Juvenile Law Reader

Youth, Rights & Justice
ATTORNEYS AT LAW

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OCDLA has announced the creation of a new award recognizing excellence in juvenile law advocacy. YRJ's Julie McFarlane will be its first recipient. More on Page 23.

Also in this issue: Fixes Expected to HB 2320 in February - Page 3; The Multnomah County Experience: Reducing Racial and Ethnic Disparities in Juvenile Justice: Page 13

View From The Bench: Dependency Law Is Not For Wimps!

The Honorable Douglas V. Van Dyk, Clackamas County Circuit Court Judge

1. How long have you been a judge on the juvenile law bench?

I began handling dependency cases in 2009. Before that, Clackamas had a system with one judge for both delinquency and dependency. Now, for dependency, we have a panel of four judges with terms of three years. As a group, our Clackamas bench is better informed now about dependency work. It's a trade-off, because you want judges to have a sufficient skill set. Dependency is unique and complex. Background and experience is extremely helpful. We hope eventually all eleven Clackamas judges will have strong backgrounds in dependency work.

2. What has surprised you most since joining the juvenile bench?

I was surprised that dependency cases were being treated with less importance than necessary. In the justice system, dependency cases are among the most important, but we are allowed too little time to do the work. A car accident fender-bender will last two days, with two parties and maybe four or five witnesses. A dependency hearing might only be set for 30 - 45 minutes. But you might have two or three fathers,

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each with counsel; Mother with her counsel; a CASA; a social worker and an AAG; and foster parents and grandparents. The justice system should be responsive and able to hear from all of them. Parents must have confidence and trust this system to overcome obstacles such as mental health and addiction. Hearings should not feel like a horse race. The interplay of legal and social issues is, again, quite complex. Findings can be extensive.

3. If you could change one (or more than one) thing, what would it be?

Three things: First, more docket time for hearings. We're working on that in Clackamas, but docket time is a scarce resource here. JCIP is doing a study of the topic that may be helpful. Fortunately, dependency judges are better organized as a group than they were in 2009. Specifically, since then, judges formed the Judicial Engagement and Leadership Institute (JELI). It allows judges an opportunity to speak with one voice about issues such as time available for hearings, and JELI raises the profile of dependency cases.

Second, requirements for written findings should be relaxed. Many of the required findings in ORS 419B are there because of conditions of funding or subsidies available to states under federal law, specifically the Adoption and Safe Families Act ("ASFA"). For the most part, those are requirements of the case planning process. I do not believe ASFA mandated detailed findings on the part of state court judges to the extent now required under ORS 419B. It would be better if parties were required to raise specific objections when case planning is not sufficient. The judge could then focus court time and rulings on narrower issues. As it stands, under ORS 419B, detailed written findings must be made on numerous topics in just about every post-jurisdiction hearing. The failure to make those findings may be plain error. The case may be reversed and the child goes back to square one. We need to be careful that we do not elevate form over substance. We should not allow any child to be harmed by the failure to check a box on a form. But we're making progress. Trial judges are doing a better job now that we have model forms.

Third, we need more resources. In particular, I'd like to see more residential treatment facilities where children may be placed with parents. But in general, I think the system needs lots more resources in a number of areas.

4. What practices do you observe (and encourage others to emulate) from the most effective lawyers?

Know the code. Know the case law. Know your client. Have compassion and display it. If you believe, you will inspire your client to believe. If you care, your client will care. Dependency law is not for wimps. If you do it well, you are among the best, in my book. ●

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Youth, Rights & Justice
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Queries regarding contributed articles can be addressed to the editorial board.

FIXES EXPECTED TO HB 2320 IN FEBRUARY

By Mark McKechnie, MSW, YRJ Executive Director

The 2015 Oregon Legislature passed HB 2320, which made many changes to the state's adult and juvenile sex offender registry laws. Sections 8 and 31 focused specifically on the juvenile registry. The intent of HB 2320 was to prospectively remove the automatic requirement of sex offender registration upon adjudication and instead allow the juvenile court to determine whether sex offender registration would be imposed within six months of dismissal of supervision and jurisdiction.

As discussed in the last issue of the Juvenile Law Reader, there were some significant problems with the drafting of Section 8 in particular, as it did not limit the changes to youth going forward but to all who had ever been adjudicated in Oregon and required to register for a felony sex offense. Currently, a person with a juvenile court adjudication in Oregon for a felony sex crime is not required to register, but anyone already registered remains in the database. This error will be fixed in February. [See Juvenile Law Reader, Volume 12, Issue 3: http://www.youthrightsjustice.org/media/3823/yrj_law_reader_autumn_2015.pdf]

Photo by Radcliffe Dacanay CC By 2.0

A work group met once during the fall to discuss fixes to the bill. The group was comprised of participants from the Oregon District Attorney's Association, Office of Public Defense Services, defense providers, Oregon Youth Authority, the Oregon Judicial Department, the Judiciary Committee and Legislative Counsel's office. The group agreed to changes in Section 8's provisions regarding which categories of youth were impacted by the changes in reporting requirements. It is expected that after the fixes pass in the 2016 session, youth who were adjudicated for a felony sex offense

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and were under the jurisdiction of the juvenile court on or after August 12, 2015 (the effective date of HB 2320) will be entitled to a hearing to determine whether registration is required regardless of the adjudication date.

It is anticipated that youth for whom jurisdiction ended between August 12, 2015 and the effective date of the new bill will have six months after the bill's effective date during which the court can consider whether they should continue to register or whether the youth has met the burden to show by clear and convincing evidence that registration is not necessary or appropriate. The procedures for notifying this particular group of people, appointing counsel and scheduling hearings is currently being discussed. Exact numbers are unknown, however, the number who fall into this category is believed to be less than 150 statewide.

For all other youth who are under the jurisdiction of the court for a felony sex offense and continue to be after the effective date of the bill, which is expected to pass in February, the court will schedule hearings within the six month period prior to the end of jurisdiction, based upon the information provided by the supervising agency.

For those who were adjudicated as juveniles of a felony sex offense in Oregon and for whom juvenile court jurisdiction ended prior to the effective date of HB 2320, the new bill will clarify that the previous requirement to register is restored. Persons in this category would have to file a petition for relief under ORS 181.823 in order to be removed from the registry. There are between 2,000-3,000 individuals who fall under this category.

The bill will clarify that the supervising agency, whether the county juvenile department or Oregon Youth Authority, will be required to notify the person and the juvenile court when they believe that supervision is likely to end within six months. At that point, the court can schedule the hearing or schedule a status hearing in advance of the hearing to consider registration. The bill also contains provisions for the appointment of counsel at state expense for any eligible person who is subject to one of these hearings.

