

# Justice for All: Ensuring Equity of Services for Children in Foster Care

by Lisette Austin

When 12-year-old Michelle Pacheco-Espinoza met her new CASA volunteer, Lynne Alper, she wasn't sure what to think. "It was the first time I'd had a Caucasian person in my life," Michelle, now 23, remembers. "I didn't trust her."

Michelle, who is Mexican American and grew up in Santa Cruz County, CA, had been in foster care for a year and had already experienced multiple placements. "That first day, Lynne took me for a walk," says Michelle. "I wasn't sure about her at first. But we hit it off."

Lynne soon became an important person in Michelle's life. A high school teacher for many years, Lynne knew that education would be key to Michelle's success. She also realized that as a minority child in foster care with learning disabilities, the odds were stacked against Michelle. So Lynne got to work.

"She was a huge advocate for me in the area of education," says Michelle. "She made sure that I was tested in school, and she would meet frequently with my teachers."

Lynne also encouraged Michelle to take Spanish in school to perfect her grammar and reading skills. Having learned Spanish while in the Peace Corps, Lynne was able to practice with her.

"This was important for my identity and heritage because in foster care I didn't live in Latino homes," says Michelle. "It made me feel more connected to my culture." Lynne also advocated for Michelle at the age of 16 to meet her father, who lived in Mexico, for the very first time.

As Michelle neared the end of high school, Lynne encouraged her to continue her education. "Nobody else in my life was encouraging me to go to college—the focus was on graduating high school," remembers Michelle. "Lynne helped me fill out a scholarship form, and I got enough money to attend college."

Michelle is working as a peer mentor and program assistant at the Santa Cruz County CASA office for the summer. She has experienced significant successes in her life—most of which she credits to her advocate. "I don't think I would have turned out the way I have without her," says Michelle. "She has been a huge influence."



Michelle Pacheco-Espinoza with her former CASA volunteer, Lynne Alper

Michelle's story could easily have ended up very differently. Statistically, children and families of color in the foster care system receive fewer and lower-quality services, less foster parent support, fewer contacts by caseworkers and less access to mental health and drug treatment.

"Everyone else I knew who was Latino and in foster care had outcomes that were not very good," says Michelle. "I've seen many fall through the cracks as they got older—and end up homeless and on drugs."

This inequity of services is framed by a general overrepresentation of children and families of color in the system. Research shows that a disproportionate number of minority children enter foster care and stay in care longer. For example, although African American children make up only 15% of the general child population, they represent 35% of children in foster care. According to the Child Welfare League of America, children of color are also more likely to be moved from one placement to another, are less likely to be reunified with their parents or close family and wait longer to be adopted.

When it comes to equity of services, families of color are not the only ones experiencing unequal treatment. Disability, socioeconomic status, sexual orientation and immigrant status can all be barriers to receiving resources

and having better outcomes. Many working within the child welfare system still have preconceived ideas about children who are living in poverty, have a disability, identify as gay or lesbian or come from immigrant families. These biases can negatively affect important decisions that define a child's future.

Inequity of services in the child welfare system is an issue that agencies and organizations across the country, including CASA programs, are tackling. National CASA's current strategic plan includes the goal to "reduce disproportionality and ensure equitable outcomes for children." More and more people are willing to discuss institutional racism and the influences of implicit bias. More are acknowledging the need to address disproportionality and ensure equity of services so that *all* children can have an equal chance to experience positive outcomes.

### Leading Change in Texas

Joyce James at the Texas Department of Family and Protective Services is dedicated to reducing disproportionality within the child welfare system and sees this work as crucial to improving the system for all children, youth and families. Her focus began in 1996 after spending many years struggling with what she was witnessing, first as a caseworker and then as a supervisor and program director. James is now associate deputy commissioner of the department's Center for the Elimination of Disproportionality and Disparities.

"As I became responsible for larger areas, I began to see more clearly the inequity and disproportionality in our system," remembers James. "About 14 years ago, I made the decision to really look at system data by race and ethnicity as a way to understand possible contributing factors to disproportionality for African American children and families. This would also help us understand whether there was an imbalance in how we provided services."

The data did not reflect a system of equity. "We brought many people to the table to discuss contributing factors," says James. "We used the data to guide discussions and raise questions about how we were doing business within our organization. We recognized that what we were seeing was not solely a CPS problem; however, we committed to holding ourselves accountable and examining our role."

James's department conducted research to find out which communities had the most child removals and what the characteristics were of the

families living in those communities. "Although we were seeing higher numbers of removals for African American children and families, at the time we didn't have any research showing that these families were neglecting and abusing their children at a higher rate," she recalls.

Now that they knew where to focus, James and her team developed a series of strategies that included making resources more accessible to families; learning more about community history and culture; engaging parents, youth and families in service delivery planning; and working to increase the number of children who could remain safely in their own homes. The result has been impressive.

