support for law students.
 - *Kelly Johnson* updated the committee on the child interviewing skills training she conducted with Margot Hammond at Tulane Law School. The training was well received by all attendees with a large group of students in attendance. It is the second time the training has been held at the law school. *Kelly* and *Margot* were impressed at the interest and engagement from the students.
 - *Hector Linares* provided a brief update on the skills training he and *Ariel Test* are working on. It will be held in the Fall at Loyola Law School. Due to COVID-19 safety protocols, the training is only open for Loyola Law Students. *Kellie Johnson* and *Curtis* mentioned that they are willing to help plan the training if needed.
- 6. Becoming an Adult Guide:** *Stephanie* updated the Committee that the Guide was completed with the help of *Rachel Nastasi*. Once the updates are added to the LSBA website, *Stephanie* will work on developing a QR code that will allow an easy download of the guide to any electronic device. The QR code will be placed on cards that can be handed out to the public. If anyone is interested in getting some cards, please let her know so she can order for printing.
- 7. Trainings:**
- *Kellie Johnson* said that there will be another Culture Smart hosted by Team Dynamics with presenters *Patsy Wilkerson, M.A.* and *Thailand Porter-Green*.
 - *Kathleen Richey* updated everyone that La. CASA is hosting a public webinar series on child development/family resiliency/community engagement. There will be 10 webinars beginning in July. If anyone is interested, please contact her for more information.

- 8. Other Business:** *Curtis* reminded everyone that if there are any updates or announcements to please contact and share them with Stephanie Beaugh and Mariarenee Contreras.
- *Curtis* provided in the ZOOM chat that for the next meeting, he would like to have a conversation with our committee about the practice of preparing CINC orders and judgments in the proceedings. Through the CIP-PIP state work he has discovered that there are some jurisdictions where non-lawyers (DCFS workers) are preparing orders and judgments for the judges. The ADAs, Parent's Attorneys, and Children's Attorneys are not involved in the preparation of the orders/judgments. He would like to get the Committee's prospective as perhaps all can make a recommendation to the LSBA Exec board on this practice in our state.
- 9. Adjournment:** *Curtis* reminded members that this is the last meeting for the 2020-21 Bar Year meeting. Asked all members to be on the lookout for the Committee's new 2021-22 Bar Year meeting dates.