The new bill would also give youth the right to waive the hearing after consulting with counsel. While most youth are expected to take advantage of these hearings as a way to avoid the sex offender registration requirement, it was also expected that a few youth may not want to subject themselves to a hearing in which they are certain that they cannot convince the court to waive the registration requirement for them. At these hearings, the court will receive treatment and polygraph records including reports made in preparation of polygraphs.

The draft legislation is still under review. The new bill may be available during the organizational days that take place January 13-15, 2016. The 2016 Legislative session begins February 1st. Information about bills and hearings can be found in the Oregon Legislative Information System (OLIS) at https://olis.leg.state.or.us/liz/2015I1 (note: this link is for the 2015-15 interim). When new information about the 2016 session is posted, it will be under the 2016 Regular Session link under the "Session" menu in OLIS. ●

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Juvenile Law Resource Center

Parents With Disabilities

USDOJ and USDHHS Technical Assistance Document

The Department of Health and Human Services' (HHS) Children's Bureau in the Administration for Children and Families and the Office for Civil Rights (OCR) and the U.S. Department of Justice's (DOJ) Civil Rights Division have issued a technical assistance document that offers guidance and information about the intersection of federal child welfare requirements and federal disability law. This technical assistance responds to a general need for increased awareness by entities involved in child welfare regarding their legal obligations under Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990. See website: http://www.ada.gov/doj_hhs_ta/child_welfare_ta.html ●

CASE SUMMARIES

By Amy S. Miller, Deputy General Counsel, Office of Public Defense Services

***Dept. of Human Services v. K.L.*, 272 Or App 216 (2015)**

On July 8, 2015, the Court of Appeals issued an opinion in *Dept. of Human Services v. K.L.*, 272 Or App 216 (2015), in which the Court affirmed the trial court's jurisdiction by default as to Mother and Father over their 16-year-old son. Parents argued that they were not properly served with summons under 419B.823 because service was not attempted by one of the specific methods listed in ORS 419B.823(1) to (4) and, consequently, the court's order of alternative service under ORS 419B.823(5) was impermissible. Therefore, parents argued, DHS did not serve them with summons

Photo by Rebecca Wilson CC By 2.0

using any methods authorized by ORS 419B.823 and, hence, the juvenile court erred in entering the jurisdictional judgment. DHS argued that ORS 419B.823 only requires that service is "in a manner reasonably calculated to apprise the person served" of the juvenile court proceeding and, that in this case, because DHS posted the summons on the door to parents' home, emailed the summons to father, and mailed summons to parents' home, service was proper. The Court of Appeals noted that whether parents received constitutionally adequate notice is a fact-specific determination and the test is whether the methods DHS used to serve parents were "reasonably calculated to apprise them of the proceeding." In this case, the Court determined that, taken together, the methods that DHS used to serve parents met the due process standard articulated in ORS 419B.823.

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Dept. of Human Services v. B.M.C., 272 Or App 255 (2015)

On July 8, 2015, the Court of Appeals issued an opinion in *Dept. of Human Services v. B.M.C.*, 272 Or App 255 (2015), in which the Court vacated a judgment granting DHS' motion to set aside guardianship of O, the child in the case, and vacated a permanency judgment which continued a plan of permanent guardianship of O. Both judgments were vacated for lack of standing. In this case, in May 2014, based on DHS' motion, the trial court granted guardianship of O to maternal grandparents. DHS drafted the judgment which was then entered by the court. The judgment terminated DHS custody, dismissed DHS as a party, and required that the ward not be placed outside the guardian's physical custody without express approval of the court. One week after the court entered the guardianship judgment, DHS filed a motion to set aside the guardianship and, without prior approval from the juvenile court, removed O from the guardians care and placed O with paternal grandparents. Mother objected, arguing that a new dependency petition was required. The court granted the motion and entered the order to set aside on October 15, 2014. A permanency hearing followed; at that hearing, the court changed the plan to establish guardianship with paternal relatives. The permanency hearing judgment was entered on October 14, 2014.

On appeal, appellants argued that, because the juvenile court judgment establishing guardianship dismissed DHS as a party, the court lacked jurisdiction to consider and grant DHS' motion to set aside and the proper procedure was for DHS to file a new petition. DHS conceded that it was no longer a party to the dependency proceeding but argued that it has a due process right to seek relief from the order dismissing it as a party to the proceeding. The Court of Appeals rejected DHS' argument because the state has "no entitlement to due process or standing to challenge the application of a state statute to it on constitutional grounds" and concluded DHS did not have standing to bring the motion to set aside the guardianship and that DHS was not a party at the time the permanency judgment was entered.

Dept. of Human Services v. E.N., 273 Or App 134 (2015)

On August 19, 2015, the Court of Appeals issued an opinion in Dept. of Human Services v. E.N., 273 Or App 134 (2015) in which the Court reversed the juvenile court's denial of DHS petition to terminate mother's parental rights to A, age 5½ at the time of the TPR trial. DHS sought to terminate mother's parental rights based on unfitness under ORS 419B.504 which requires the court to find by clear and convincing evidence that (1) the parent has engaged in conduct or is characterized by a condition that is seriously detrimental to the child; (2) integration of the child into the parent's care is improbable within a reasonable time due to conduct or conditions not likely to change; and (3) termination is in the best interests of the child. The juvenile court determined that mother engaged in conduct and is characterized by the conditions alleged in the TPR petition, which include substance abuse, chronic instability, mental illness, and failure to effect lasting change after reasonable efforts by social agencies for an extended period of time, but concluded that the conditions and conduct were insufficient to find serious detriment to A at the time of trial because A, who had spent the majority of her life in non-relative foster care, was resilient, relatively healthy, and well-adjusted.

The issue on appeal, as argued by DHS and A, is whether the trial

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court erred by focusing on whether, at the time of trial, A had realized cognizable harm from mother's conduct or conditions, instead of assessing the potential future harm to A. The Court of Appeals, citing to *Dept. of Human Services v. R. K.,* 271 Or App 83 (2015), explained that the apparent wellness of a child at the time of the TPR trial is not determinative because potential future harm can be sufficient to find serious detriment.

In this case, the Court considered the totality of the circumstances and "mother's inability to make any lasting changes—or even to admit that certain changes are necessary" and determined that mother's conduct and conditions seriously detrimental to A. The Court also found mother's conduct and conditions seriously detrimental to A because A requires a stable, calm and child-focused caregiver, and, given mother's current condition, "she would not be able to provide A with the care she needs to get through another transition without lasting harm."

The Court, on de novo review, determined that integration of A into mother's care is improbable within a reasonable time due to conduct or conditions not likely to change and termination is in A's best interest.