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“There has been a definite decline in disproportionality of services,” says James. Data show that between 2005 and 2008, there was a reduction in the disproportionate rate of removal. Over the same period, rates of reunification and kinship placement increased. “We developed a successful strategy to change the way we delivered services through a collaborative effort among families, youth, communities, CASA and other child- and family-serving systems,” says James.

### CASA New Orleans

Dellona Davis has also made it her mission to ensure equity of services for children in foster care. Davis first joined CASA New Orleans as a volunteer in 2001. In 2005, Hurricane Katrina hit New Orleans, devastating the city. By then Davis had left the CASA program. But she got back in touch in hopes of finding out how the youth she had worked with were doing. This in turn led to a career change.

“I had been working in hospital management, but after Katrina I realized that money was not the most important thing in the world,” says Davis. “I needed to make a difference.”

And she did. Davis became executive director of CASA New Orleans. She quickly saw the need to address the disproportionality in outcomes for youth. “When I took over, I looked at how we could better serve kids and make our board, volunteers and staff reflective of the children we were serving.”

Davis began actively recruiting more African American, Latino and male volunteers. “We spent a lot of time

going out in the community spreading the word,” says Davis. “We wanted people to know that we were not some exclusive club, that we were trying to make outcomes better for children in foster care.”

The program also began to actively recruit people from lower socioeconomic backgrounds. “I’m not sure why anyone thinks people with limited resources wouldn’t want to volunteer,” says Davis. “They *do* want to serve, and they make great advocates because they understand.”

Recently Davis has focused on bringing in more gay and lesbian advocates—with some controversy. “Some people see it as encouraging gay behavior in children,” explains Davis. However, she feels it is important to acknowledge that some of their youth identify as gay, lesbian, bisexual or transgender. “When people come in the door—I don’t care what their background is—they should feel understood,” says Davis. “I don’t want anyone to feel like they don’t belong.”

CASA New Orleans has also recruited younger members to the program’s board as well as public relations and fundraising experts to help increase community awareness and fiscal resources. Davis offers regular diversity training to staff and volunteers.

Although CASA New Orleans is now being recognized as a model program in terms of ensuring equity of services, Davis remains realistic about the task in front of her. “Unfortunately the work is never done. It’s a constant journey—there’s always something we need to be working on to be sure we serve the needs of these kids,” she says.

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## Equity Resources

In addition to the following highlighted resources, you can find a robust list of organizations, publications and tools related to equity at [CASAforChildren.org/EquityResources](http://CASAforChildren.org/EquityResources). This online page provides the most up-to-date list of resources and provides clickable links, eliminating the need to type long addresses into your browser. A separate list of national training resources can be found at [CASAforChildren.org/EquityTraining](http://CASAforChildren.org/EquityTraining).

### Casey Family Programs

The Alliance for Racial Equity in Child Welfare is a partnership between Casey and the Center for the Study of Social Policy. The alliance works to create a child welfare system that is free of structural racism and that benefits all children, families and communities. Visit [bit.ly/casey-cssp](http://bit.ly/casey-cssp). In addition, National CASA has been using Casey's *Knowing Who You Are* (KWYA) curriculum to train CASA/GAL board members, staff and volunteers on the impact of racial/ethnic identity development since 2007. This three-part learning experience includes an online video, an e-learning component and a two-day in-person training session. For more information, visit [bit.ly/casey-kwya](http://bit.ly/casey-kwya). If you are interested in bringing KWYA to your program or state, email [training@nationalcasa.org](mailto:training@nationalcasa.org).

### Courts Catalyzing Change Initiative

This project of the National Council of Juvenile and Family Court Judges brings together judicial officers and other systems experts to set a national agenda for court-based training, research and reform initiatives to reduce the disproportionate representation of children of color in dependency court systems. Visit [bit.ly/ncjfcjcc](http://bit.ly/ncjfcjcc).

### Fourth National Incidence Study of Child Abuse and Neglect

Information about the Fourth National Incidence Study of Child Abuse and Neglect (NIS-4), a report to Congress, is available at [nis4.org](http://nis4.org). This research includes the latest demographics relating to disproportionality, including race and socioeconomic status.

### Implicit Association Test

Project Implicit's website describes research measuring bias and implicit associations. It also allows you to take various versions of the Implicit Association Test. Visit [implicit.harvard.edu](http://implicit.harvard.edu).