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Dept. of Human Services v. T.M.S., 273 Or App 286 (2015)

On August 26, 2015, the Court of Appeals issued an opinion in *Dept. of Human Services v. T.M.S.,* 273 Or App 286 (2015) in which the Court affirmed the juvenile court's judgment changing the permanency plan to adoption as to T who was six years old at the time of the permanency hearing. The court took jurisdiction in 2013 over T because mother's substance abuse interfered with her ability to safely parent T. Between January 2013 and the permanency hearing in November 2014, mother sporadically participated in mental health and drug treatment services but also repeatedly relapsed into substance abuse including drug use less than two months before the permanency hearing. The juvenile court found any progress made by mother was due to the "considerable efforts of services providers and that mother was unable to progress on her own."

On appeal, mother and T raise 3 arguments: (1) mother had made sufficient progress to allow T to safely return and, as a result, a compelling reason exists to determine a TPR petition would not be in T's best interests, ORS 419B.498(2)(b)(A), (2) the bond between T and mother is compelling reason to determine a TPR petition would not be in T's best interests, ORS 419B.498(2)(b)(B), and (3) the failure to complete an updated

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psychological evaluation before the permanency hearing is a failure to provide sufficient services under ORS 419B.498(2)(c).

The Court of Appeals rejected each argument, finding:

First, mother had not made sufficient progress to make it possible for T to return home within a reasonable time and that mother's limited progress did not rise to the level of a compelling reason to forego a change in plan to adoption.

Second, in this case, the bond between T and mother is not a compelling reason to decline to change the plan to adoption given the limited testimony regarding the T's bond to mother, T's age, and mother's persistent substance abuse problems and inability to address those problems. However, the Court does contemplate whether the bond between a parent and child can be a compelling reason, confirms that the decision must be "child-centered determination" and underscores the importance of preserving parent-child relationships. *See FN3.* The Court also notes that DHS's lack of a proposed adoptive placement does not create a compelling reason precluding a change in plan to adoption because there is not evidence that an adoptive placement is unlikely to be found.

Third, the Court considered the underlying basis for juvenile court jurisdiction—substance abuse—and determined that the record does not establish that the juvenile court needed an updated psychological evaluation to assess mother's progress in addressing substance abuse. Accordingly, the juvenile court did not err in finding that DHS had not failed to provide necessary services in a time period consistent with its case plan.

Dept. of Human Services v. J.R., 274 Or App 107 (2015)

On September 30, 2015, the Court of Appeals issued an opinion in *Dept. of Human Services v. J.R.*, 274 Or App 107 (2015) in which the Court of Appeals reversed the juvenile court's judgment denying Father's motion to dismiss jurisdiction as to his two children. In this case, jurisdiction was established in September 2014 due to mother's substance abuse and father's admission that he failed to protect the children from mother's neglectful behavior which included a history of moving with the children in violation of DHS safety plans and terms of probation. In October 2014, mother signed a limited power of attorney document giving father the authority to make all parenting decisions for the children. Shortly thereafter, mother was incarcerated. In November 2014, father filed a motion to dismiss indicating that, upon dismissal, he would return home to Nevada with the children, seek sole custody, and would protect the children by calling the police if mother attempted to see the children. DHS objected to dismissal, arguing that father did not have legal custody of the children, that mother had a history of failing to abide by agreements which restricted her movement and had expressed an intention to visit the children, and that in the past, the police failed to intervene on father's behalf without a court order to protect the children when mother had physical custody of the children.

On appeal, the Court concluded that Father's lack of legal custody is "of no value without support from the remaining facts because, although a fit parent may lack sole custody when the other parent is unfit, without evidence that the fit parent is unable to protect the children, the lack of custody order is insufficient to support jurisdiction." And the remaining facts do not provide a basis for concluding that that father is presently unfit. Mother's history and expressed intent are not indicative of father's inability to protect and there is no indication that the police will not intervene when the father has physical custody. Finding "no other possible basis for the court's finding that father would

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be unable to protect the children from mother" the Court reversed the juvenile court's judgment.

Dept. of Human Services v. R.N., 274 Or App 182 (2015)

On September 30, 2015, the Court of Appeals issued an opinion in *Dept. of Human Services v. R.N.*, 274 Or App 182 (2015) in which the Court reversed and remanded the juvenile court's jurisdiction judgment as to mother. At the jurisdiction hearing, mother was unable to appear in person and was permitted to listen to the proceeding by phone. Mother moved to continue the hearing to a later date because DHS had recently amended the petition with additional allegations and additional discovery was required. The court denied Mother's motion, allowed DHS to proceed with a prima facie case, and refused to allow Mother an opportunity to testify in opposition to the petition. DHS proceeded without mother's participation and the court took jurisdiction over the children.

Photo by Baker County Tourism CC By 2.0

On appeal, Mother sought reversal of the juvenile court judgment because the grounds for a prima facie didn't apply—mother was present by phone, her attorney requested a continuance, and she had not failed to appear. DHS conceded the jurisdictional judgement should be reversed because once the court allowed mother to appear by phone, it was error to not allow her to participate. The Court of Appeals agreed with DHS and reversed and remanded the jurisdictional judgment.

Note: *See also Dept. of Human Services v M.E.M,* 271 Or App 856 (2015) (in which DHS conceded error after denial by the juvenile court of Mother's motion to set aside default judgment of jurisdiction when mother appeared by phone).

Dept. of Human Services v. J.C.H., 274 Or App 186 (2015)

On September 30, 2015, the Court of Appeals issued an opinion in *Dept. of Human Services v. J.C.H.*, 274 Or App 186 (2015), which arose from Father's motion for reconsideration of Dept. of Human Services v. J.C.H., 272 Or App 413 (2015) on the basis that the Court of Appeals erred in its decision to affirm the termination of father's parental rights. Father argued that allegation (j) in the termination petition, that the father failed to protect the children from sexual abuse, was not one of the grounds upon which jurisdiction was based and therefore father did not receive constitutionally adequate notice as to services and actions required to end DHS involvement. Father requested that the Court of Appeals reconsider its prior decision and conclude that the remaining allegations are not

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sufficient to warrant termination of parental rights.

The Court agreed regarding allegation (j) and modified the prior opinion accordingly, but also concluded, upon *de novo* review, that the remaining allegations, proven by DHS by clear and convincing evidence, are sufficient to terminate father's parental rights. With that modification, the Court adhered to its original opinion.

Dept. of Human Services v. A.W., 274 Or App 493 (2015) (A158694)

On October 21, 2015, the Court of Appeals issued an opinion in *Dept. of Human Services v. A.W.*, 274 Or App 493 (A158694), in which the court reversed the juvenile court's default judgment terminating mother's parental rights. In this case, mother's TPR trial began on December 17, 2014. Mother was present for the first two days of trial, but on the second day her attorney requested a continuance so that mother could seek medical attention for recently received injuries.