### National CASA Connection Articles of Interest

Past issues of *The Connection* dealing with specific equity topics are at [CASAforChildren.org/ConnectionArchive](http://CASAforChildren.org/ConnectionArchive):

- Addressing the Needs of LGBTQ Youth in Care (Fall 2009)
- Challenges Faced by Foster Youth with Chronic Illnesses and Severe Disabilities (Spring 2009)
- Serving American Indian/Alaska Native Children in Care (Winter 2009)
- Overrepresentation of Youth of Color in Foster Care (Summer 2007)
- Advocating for Foster Youth in Special Education (Winter 2007)
- The Interplay of Poverty and Child Welfare (Fall 2006)
- Immigrant Children and Families in the Foster Care System (Summer 2006)
- Multiracial Youth in Care (Summer 2004)

## Courts Catalyzing Change

Another promising approach is being implemented by the National Council of Juvenile and Family Court Judges through a recent initiative called *Courts Catalyzing Change: Achieving Equity and Fairness in Foster Care* (CCC). The initiative brings together judicial officers and other systems experts to set a national agenda for court-based training, research and reform initiatives to reduce the disproportionate representation of children of color in dependency court systems.

In 2008, the CCC Steering Committee began the development of a Racial Equity Benchcard in hopes of reducing disparities by guiding and educating judges. A benchcard is a simple document judges have on hand with important questions regarding the child's life to keep in mind.

"Disproportionality is a clear issue in foster care across the country," says Hon. Nan Waller, a circuit court judge in Multnomah County, OR, who has over two decades of experience in the justice system. Judge Waller is involved in a pilot study of the new benchcard.

"No child comes into foster care without a judge approving it, and no child leaves care without judicial approval," says Waller. "We have a responsibility to understand disproportionality and how it influences who comes into and leaves foster care."

The CCC benchcard encourages judges to ask themselves important questions like, "What is the culture of the family in front of me? Do I have the right people in the room? Are the right questions being asked?" Judges are also encouraged to make sure parents are engaged and part of the planning.



"We want judges to check their own implicit bias. It's too easy to make quick decisions without obtaining sufficient information," says Waller.

The benchcard was piloted in three jurisdictions: Los Angeles, Omaha and Portland. There are both research and control groups—some judges use the card while others do not. Preliminary results are promising, with increased family placement and lowered rates of entry into foster care after implementation of the benchcard.

"The benchcard causes people to slow down and really think about who is in front of them," says Judge Waller. "By asking the right questions, we can create individually tailored plans that pull from the family's strengths and culture."

## Call to Action

The good news is there is an increasing awareness of the issue of disproportionality. "This convergence of attention is going to have the result that we all want," says Judge Waller. "The justice and child welfare systems, and individual communities, will be better able to serve families."

But it's clear that there still is much work to be done. What can those involved with children in foster care do to work toward equity of services? Judge Waller recommends starting by taking the Implicit Association Test (see Resources sidebar) to understand how implicit bias influences our decisions about people.

"No one wants to think of themselves as biased," says Waller. "But we are all influenced by our culture, the media and our histories."

Joyce James offers additional recommendations. "Collaboration is key in understanding what is best



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*—Michelle Pacheco-Espinoza*



for a child,” says James. Not only collaboration among social workers, advocates and others closely involved with the child—but also the family and community. “Community involvement is critical,” she says. “It’s about helping communities get back to the business of supporting families in keeping their children safe.”

James strongly encourages courageous conversations on race and institutionalized racism, learning about the history and culture of children’s families and communities as well as working toward kinship care placement when a child must be removed from home. She also stresses that each family is unique.

“We’ve moved away from our cookie-cutter approach and toward a model that meets each family’s individual need,” says James. “This grew out of a greater sense of cultural awareness and an understanding of the importance of family engagement—which in turn brought a greater feeling of mutual respect.”

Waller, James and Davis all agree that learning more about the issue of disproportionality is important, as is ongoing cultural training—including exploring one’s own background and biases.

“It’s also important that we include all areas of disparity—such as disability, poverty, sexual orientation and gender,” says James. “When we don’t, we are maintaining the system of inequity and further alienating youth who are looking to us for help.”

Simply being in foster care itself can be a barrier. “Equity of services doesn’t just mean addressing disproportionality within foster care,” says Davis. “It’s also helping youth in the

system obtain services and resources that children outside the system would receive. Being in foster care is a label that often results in discrimination and lack of services.”

Pursuing these strategies can yield tangible results. “We have seen a philosophical shift in our attitude toward the people we work with,” says James. “Early in this work we began to see people taking more factors into account when making important decisions about a child’s welfare—and making decisions reflective of what we would want for our own families and children.”

James also mentions that much of this work was supported by CASA programs. “We’ve worked together to increase the cultural competency of staff and volunteers—which is now reflected in improved outcomes for the children, youth and families we work with.”

In Michelle Pacheco-Espinoza’s case, she was lucky to have a CASA volunteer who pushed to ensure she received the same educational and medical services as other children.

“If more advocates gave that extra push—whether they are of the same culture or not—then there would be more kids with better outcomes,” says Pacheco-Espinoza. “Statistically I should have been homeless, pregnant and a high-school dropout, but I’m none of those things. My advocate was my voice—she gave me the power and strength to succeed.” 🗨️

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