The court granted a morning continuance to allow mother to go to the hospital and, when parties reconvened on the afternoon of December 18, mother's attorney asked for another continuance and indicated mother was still at the hospital. The court scheduled a status hearing for 11 days later, December 29, explaining that the hearing was a quick status check for the purpose of determining when to reschedule the trial. On the 29th, mother's attorney appeared at the status hearing, but mother did not and DHS moved for an order of default against mother. The court scheduled a hearing for December 31, noting that "if [mother] shows up at that hearing I guess we will figure out what happens at that point in time." DHS informed mother of the hearing on the 29th but there was no evidence that mother was aware of the 31st court date.

Although mother did not appear at the hearing on the 31st, her attorney was present and reiterated that mother had appeared at the first two days of the trial and had sustained a concussion. The court excused mother's attorney, proceeded to hear DHS's *prima facie* case, and entered a judgement terminating mother's parental rights.

The issues on appeal concern whether the juvenile court's actions were authorized by ORS 419B.819(7), which permits the court to terminate a parent's rights if the parent fails to appear for a hearing related to a termination petition as directed by a summons or court order. On appeal, DHS conceded that the court did not require mother's personal attendance for the December 29 hearing and therefore mother was entitled to appear through her attorney, but also argued mother was responsible for her failure to appear on December 31 because mother's counsel knew of that date and "her knowledge is imputed to mother."

The court disagreed with DHS' argument, holding that, *under the unique circumstances of this case which includes DHS' concession*, if mother was able to appear through her attorney on the 29th – a date of which mother had actual notice – she was not able to be defaulted on the 31st – a date of which she appeared through counsel and had no notice. Furthermore, the court found the default to be plain error and reversed the judgment.

Dept. of Human Services v. E. J. E., 274 Or App 503 (2015)

On October 21, 2015, the Court of Appeals issued an opinion in *Dept. of Human Services v. E. J. E.*, 274 Or App 503, in which the Court affirmed the trial court's judgment terminating father's parental rights on the grounds of unfitness (ORS 419B.504) and extreme conduct (ORS 419B.502). On appeal,

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father argued that the court erred by terminating his parental rights on the basis of extreme conduct because the conduct relied on by the court in making this determination occurred 10 years before the TPR trial and did not involve his children. Father also argued that, as to the basis of unfitness, the court erred in determining that integration of the children into his home was improbable within a reasonable time and that the determination that termination was in the best interests of his children was in error.

On *de novo* review, the Court of Appeals declined to address father's argument as to extreme conduct and held that the termination on the basis of unfitness was proper and in the best interests of the children.

Dept. of Human Services v. A. W., 274 Or App 505 (2015) (A159213)

On October 21, 2015, the Court of Appeals issued an opinion in *Dept. of Human Services v. A. W.*, 274 Or App 505 (A159213), in which mother appealed from an order of the juvenile court denying her motion to set aside a TPR judgment as to her daughter. Because the Court reversed and remanded the TPR judgment (See *Dept. of Human Services v. A.W.*, 274 Or App 493 (A158694)), the appeal from the motion to set aside the TPR judgment was dismissed as moot.

L. D. v. T. J. T., 274 Or App 430 (2015)

On October 21, 2015, the Court of Appeals issued an opinion in *L. D. v. T. J. T.*, 274 Or App 430, in which the Court reversed the trial court's denial of a 19 year-old ward's motion to dismiss jurisdiction, terminate wardship and vacate the guardianship with his aunt and uncle.

In this case, jurisdiction was established in 2001 based on mother's stipulation to 6 jurisdictional bases including failure to protect her children from her abusive partner, MC, and that the ward has special educational, medical and counseling needs. In 2002, the juvenile court changed the permanency plan to guardianship and, in 2003, granted guardianship as an incident of wardship to the aunt and uncle and required the guardians to file an annual report. The 2014 guardianship report indicated that ward was having problems and engaged in criminal behavior. The court then scheduled a guardianship review hearing, and appointed counsel for ward. Ward filed a motion to dismiss jurisdiction, terminate the wardship and vacate the guardianship. In 2015, the court held a guardianship review hearing and a hearing on ward's motion. After taking testimony from the guardians and 19-year-old ward, the court noted three of the original bases for jurisdiction, special needs of ward and mother's failure to protect from MC, continued to exist and denied ward's motion.

On appeal, the Court considered whether guardians, as proponents of continued jurisdiction, met their burden of proving that the factual bases for jurisdiction continued and concluded that they did not. The Court noted that youth's circumstances including poverty and challenges with a disability were less than ideal, but determined that the guardians failed to prove a current threat of serious loss of injury reasonably likely to be realized and therefore the juvenile court erred in denying ward's motion to dismiss jurisdiction.

The Court did not address ward's second and third assignments of

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error—that the juvenile court erred in denying his motions to terminate the wardship and vacate the guardianship—because, as the Court noted, the wardship ends when the juvenile court dismisses the petition for jurisdiction and a guardianship as an incident of legal custody dissipates when either the guardians nor DHS has legal custody of the ward.

Note: This case is worth reading in its entirety because the Court provides a through summary of the statutory framework governing jurisdiction, legal custody and guardianship under ORS 419B.

Dept. of Human Services v. J.R., 274 Or App 601 (2015)

On November 4, 2015, the Court of Appeals issued an opinion in *Dept. of Human Services v. J.R.*, 274 Or App 601, in which the Court affirmed the jurisdictional judgments relating to father's youngest children, JMR, age six, and JMLR, age two. In September 2014, the court asserted jurisdiction over the children based on father's failure to protect from mother and, in December 2014, new petitions were filed alleging father's substance abuse. The Court of Appeals found the trial court erred regarding jurisdiction based on father's failure to protect, *see Dept. of Human Services v. J.R.*, 274 Or App 107 (2015); this appeal addresses the substance abuse allegations.

In February 2015, a jurisdictional trial was held. The court heard testimony from the ICPC worker who indicated that father had served time in prison for a DUII, that after consuming several drinks he had recently been involved in a confrontation with his oldest son, A, which led to the police being called, that father was still drinking to excess, and that a substance abuse assessment and treatment was recommended. The DHS caseworker stated that father's continued alcohol abuse, even if moderate, would place the children at risk of neglect. Father confirmed his continued alcohol use, but indicated that it didn't create a risk of harm to the children because it was moderate, was after the children were asleep, and that he could rely on his girlfriend's assistance. The juvenile court found father to be not credible and minimizing a drinking problem and asserted jurisdiction.

On appeal, father argues that DHS failed to establish a nexus between father's alcohol use and a risk of harm to the children. The Court of Appeals found it possible for the juvenile court to infer that father was likely drinking to the point of intoxication. And, the Court found it permissible for the juvenile court to find father's substance abuse subjected the children to a current, nonspeculative risk of harm. The Court distinguished this case from State ex rel *Dept. of Human Services v. D.T.C.*, 213 Or App 544 (2009) because, in this case, there was no question that father was continuing to drink alcohol at the time of the hearing, the trial court could properly infer that father drinks to the point of intoxication to fall asleep, and father's girlfriend did not testify as to her role in caring for the children.

"Because there was sufficient evidence to establish that father's alcohol use presented a current risk of serious loss or injury to JMR and JMLR, the juvenile court did not err in asserting jurisdiction based on father's substance abuse." ●

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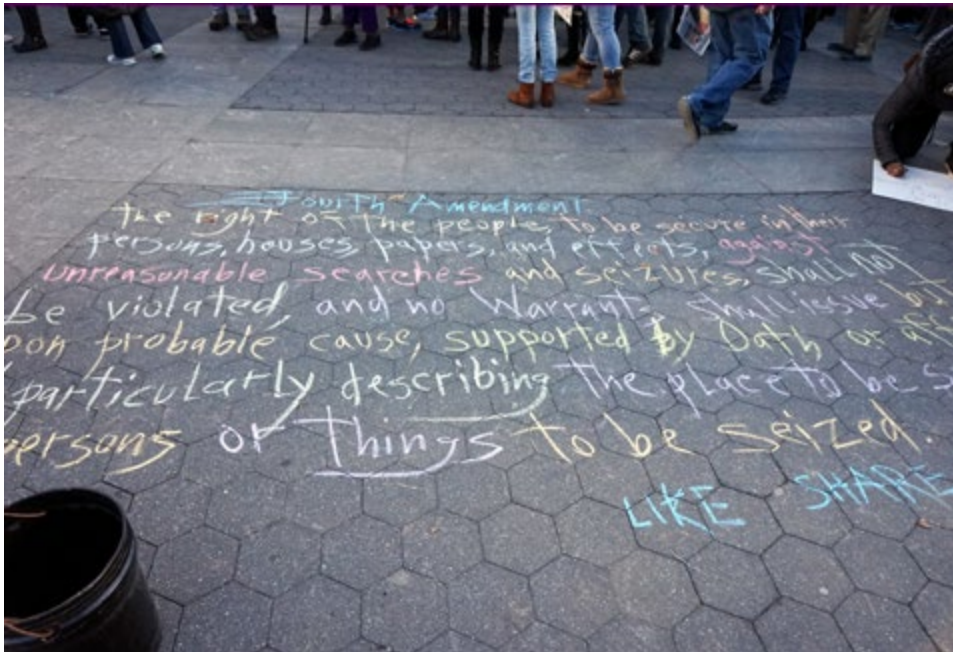
The Multnomah County Experience: Reducing Racial and Ethnic Disparities in Juvenile Justice

Brian Detman, System Change and Community Initiatives Manager, and Christina McMahan, JD, Juvenile Services Division Director, Department of Community Justice, Multnomah County, Oregon

(Reprinted from The Police Chief, Vol. LXXXII, No. 6, pages 30-37, 2015.

Diversity, racial, and ethnic disparities and fairness in the U.S. justice system are complex issues that present challenges to police chiefs, line officers, public safety leaders, policy makers, stakeholders, and residents. There are many dynamics at play that increase the complexity, and finding solutions can be complicated. Consistent effort and focus are needed to address disparities in the juvenile justice system and achieve better outcomes.

Public safety and community leaders in Multnomah County, Oregon, have come together to have the difficult conversations that often surround the topics of disparity, fairness, and system effectiveness in the juvenile justice system. Multnomah County is home to the City of Portland, where law enforcement and city officials have a history of working on juvenile justice issues, and Gresham, a growing and increasingly diverse city to the east of Portland. The City of Gresham was recently selected as one of six cities in the United States (along with Las Vegas, Nevada; Little Rock, Arkansas; Minneapolis, Minnesota; New Orleans, Louisiana; and Philadelphia, Pennsylvania) to participate in the National League of Cities Municipal Leadership for Juvenile Justice Reform technical assistance initiative.



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In July 2014, a team representing Multnomah County's juvenile justice system participated in Georgetown University's Center for Juvenile Justice Reform (CJJR) Reducing Racial and Ethnic Disparities Certificate Program. The team included a Portland Police Bureau lieutenant; a chief deputy district attorney; the chief juvenile court judge; the county juvenile services division director and a department policy advisor focused on racial and ethnic disparities; two executive directors from community-based, culturally specific service providers; a representative from the local public schools; and an elected county commissioner, who is also

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the co-chair of the Multnomah County Public Safety Coordinating Council.

CJJR's Certificate Program

CJJR "advances a balanced, multisystems approach to reducing juvenile delinquency that promotes positive child and youth development, while also holding youth accountable."[1] Its certificate programs focus on a range of issues that bring together law enforcement and other stakeholders from around the United States who work with youth who have histories of involvement with or are at risk of entering the juvenile justice system. The Reducing Racial and Ethnic Disparities in Juvenile Justice Program is a week of intensive, multi-disciplinary study and is a valuable resource for police chiefs, command staff, district attorneys, judges, and others charged with creating, supporting, or maintaining a juvenile justice system that produces meaningful outcomes for youthful offenders, families, victims, and communities.

CJJR is a leading organization in the United States on the issues of disparity, disproportionality, and disproportionate minority contact (DMC) in the justice system. Its research, analysis, and experience with jurisdictions from across the United States indicate that youth of color are overrepresented in the justice system—they are arrested, charged, and incarcerated more often than their white counterparts are for the same behaviors.

The Reducing Racial and Ethnic Disparities in Juvenile Justice Program's message is that, as system partners, law enforcement can and must do a better job of ensuring that the impact of juvenile justice is positive. Juvenile justice needs to serve a dual purpose, ensuring both that youth are held accountable and that they and their families get the help and support they need.

Multnomah's team came away from the program with a renewed perspective and the understanding that they have the power to make change happen. One of the attendees from Multnomah County, PPB Lieutenant Tashia Hager, attributes this to the atmosphere and approach of the program.

> *I was inspired at this program because it took a critical look at the system and system partners without casting blame. It contributed to and reinforced an atmosphere of cooperation and collaboration among the people within our own team. The energy was focused on how to best help the youth in our community.*[2]

Starting Out: Decision Points

Prior to attending the program, participating team members from around the United States were asked to collect, review, and share data pertaining to youth outcomes across a range of sectors—criminal justice, education, health, and so forth—and on a spectrum of decision points within the juvenile justice system.

The decision points in the juvenile justice system are not the same as those in the adult criminal justice system. The decision points include the following:

- Juvenile arrested or referred to a juvenile department (court) based on state or local policy or statute.
- Juvenile committed to secure detention.
- Juvenile case petitioned (charges filed in juvenile court).
- Juvenile committed to a secure facility (state-level incarceration).
- Juvenile case transferred to adult court.
- Juvenile case dismissed, plea bargained, or alternative offered.

CJJR made it crystal clear that each of these decision points is not only a potential opportunity to hold a youth accountable, but also an opportunity to build a relationship with the youth and his or her parent or guardian and help meet the needs of the juvenile offender through formal or alternative means.

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Law enforcement officers, in particular, have opportunities for relationship building and helping juveniles, as they interact with youth regularly. Their interactions often include simple status offenses, such as a curfew violations, that might warrant only a warning and a ride home; runaways who need the services of community organizations or shelters; and criminal situations, such as youth suspected of theft or assault or in possession of a firearm, which may require formal and informal reports, detention, or other steps required by laws and policies.

The actions taken by the juvenile department or juvenile court in response to these offenses depends on local and state laws. The bottom line is that, in any of these scenarios, there may be alternatives to formal or deeper involvement with the juvenile justice system, and those opportunities should be created, explored, and supported.

Honorable Judge Maureen McKnight points out that once a youth is formally involved in the justice system, it can be difficult for that youth to get back on track.

> *I have been a judge for 13 years and worked as an attorney with our community's families and children for more than three decades. I have seen too many youths and families quickly enter and unnecessarily stay involved with the justice system for years and generations. Responsive intervention and diversion efforts at the front end from the community—tailored for the youths' and the family's needs—are critical to keeping youths out of the deep end of the juvenile justice system.*[3]

To improve the juvenile justice system, the system partners, including police officers, need to conduct an in-depth inquiry and analysis of who these youths are, where they come from, what legal violations they have committed, and why they have done so.

REGGO Data

Multnomah County and other program participants learned to dig deep into juvenile justice information and explore how race, ethnicity, gender, geography, and offense (REGGO) relate to juvenile information.

In Multnomah County and throughout Oregon, juvenile justice departments enter juvenile information into the Juvenile Justice Information System (JJIS). JJIS is a statewide, integrated electronic system that stores youths' interactions with law enforcement and confidential case records with the state's juvenile justice system, regardless of where in Oregon those contacts occurred.

When the team looked at the data from JJIS and referenced the REGGO data points, they found disparities connected to race and ethnicity. These disparities were not news to the juvenile services leaders, but they were not widely understood by or regularly shared with system partners.

The data demonstrate that the referral to juvenile services is the decision point where the greatest disparities exist in the Multnomah County juvenile justice system. In 2013, of 3,345 referrals to Multnomah County Juvenile Services Division (JSD), 55 percent were for youth of color (African American, Latino, Native American,

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and Asian youth). African Americans, aged 10–17, were nearly five times more likely than white youths to be given a referral to JSD by law enforcement. Adjudicated Latino youth in Multnomah County are three times more likely to be committed to a secure correctional facility than adjudicated white youth.[4]

The advocacy community in Multnomah County also sounded the alarm on system disparities. The Coalition of Communities of Color, an organization focused on diversity and equity issues, published a report titled Communities of Color in Multnomah County: An Unsettling Profile. The report found that "In every system we looked at [education, employment, housing, health, criminal justice], there are significant disparities."[5] Furthermore, the report noted that the inequities contribute to an intergenerational cycle of justice system involvement and poor outcomes.

These data backed up the Center for Juvenile Justice Reform's analyses that youth of color are overrepresented in the juvenile justice system; they are arrested, charged, and incarcerated more than white youth.

Taking Action

How could Multnomah County, lauded by juvenile justice leaders as an early and successful adopter of effective detention and community-based alternatives dating back to 1992, have a system with these kinds of disparities?

Twenty-two years ago, Multnomah County implemented Annie E. Casey Foundation's Juvenile Detention Alternatives Initiative model.[6] Multnomah County developed and successfully implemented reform strategies, from forming a Juvenile Justice Council and consistently applying a risk assessment instrument for detention decisions to investing in alternatives to detention and combating racial and ethnic disparities. In 1994, Multnomah County reported a detention rate of 42 percent for youth of color and a detention rate of 32 percent for white youth. By 2000, the detention rate for both white youth and youth of color had dropped to 22 percent. The number of youth of color in Multnomah County's detention center dropped dramatically without compromising public safety.[7]

Fourteen years later, however, some of the positive trends have reversed. The current proportion of youth of color represented in the Multnomah County juvenile justice system is too high. For example, in 2014, the detention population data show that, on average, 62 percent of youth in custody each day in Multnomah County's juvenile justice system were youth of color.[8] Unfortunately, there are many factors at play that have contributed to a reduced focus on disparities in the local justice system, chief among them being more than a decade of successive budget cuts.

Moving from DMC to Reducing Racial and Ethnic Disparities (RED)

Multnomah County JSD's success in lowering the number of youth under supervision and in custody highlights the evolving ways the county's system partners understand and measure disproportionality. There is a movement away from use of the acronym "DMC" — disproportionate minority contact or confinement—to the more general Reducing Racial and Ethnic Disparities (RED). This title encompasses more than the traditional DMC concept and considers the following issues:

- Overrepresentation–a larger proportion of a racial or ethnic group is present at decision points within the juvenile justice system than would be expected based on their proportion in the general population.

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- Disparate treatment–the probability of receiving alternative opportunities or services or being dealt a higher consequence differs based upon a persons' race or ethnicity, often leading to overrepresentation.
- Unnecessary entry and moving deeper into the juvenile justice system–the probability of being arrested into or referred to the various levels within the system differs for different racial and ethnic groups.

The general phrase "racial and ethnic disparities" (RED) has the added benefit of refining the usage of the terms "majority" and "minority" because people from non-white racial and ethnic groups are not the minority population in many cities and regions around the United States, and, according to the U.S. Census Bureau, people of color will be the majority population in the United States by 2042.[9]

To ensure that certificate program participants understand and can articulate and make system changes on the issue of racial and ethnic disparities, CJJR provided sessions and information on the importance and application of cultural competency and implicit bias and how they may influence juvenile justice system decisions. With this basis, broad grounding in juvenile justice, and the county's own data, the focus moved to what can be done to reduce current racial and ethnic disparities.

Photo by Sheila Sund CC by 2.0

Responding to the Call

The Multnomah County team has developed and is launching a project that will reform the way youth in the region encounter the juvenile justice system and address the disparities that impact youth of color.

The new project will be piloted in the City of Gresham. The city's police department will divert first-time, low-level offenders to culturally specific service providers, instead of bringing them into formal contact with the juvenile justice system. This is a different way for police to connect with the community, particularly communities of color. While police departments around the country already work with diversion programs and divert youth in formal and informal ways all the time, this pilot program, called the Community Healing Initiative Early Intervention Program (CHI), is an opportunity for community connection and community-based, culturally responsive wrap-around services for offenders and their families. All qualifying offenders will be served, regardless of race or ethnicity.

Joe McFerrin II, the president and CEO of Portland Opportunities Industrialization Center, a leading community-based service provider in Multnomah County, said the following about the pilot program:

> *When we heard of the opportunity to address disparities and do business differently, and that system partners were committed and involved, we knew this effort was the right fit at the right time and for the right reasons. As an organization serving*

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> *predominately African American youth and their families, we could not pass up the opportunity to participate in the CJJR Program. Never in my 20 years of youth and family development work have I seen a group this diverse come together to develop such a strong strategy and plan. I am optimistic this effort will be a huge success.*[10]

The police leadership in the area shares this optimism. Gresham Police Chief Craig Junginger believes the program will help officers build stronger connections in the community and improve the services provided for youth that can keep them out of serious trouble. "I am excited about this early intervention pilot because it's really about taking action and doing things differently for our kids in Gresham."[11]

The pilot stems directly from what team members learned from CJJR and each other, and it builds on the need to make stronger connections between police, youth, and communities, which is an issue playing out in communities around the United States. The team members bring the following core beliefs, taught by CJJR, to the pilot program:

- All youth in the juvenile justice system should be treated fairly and as individuals.
- Adolescents should not be expected to have the maturity and judgment of adults.
- Incarceration should be reserved for those youth who represent a significant danger to others.
- Reform efforts should include families and communities, who can provide critical support and resources for youth in the juvenile justice system.
- Reform efforts should be culturally and linguistically responsive to the needs and backgrounds of youth in the juvenile justice system.

The team also applied seven CJJR principles and strategies to develop this project, and these concepts

Photo by Steve Calcott CC by 2.0

will be applied to future projects and efforts to improve the system.

- Collaboration that includes all stakeholders
- Regular collection, analysis, and use of data
- Consideration of REGGO (race, ethnicity, gender, geography, and offense)
- Focus on local efforts
- Use of objective criteria and decision-making tools
- Consideration of a range of diversion and alternative-to-incarceration programs and services
- Involvement of other systems (e.g., education, child welfare, workforce, etc.)
- Regular monitoring and evaluation of programs and outcomes

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Brian Detman is the System Change and Community Initiatives Manager for the Juvenile Services Division of the Multnomah County Department of Community Justice. He has worked for Multnomah County since the spring of 2013, starting in the Chair's Office as policy advisor working on a range of issues and initiatives, from public safety, education, and youth development to environmental justice and sustainability. He began working for DCJ in the spring of 2014 as a policy advisor focused on racial and ethnic disparities in the juvenile justice system, before being promoted to the position of System Change and Community Initiatives Manager in December 2014. Overall, Mr. Detman has more than 20 years of professional experience, including work with public agencies, nonprofits, triple-bottom line businesses, and community-based organizations.

Christina McMahan, JD, has served as the Juvenile Services Division Director for the Multnomah County, Oregon, Department of Community Justice (DCJ), as well as an Assistant Director for DCJ, since being appointed in August 2011. Ms. McMahan is charged with leading, supporting, and monitoring delinquency intervention, probation, accountability, community engagement, treatment, and detention services for delinquent youth in Multnomah County, the most populous and diverse county in Oregon. Since joining DCJ, she has led several initiatives, including the implementation of the first Title IV-E claiming program in Oregon and the further development of a local continuum of services designed to keep youth connected to their home communities and prevent further penetration into the juvenile justice and adult criminal systems.

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Moving Forward

CJJR has laid the groundwork for innovation, partnership, and measurable results and provided the strategies and tools for law enforcement and other system partners to reduce and eliminate disparities that are barriers to an effective system. Adults do have the power and responsibility to make changes that will lead to improved and positive outcomes for youth of color. The Multnomah multi-disciplinary team brought what they learned at CJJR home and is using their enhanced knowledge to ignite awareness, commitment, and actions to create a safer community that ensures all juvenile justice–involved youth receive the services and support they need to be successful.

One of the most important elements of the team's efforts is the teamwork between law enforcement, the juvenile justice system, and communities of color, which allows for a proactive approach to a complex issue.

Finding common ground with the community and culturally specific service providers is key. In the words of Latino Network Executive Director Carmen Rubio:

The reason we are a part of this effort is simple: this work helps the community to heal. Our youth and families are inspired and find hope again. Then the path emerges and reveals different possibilities to make good choices for themselves and their families. Parents and youth find their voice and join with others to create the community they want to live in. This project allows for our youth and families to be seen, heard, and advocated for. We provide our youth a safe anchor in their own cultural community where they can find trust, understanding, and connect culturally with caring adults.

Additionally, the wonderful thing about this pilot is that it engages with youth before they enter the judicial system. Our community is seeking preventative help, not reactive help. We now have an answer to burdened parents who ask us "Why can't you help my child now before he gets into

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further trouble with the system?" Before the CHI Early Intervention pilot program, we couldn't offer much of an answer. Now we have one, and that feels great to be able to serve more youth in need of positive coaching by caring adults. Over 90 percent of the youth we've worked with, particularly those who have been incarcerated, have stated that they wished someone would have paid attention before they got into trouble.

To quote one youth, "I regret all the time I wasted, because now I realize all the good things I could have been doing for myself and my community."[12]

Notes:

[1]Center for Juvenile Justice Reform, "About the Center," http://cjjr.georgetown.edu/about.html (accessed April 27, 2015).

[2]Tashia Hager (lieutenant, Portland Police Bureau), interview, February 3, 2015.

[3]Maureen McKnight (Chief Family and Juvenile Judge, Multnomah County Circuit Court), interview, February 13, 2015.

[4]Oregon Youth Authority, Juvenile Justice Information System Multnomah County Relative Rate Index Report #00471 (2013).

[5]Ann Curry-Stevens, Amanda Cross-Hemmer, and Coalition of Communities of Color, Communities of Color in Multnomah County: An Unsettling Profile (Portland, OR: Portland State University, 2010), link to pdf at http://www.coalitioncommunitiescolor.org/. (accessed April 27, 2015).

[6]Annie E. Casey Foundation, "Juvenile Detention Alternatives Initiative," http://www.aecf.org/work/juvenile-justice/jdai (accessed April 27, 2015).

[7]Charlene Rhyne and Kim Pascual, Juvenile Minority Over-Representation In Multnomah County's Department of Community Justice: Calendar Year 2007 Youth Data (Portland, OR: Multnomah County Department of Community Justice, March 2008), http://www.jdaihelpdesk.org/multnomah/Multnomah%20County%20OR%20Juvenile%20Minority%20Over%20Representation%202007.pdf (accessed May 3, 2015).

[8]Multnomah County Department of Community Justice, JSD Detention Population Summary Report For the period of 01/01/2014 through 12/31/2014.

[9]U.S. Census Bureau, "U.S. Census Bureau Projections Show a Slower Growing, Older, More Diverse Nation a Half Century from Now," news release, December 12, 2012, https://www.census.gov/newsroom/releases/archives/population/cb12-243.html (accessed April 27, 2015).

[10]Joe McFerrin (president/CEO, Portland Opportunities Industrialization Center), interview, February 6, 2015.

[11]Craig Junginger (police chief, Gresham Police Department), interview, February 5, 2015.

[12]Carmen Rubio (executive director, Latino Network), interview, February 5, 2015.

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Photo by Chris CC by 2.0

ESEA Reauthorization Shows Promise

A Press Release from the Center for the Study of Social Policy
December 10, 2015

Photo by White House

With the signature of the President today, the Elementary and Secondary Education Act (ESEA) has been reauthorized. The new iteration of this legislation, The Every Student Succeeds Act (ESSA), cements Promise Neighborhoods, an initiative we've supported for four years, as a crucial model of place-based work; and it includes important provisions and protections for children and youth who are homeless or in the foster care and juvenile justice systems. By addressing early childhood education and its link to K-12, the bill underscores the importance of early learning for children's future educational success. We applaud Congress and the President for these important provisions that better serve the interests of our nation's most at-risk children and youth—including those that provide more comprehensive supports for children in our poorest communities and educational stability and success for children and youth involved with intervening public systems.

The bill signed today marks the successful conclusion of years of effort to effectively implement and sustain Promise Neighborhoods by CSSP, our partners at the Promise Neighborhoods Institute at PolicyLink, the U.S. Department of Education and communities nationwide, as well as to assure attention to the educational stability and success of young people involved with intervening public systems. Originally enacted in 1965, ESEA's reauthorization today overhauls what was formerly known as the No Child Left Behind Act of 2002. Significant provisions of the law related to Promise Neighborhoods include:

- Institutionalization of the Promise Neighborhoods program as a pipeline of services to improve the academic and developmental outcomes of children living in the most distressed communities
- Support for "full-service community schools" that improve access to services for children in high-poverty areas
- A requirement that the Secretary of the Department of Education award at least three Promise Neighborhoods grants each fiscal year subject to availability of funds
- Support for planning, implementation and evaluation of Promise Neighborhoods grantees
- Continued funding for Promise Neighborhoods grants based on performance

Significant provisions of the law related to children and youth who are homeless, in foster care or in juvenile justice placements include:

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- Provision allowing youth in foster care to remain in their school of origin unless it's determined to not be in their best interests
- Requirement that child welfare agencies coordinate with school systems receiving Title I funds to arrange for foster youth's transportation needs
- Requirement that charter schools eliminate the barriers to enrollment by youth in foster care and unaccompanied youth facing homelessness
- Training for schools to identify and support children and youth experiencing homelessness, and help the youngest children facing homelessness access early childhood programs
- Requirement to report on the academic achievements and graduation rates of homeless children and youth and youth in foster care
- Improved support for youth returning to their communities from juvenile justice placements
- Assurance of timely re-enrollment of students who have been placed in the juvenile justice system
- Opportunities to earn credits and prioritization of earning a high school diploma for justice-involved youth

These provisions are a step in the right direction of disrupting the typical educational experience of youth who are in care or who live in communities beset by compounding disadvantage and systemic disparities. Our nation's schools and public systems need our support in providing the best, evidence-informed services and resources that will allow our children and youth to become successful adults.

The bill signed today also provides states with a great deal of flexibility in determining how to support early childhood and K-12 education. This requires that state and local advocates be vigilant in holding policymakers accountable for educational results for all our children. To ensure the best interests of poor children and children of color, it is critical for states to be held accountable for reducing equity gaps in achievement and assuring every child's success. Furthermore, as early childhood experts in the field are already noting, the bill makes significant changes to the current preschool development grant that may work against recent policy and practice gains in early childhood education, such as restrictions on early learning and development guidelines, indicators of quality, staff qualifications, class sizes and other standards. The legislation leaves an enormous responsibility for states and localities to implement the changes in ways that advance equity for all of our children. We stand committed to supporting them in that effort.

For more info on the CSSP: http://www.cssp.org/ ●

Resources

UPDATE PUBLISHED

Conditions for Return and Expected Outcomes: Navigating the Interplay between the Oregon Safety Model, the Juvenile Code and Case Law

This paper by Julie H. McFarlane, Supervising Attorney at Youth, Rights & Justice, was originally published in the Winter 2014 Juvenile Law Reader. It addresses the interplay of the Oregon Safety Model and the Oregon dependency statutes and case law in the context of "conditions for return" and "expected outcomes." This article has recently been updated, and you can find it here: http://youthrightsjustice.com/media/3828/yrj_law_reader_conditions-for-return_2015_update.pdf ●

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Save The Date

OCDLA Annual Juvenile Law Conference, April 15–16

Juvenile Training Immersion Program, April 14–15

PLUS — Juvenile Justice and Child Welfare Award for Excellence Presentation to Julie McFarlane, April 15

The Hallmark Resort, Newport, OR

Mark your calendars for OCDLA's enhanced "Annual Juvenile Law Conference" on April 15–16 and the Juvenile Law Training Program, developed by the National Juvenile Defender Center, on April 14 and 15. Programs are under development.

Check ocdla.org for updates.

NEW AWARD — The OCDLA Juvenile Law Committee and Board of Directors is very pleased to announce the creation of a new "Juvenile Justice and Child Welfare Award for Excellence" which will be presented to Julie H. McFarlane, founder and supervising attorney of Youth, Rights & Justice, Attorneys, at the Annual Juvenile Law Conference on the afternoon of **Friday, April 15**. Ms. McFarlane is extremely deserving of this honor. Over the past 34 years, she has represented thousands of children, parents and youth in delinquency, abuse and neglect, termination of parental rights, adoption and miscellaneous juvenile cases. Ms. McFarlane has been a leader in juvenile law reform through numerous pieces of legislation, class action litigation, public advocacy and training. She has helped develop child welfare reform, legislative advocacy, and educational advocacy programs, as well as a legal helpline for children and adults calling on their behalf at YRJ.

PORTLANDIA AT YRJ

For a second year, Portlandia filmed scenes at YRJ's offices. We have no idea what Carrie and Fred were up to. We just know they filmed in an office, a conference room, and the lunch room.

The YRJ scenes will be in two different episodes broadcast in the upcoming Season 6:

Episode 601 *Pickathon* - airs January 21st, 2016

Episode 606 *TADA* - airs February 25th, 2016

Portlandia broadcasts on IFC at 7 p.m. and 10 p.m. Hopefully, we were ready for our close-up!

2016 YRJ WINE & CHOCOLATE EXTRAVAGANZA

Mark your calendars! The 8th Annual Wine & Chocolate Extravaganza will be held on Saturday, October 15, 2016. We hope you can join us! Stay tuned for details! ●

PHOTO BY IFC

Thank you for your outstanding support of Youth, Rights & Justice. We wish you and yours a very Happy New Year!